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Social Aspects of Democratic Safeguards in Privacy Rights: A Qualitative Study of the European Union and China

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ABSTRACT

Purpose: The primary objective of the present research is to identify the basic tools and restrictions concerning the protection of privacy and personal data in the EU and China as two fundamentally different cultural systems. Based on the socio-cultural analysis of backgrounds, trends and expert assessments, the research aims to examine whether privacy protection standards, such as those provided by the GDPR in the EU, are sufficiently robust to endure the digital age. Two different cultural frameworks have been analysed in order to understand their influence on practical behaviours regarding the democratic safeguards in privacy rights enforcement in the EU compared with China. This is accomplished by comparing social control in the EU and the social credit system in China.

Design/Methodology/Approach: Considering the administrative context, a combined qualitative approach is applied, including normative and dogmatic methods, literature analysis, sociological and historical methods, expert interviews, and comparative and axiological methods.

Findings: The results of both theoretical and empirical parts of the research suggest that the stricter regulation in the EU compared to China – in the sense of more consistent protection of privacy and personal data as well as transparency rights – can be attributed to its democratic protection of human rights and more definitive regulations, particularly the GDPR. These major differences seem to create an even deeper gap in the future, to be explored scientifically and in practice. The authors conclude that authorities must actively guarantee the rights related to privacy and

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personal data protection, or else effective governance will lead to a surveillance society and erosion of individuals' freedom as a valuable civilizational asset.

Academic contribution to the field: The research contributes to administrative science by addressing one of the key concepts of modern public governance, namely the collision between the principles of effectiveness and transparency on the one hand and privacy on the other. The use of scientific methods paves the way for further comparisons.

Practical Implications: The article provides a concise overview of the relevant literature and an analysis of the rules that underpin the implementation, evaluation and improvement of regulations, especially in the light of ICT development, e.g. in times of the Covid-19 pandemic.

Originality/Value: The paper bridges the gap created by the differences in the understanding of privacy and public governance in the field in the EU and China based on cultural differences. The usual general or merely law- or technology-based analyses are upgraded with a combination of various research methods.

Keywords: *privacy rights, personal data protection, EU, democratic safeguards, China, control society, socio-cultural analysis.*

JEL: K23, K38

1 Introduction

Society and the public governance of community affairs are in a state of constant change. Good administration is deemed to respect and balance different principles. Over the past decades, however, in the light of modern processes such as globalisation, digitisation or delegation of public tasks to various public and private entities, this has implied also proportionate respect for transparency as well as privacy (Kierkegaard, 2009; Fisher, 2010; Kovač, 2014; Galetta et al., 2015; Pirc Musar et al., 2020; Erkkilä, 2020). The protection of or interference with privacy and the regulation of related rights, particularly personal data protection, are highly dependent on regional values, traditions, principles, and the legal arrangements in individual communities. This is not only the case for individual countries but also broader settings such as the European or (North) American system, the Asian and specifically the Chinese model.

Lately, the greatest impact on public governance and the concept of privacy has been demonstrated by the rapid and intensive development of information and communication technology (ICT), raising a number of challenges concerning legal certainty, democracy, fundamental human rights, social control and the role of public administration. This applies in general and in particular in the context of the COVID-19 pandemic (see literature review and findings in Aristovnik et al., 2021). The technological development of society often results in technology colliding with fundamental human rights (see, for example, Kent, 2013; Cullen, 2016; Zhao, 2015; Čebulj and Pirc Musar in Pirc Musar, 2020). Therefore, the need for a careful substantive and procedural as well as institutional regulation aimed to prevent or resolve such collisions in advance

is becoming all the more crucial for the democracy of government. This applies at the level of the highest legal acts, i.e., international and constitutional law (see Galetta et al., 2015, Avbelj et al., 2019). With the development and proliferation of ICT and large-scale data gathering, a plethora of questions arises regarding the appropriate processing of personal data, ICT regulation, and restriction of excessive ICT interference with the rights of individuals. Social control enabled by ever more easily accessible technology and increasingly large databases poses a key challenge for modern society balancing between the provision of privacy and freedom of expression and thought (and other human rights) on the one hand and the desire to regulate as effectively as possible and maximise citizen conformity on the other. According to various sources, the purpose of social control is to identify and regulate non-conforming behaviour of individuals in the society that, in turn, could deter them from such behaviour with punishments and rewards (see Peerenboom, 2005, pp. 72–162; Kent, 2013; Zhao, 2015, pp. 29–52; Kasl, 2019, pp. 349–358).

The article explores privacy and personal data protection by comparing two large entities stemming from different societal values and hence different public governance systems and legal regimes – the European Union (EU) and the People’s Republic of China. A brief summary of the legal rules in force in the European and Chinese orders is a starting point for a qualitative study, which is conducted on administrative scientific bases, focused on the analysis of the influence of different cultural backgrounds on concrete and practical behaviours. In the EU, the area of privacy has recently been marked by the adoption of the General Data Protection Regulation (GDPR),¹ directly applicable in all Member States since May 2018. In China, social surveillance is being enforced through what is known as the social credit system (Chen and Cheung, 2017; Dai, 2018; Mistreanu, 2018; Wong and Dobson, 2019; Ding, and Zhong, 2020; Shahin and Zheng, 2020). Quite clearly, the EU and China take the opposite stance in such regard, the former building on the restriction of interference – whether by public authorities or private actors – with people’s privacy, while the latter governs the society through government interference with individuals’ privacy.

However, the question occurs why to compare the EU and the Chinese systems, having in mind that EU is a supranational democratic entity and China a centralised and rather autocratic country. Nevertheless, as shown in the following sections, our intention is not to focus on the state-like mechanism themselves solely but mainly the cultural background leading to certain legal sources and administrative practices. Should we compare just one EU Member State to China, already the size scope would not be comparable, since the EU has 447 and China app. 1,402 million population, respectively, so the size is more equalised as would be the case if just one (European) country would be explored. And most importantly, as regards the EU legal framework through the GDPR, it is applied directly regardless of the national legal orders of Mem-

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119.

ber States. The primary objective of the present research is thus to identify the basic tools and restrictions concerning the protection of privacy and personal data in the EU and China and the trends of further development in the broader framework. We have examined to which extent such various cultural backgrounds critically contribute to development or erosion of democratic safeguards. By analysing the existing regulation, the article aims to examine whether the relevant protection standards are strong and robust enough to endure the upcoming digital era and whether there is a need for additional and stricter regulation in the future based on the cultural peculiarities attributed to European or Chinese system.

The structure of the article is as follows. After defining the methodological approaches in the second chapter and presenting the various complementary methods of qualitative social science research applied, the third chapter provides a sociological and theoretical framework of the regulation of privacy and personal data protection in the EU and China. This is based on an analysis of the latest scientific literature, especially from recent years. The fourth chapter denotes the empirical part providing a more detailed analysis of the Chinese and EU legal systems and their implementation, deriving from the comparison and analysis of regulations, summaries of expert interviews, and key findings from previously studied scientific literature. This chapter succinctly addresses the safeguards and standards of protection in the EU vis-à-vis China in the light of the research question concerning the extent to which privacy protection systems are related or differ in terms of ICT use and large-scale processing of personal data. The discussion in the fifth chapter addresses the main differences, the importance of their understanding, and future development trends in this field. It is followed by a conclusion.

2 Research design, question and methods applied

The research relies on the usual research process structure with the following basic steps: defining the research problem and research objectives, designing an analysis plan, collecting data, analysing data, and interpreting the results (Neumann, 2006). The analysis is part of broader research on the effectiveness and efficiency of public administration in Slovenia and the EU (cf. Aristovnik et al., 2021).²

As regards research design, the definition of the research problem, objectives, and the resulting research question was followed by the definition of the key units of scientific literature, be it in the form of scientific articles, monographs, commentaries on regulations, relevant case law or internet analyses. We proceeded from the objective of the research, which is to gain an insight into the commonalities and, in particular, differences between the European and Chinese privacy regimes by studying political, sociological, and

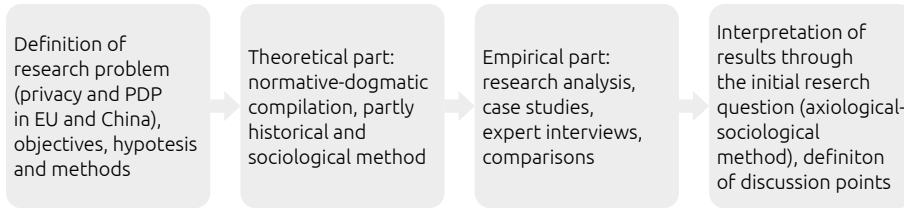
² Hereby, we acknowledge the financial support from the Slovenian Research Agency, especially regarding research funding of the core programme no. P5-0093 implemented at the Faculty of Public Administration, University of Ljubljana. See also COVID-19 Social Science Lab available at: <https://www.covidsoclub.org/home/>.

legal aspects in order to provide a basis for better mutual understanding and greater convergence in the future. The central research problem addressed by the article is how the concept of privacy can be understood in the context of entities as politically, sociologically, and legally different as the EU and China, and what its limitations are. The last part of the problem implies the identification of safeguards set by the EU to prevent the creation of a society of (by European standards) excessive control. The EU related regulation, literature and studies tend to take European privacy and transparency standards for granted, which should not be so; in fact, it is unfortunately not the case anymore already in some European countries when facing various crises and enforcing the measures, such as corona disease fight. The study therefore aims to show the respective developments in the direction of control society if not enough attention is paid to democratic values, as they are understood in the European context. Given the above, the following research question is addressed: *To which extent the EU regulates the protection of individuals' privacy rights more strictly than China, and what are the basic grounds thereof?*

The comparative analysis of the sociological context, legal regulation and its implementation in the EU and China is based on several complementary methods of social science research, characterised by a qualitative approach. It is recognised in the literature that structural constraints, cultural backgrounds included, shape actors' behaviour and that actors respond to isomorphic pressures from their institutional environments and adopt structures, practices, and routines that have high social value (Nitzl et al., 2020). Considering that the topic is addressed from the perspective of administrative law, normative and dogmatic methods, analysis of scientific literature, sociological and historical analysis, expert interviews, and comparative and axiological methods are used. The normative method, in particular, is frequently combined with sociological and axiological methods, especially in the chapter comparing the EU and China. When using the normative method, the study is limited to an analysis of relevant pieces of legislation in the EU and China and their scope as regards privacy rights. There is no detailed analysis of specific rules in force provided since this is not the core aim of this study and exceeds the research question posed. Here, legal regulations with the GDPR at the forefront were taken as the benchmark for assessing the applicable rules. As the latter are based on community values, they must be interpreted with an axiological approach, while the sociological method serves to examine society's influence on the law and law's influence on the future development of society.

The definition of research objectives and the study of the relevant literature were followed by normative and dogmatic analysis and definition of the basic concepts of research, after which came the empirical part. The basic steps of the research are presented in Figure 1.

Figure 1. Basic research steps with methods applied



Source: own.

The normative and dogmatic methods served to define privacy and public governance as the framework concepts of analysis. These two terms are both rather ambiguous concepts that even the authors in the same space and time define differently. In our case, it was important to understand which types and rights of privacy are legally defined, especially to personal data protection related rights. We assumed that personal data protection is a key part of information privacy, whereby specifically in the exercise of the rights of individuals privacy and PDP are strongly intertwined, to the extent that they are mostly considered interlocking, especially in the EU but also globally (cf. Kuner et al., 2020; Pirc Musar et al., 2020; Avbelj et al., 2019). Moreover, we built on the need for proportional respect of the various principles of good administration, particularly the balance between transparency and privacy. From the point of view of governance and law, it is further important to distinguish between principles and enforceable rights, as the latter only become real through the procedures for their enforcement (cf. Kovač, 2014). Consequently, in the following sections upon European and Chinese systems, not only the relevant regulations and substantive privacy rights are analysed but also procedural issues are brought in the focus of attention. Additionally, the institutions responsible for enforcement of personal data protection are briefly described to emphasise their role in bringing the letter of the law into actual practice. This is of special importance when colliding transparency and privacy safeguards are in question (Erkkilä, 2020; Galetta et al., 2015). The theoretical part of the research studied the historical development of personal data protection and privacy, control society and other phenomena, all with the aim to shed light on the reasons for the current regulation.

Using interviews or a survey to answer research question could be criticized as being too subjective (Nitzl et al., 2020). However, subjective measures are often the only way to receive internal information from organizations or, as in our case, (supra) national system (Speklé and Widener, 2018). Prior research in public administration and management also indicates that subjective measures strongly correlate with objective measures in an organizational context (*ibid.*). In order to bridge this issue and given the complexity of the studied subject as well as the qualitative nature of the research in the central part of the analysis, the triangulation approach was used for the sake of increased objectivity (more in Neumann, 2006). In simple terms, triangulation means analysing a subject from multiple perspectives and with multiple methods and resources. Thus, especially for the comparison between the EU and China, a

combination of literature analysis, case studies and case law, and expert interviews was used, whereby the prevailing method was structured interviews with experts on European and Chinese regulation.

The experts were selected based on their theoretical knowledge and work experience in the relevant institutions, as well as on the impartiality of assessment. The interview concerning the EU system was held in the first half of 2021 with the Head of Inspections at the European Data Protection Supervisor (EDPS) Ms. Ute Kallenberger; the interview about the Chinese system was held with Dr. Yongxi Clement Chen, Researcher and Professor at the Faculty of Law of the University of Hong Kong. The EDPS is an independent European Union's supervisory institution ensuring that the EU institutions and bodies respect and ensure the rights to privacy and personal data protection. Dr. Chen was chosen after a review of professional and scientific literature on privacy, personal data protection and restrictions of rights, and above all owing to his research on transparency and control. He is also an expert in international comparative administrative law. Thanks to the chosen eligibility criteria and a balanced selection of experts, the interviews generated the desired results. Moreover, the interviews were standardised but still allowed the respondents to provide additional explanations, while the replies were evaluated descriptively and later quantified for the purpose of comparison. The results of the various approaches were eventually combined into discussion points based on the evaluation of the obtained results.

3 The sociological and legal framework of privacy and personal data protection in the EU and China

3.1 Baselines and legal framework of privacy and personal data protection in the EU

In modern democracies, public authorities are in possession of a vast body of information about citizens. They keep data on individuals as data custodians and are obliged to process it with due care and in accordance with personal data protection principles, such as accountability, proportionality, fairness, transparency, purpose limitation, integrity (Kierkegaard, 2009, p. 4). Hereby, privacy and transparency mechanisms in particular, are not just tools for applying legal rules but also extend the provinces of public administration and administrative law, contribute to architecture thereof, and provide new sources of conflict and dispute (Fisher, 2010).

When discussing privacy and transparency, the latter often declared as a contrast to privacy, so it has to be emphasised at the beginning that these are coincided concepts of good public governance and administration (Galetta et al., 2015). Privacy as well as transparency constitute democratic society only if both are proportionally enforced. Over time, however, various waves of transparency and privacy developments are characteristic for individual periods and countries or administrative traditions but convergent European and global understanding take all into account (Nikolić and Kovač, 2021). More-

over, these principles are associated with democratic accountability, but it also carries connotations of market efficiency. Although there are different modalities of (administrative) transparency, transparency holds promises for increased democratisation (Erkkilä, 2020). Transparency also implies access to public information, which can consist of various types of documents and registries and contradicts the system of principal data protection. Since especially administrative authorities manage significant amounts of personal data of citizens, transparency development, though, is raising additional concerns for privacy. Further, one can even claim that the attitude of the authorities towards the individual, individuals oversee and prevent possible infringements on privacy and protection of personal data by public administration, primarily through requirements for transparency (so called “right to know” or “right to information” based on the freedom of information (FOIA); Kovač, 2014). Hence, full transparency is not desirable by most accounts; concerns of its realisation are raised in particular through more digitalised societies and work processes in the EU and beyond (Erkkilä, 2020).

The large databases produced, collected and processed by authorities financed from public resources in the EU are determined and limited by the GDPR in force since 2016 and applicable since 2018. Member States were obliged to harmonise their national legislations with the GDPR by 2018. This is particularly important since public governance in the EU is based on multilevel governance, which only exceptionally applies uniform regulations and rather prioritises Member States’ autonomy (Nikolić and Kovač, 2021, pp. 624ff; Trondal and Bauer, 2015). As said, privacy and personal data protection in the EU are regulated by the GDPR, which, in addition to having set the relevant standards, is also important, as it is directly applicable in all Member States (more in Kuner et al., 2020). Interestingly, the GDPR places the above rights explicitly in the nationally autonomous administrative-procedural system, thus effectively combining the common goals while respecting national specifics (Pirc Musar et al., 2020, pp. 39ff). This means that rules are not just a dead letter as their implementation is monitored on an ongoing basis, as evidenced by the vast administrative case law, studies, research, commentaries on the GDPR, training of officials, introduction of compliance systems for public and private controllers, and the like. Hence, it is not surprising that the GDPR is considered the *de jure* and *de facto* constitutional identity of the EU. In addition, it overcomes the problem of information deficit of the citizens *vis-à-vis* the public administration, especially when its tasks are delegated to private controllers. Personal data protection is thus an important civilizational asset of the European society and is considered a fundamental, constitutionally provided human right in the EU and individual Member States (more in Kuner et al., 2020; Avbelj et al., 2019; Cullen, 2016; Kent, 2013).

The protection of the right to privacy and personal data as well as other human rights is the key obligation of any authority. As a rule, every human right is accompanied by three different obligations: to respect and not interfere with it; to protect it from possible interference and infringement by third parties; and to enable its implementation and exercise (Cullen, 2016, pp. 585-592). Thus, in addition to the GDPR, the right to privacy and personal data protection are

defined already in the UN Universal Declaration of Human Rights (1948). The European Convention on Human Rights (ECHR) and the EU Charter of Fundamental Rights (2010) are also important in this regard. The purpose of such regulation of both rights is to show that the rights to privacy and personal data protection are, especially in the EU, considered fundamental human rights and an important standard of the democratic values and functioning of the European society. Moreover, since all EU MSs have signed the ECHR and are the members of Council of Europe, they are obliged to personal data protection under the Convention no. 108, and subject to eventual judicial review by ECtHR.

In terms of operational enforcement, personal data protection and the related information privacy are reflected, especially in the EU, in the rights of individuals under the GDPR (Table 1). GDPR has been prepared, coordinated and adopted in several years, based among others on the Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, so this piece of legislation served as a precursor for finally enforced Regulation in 2018.

Table 1. Rights to privacy in Europe under the ECHR, the EU Charter, and EU Regulations

Rights under the ECHR (1950)	Article
Right to respect for private and family life	8
Rights under the EU Charter (2010)	Article
Respect for private and family life	7
Personal data protection	8
Rights under the GDPR (2018), based on the former Directive 95/46/EC (1995)	Article
Right to information	13 & 14
Right of access by the data subject	15
Right to rectification	16
Right to erasure (right to be forgotten)	17
Right to restriction of processing	18
Right to data portability	20
Right to object	21
Rights concerning automated decision-making and profiling	22
* Rights under EU Regulations on e-privacy (2017) & artificial intelligence (2021)	* Proposals

Source: GDPR, more on GDPR provisions in Kuner et al., 2020; Pirc Musar et al., 2020.

Article 6 of the GDPR stipulates that controllers – be they authorities, private companies, other individuals, etc. – provide an adequate and lawful legal basis for the processing of personal data of data subjects. Thus, for example, Article 6 defines the following legal bases for processing data: contracts, legal obligations, vital interests, the performance of public tasks, legitimate interests, and consent by data subjects. Such regulation binds controllers to process personal data on data subjects only if there exists a tangible and specific purpose and only within the legal bases provided for such purpose. The concept of the rule of law thus represents a key aspect and an important safeguard for the regulation of the said issues in the EU, ensuring a high level of protection. In terms of personal data protection and privacy, the GDPR enables data subjects to decide for themselves to whom, when and under what conditions they allow the processing of their personal data. Yet, one must distinguish various legal grounds to protect and interfere with privacy rights, since there is an obvious difference whether data protection is based on the legal statute or public interest in administrative matters (e.g. no right to be forgotten in taxation) as opposed to mainly consent giving in private matters (e.g. when dealing with data collection and rights of consumers in the market). The said difference is based on the power between the data holders and individuals, where public law grounds offer less hierarchical relation, so significantly stronger protection is given to the individuals in order to prevent more plausible and affecting misuse of public authorities. With the adoption of the GDPR, data subjects in the EU have become even more attentive of the security of their personal data. The adoption and the debate on the GDPR itself have had a significant impact on public awareness of the principles, rights and obligations pursued by personal data protection as the operationalisation of the principle of privacy (Pirc Musar et al., 2020, pp. 15).

Even more so, the GDPR – directly or by reference to national law – sets out the key procedural and institutional elements for personal data protection. Insofar a right does not present such elements; it can only be a dead letter, as shown by analyses in various fields. Thus, for protection to be effective (cf. Kovač, 2014, pp. 33–42; Pirc Musar et al., 2020, pp. 36–62), the following are needed. First, the definition of supervisory institutions, such as the national regulator and/or supervisory authority, and the European Data Protection Supervisor under the GDPR, and, second, the definition of the type of relationship and thus of the rights specific to this type of procedure. In the case of the GDPR, this implies, in particular, national laws on administrative procedure and laws on misdemeanours that implement the types and legal nature of measures defined by the GDPR and the associated legal protection. As regards national institutions, most EU countries have introduced the joint Information Commissioner, which jurisdiction usually comprises personal data protection and right to information simultaneously. Some countries, on the other hand, have opted to establish data protection agency and IC in parallel (e.g. Croatia). The holistic approach, nonetheless, seems to be more effective since it enables to run proportionate tests between privacy and transparency oriented rights on this initial administrative level, not only afterwards when respective disputes come in front of the courts (Pirc Musar et al., 2020). On the EU level,

one should recognise the huge importance of the European Data Protection Board, established by GDPR, which serves as an independent European body, contributes to the consistent application of data protection rules throughout the EU, and promotes cooperation between the EU's data protection authorities (EDPB, 2022). The latter task is carried out through engagement of national supervisory authorities' representatives in the Board from all EU MSs (and partially EFTA EEA states), and the European Data Protection Supervisor.

Second, if procedural law does not take into account or does not regulate the way in which the party's legally protected interest (e.g. rights under GDPR) is implemented, a legally relevant substantive decision can still be made, yet the status of the party that, in such case, lacks legal protection, is likely to be affected. If the authority determines an entitlement under public law, it should also determine the relevant procedure that would enable its effective protection. In fact, only the procedural elaboration of a substantive right truly enables its realisation. Therefore, in most legal systems, insofar as the procedure is not regulated by a sector-specific law, the principles and rules of national Administrative Procedure Act apply *mutatis mutandis* also in non-administrative, yet still public law relationships like in privacy rights enforcement also by private data bases holders. (Administrative) procedure thus serves the purpose it pursues, in terms of implementation of substantive rights and fundamental procedural principles or safeguards. The GDPR, though, only partially regulates procedural issues (see Pirc Musar et al., 2020); while on a systemic level, it leaves such up to the Member States. This seems like a logical choice considering the different administrative traditions of individual countries.

In addition to the GDPR, another two important (proposals for) Regulations have recently been developed in response to ICT development in the EU, namely the ePrivacy Regulation, addressing, in particular, the protection of personal and other data in e-communication, and the Regulation on artificial intelligence (AI) restricting the use of AI in relation to individuals.³ This shows the need for a more uniform and modern EU-wide regulation that restricts the interferences with the status of individuals. On the other hand, various analyses show (cf. Voss, 2017; Corbet et al., 2021; Nikolić and Kovač, 2021) that such rules may limit the EU's competitiveness when it acts as a political or economic entity against the US or China, which requires a constant trade-off between legal certainty and flexibility.

3.2 The regulation of privacy and the development of the social credit system in China

Being a socialist republic, China presents a completely different political and legal regulation of social issues than Western liberal democracies. The reins of society are in the hands of the Chinese Communist Party, which, with 89 million members, is one of the largest and most powerful political parties in

³ See the two proposals at <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52017PC0010>> & <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1623335154975&uri=CELEX%3A52021P C 0206>>.

the world (Lawrence and Martin, 2013). To stabilise the country's one-way system of government, the Chinese Communist Party is working to transform China into the most influential country in the world with the greatest economic potential. Considering its complete control and one-party system of government, however, its activities are non-transparent and, for the most part, considered a secret.

China has been repeatedly in the eyes of the world public for its numerous violations of fundamental human rights and its clear opposition to the ratification of declarations aimed to guarantee and protect human rights (Botsman, 2017). By doing so, China is moving far away from the liberal Western countries and strongly undermining the human rights system. The government quickly silences those who criticise and oppose this way of regulating society (Peerenboom, 2005, pp. 72–162; Kent, 2013). Despite China's constitutional regulation whereby all matters in the country are to be governed by laws, the Chinese legal system is quite unusual, as laws have never been codified. The majority of important decision-making in society is made by quasi-judicial institutions that resolve and decide on most public law matters, while the government runs and implements its governance of public law matters employing information systems and algorithms (Wang and Madson, 2013; Xu, 2019, pp. 153–175). An example thereof is the social credit system, introduced to ensure the greatest possible conformity of the citizens and fulfil the positive obligations of the government.

The social credit system is a Chinese government project whereby the government, by means of big data databases and various information on individuals, monitors and evaluates their social acceptability and trustworthiness. Each citizen gets an exclusive social score and is rewarded or punished based on his or her behaviour. The social credit system was first introduced in 2019 with the launch of a project coordinated by the Central Leading Group for Comprehensively Deepening Reforms of the Chinese State Council (Wong and Dobson, 2019, pp. 220–232). Despite a relatively short development and implementation phase, the system has been fully operational since 2020. The Chinese government has even made pilot algorithms available to eight high-tech companies to help test the integration of its large databases and thus improve the implementation and centralisation of its algorithm model (Cheung, 2009, pp. 275–279; Jiang and Fu, 2018, pp. 372–392). Despite several criticisms, those algorithms are kept secret already in the pilot phases and even today, hence it is not possible to fully determine which data the system is based on and with which algorithms such systems operate and collect process and exchange data (Cheung, 2009, pp. 275–279; Shen, 2018, pp. 21–31).

Citizens with high scores get rewards (e.g. easier access to loans or visas, Wasler and Tolkach, 2019), while those who score low are sanctioned (see, e.g., Liu, 2019). A pilot project entitled Honest Shanghai, for example, gave individuals the option to voluntarily download and sign up to the app by providing a range of personal data and importing data through the usage of facial recognition technology (Dai, 2018). According to a public project carried out in Rongcheng, a city in the Shandong province, each resident started off with 1000 social cred-

it points to be used for their social grade (Liu, 2019, pp. 22–32). Individuals with high scores were considered to be model citizens, those with a score of 850 to 600 were imposed restrictions, while those with a lower score became ‘objects of significant surveillance’ (Brehm and Loubere, 2018), did not have access to managerial positions, etc. Also in other Chinese cities where projects for the introduction of social credit systems were in place, e.g. in Dongfeng in the Henan province, various social credit rating algorithms were installed in landline and mobile phone systems. So, one was greeted with an audio message instead of a ringing tone that informed the caller that the person reached was an irresponsible and dishonest person when trying to call an individual who was on the system’s blacklist (Wong and Dobson, 2019, pp. 220–232). In the city of Taishan, LED billboards and large TV screens located in shopping malls and other public places were used to expose people on blacklists by displaying their pictures. By 2020, over 50 Chinese government departments signed a memorandum to restrict access to public goods for ‘discredited’ individuals (Aho and Duffield, 2020, pp. 187-212; Wong and Dobson, 2019, pp. 220–232).

The social credit system can thus be regarded as a covert and deliberate plan to create obedient citizens, which allows mass surveillance of individuals by using large databases and information. Such projects suggest that to make citizens conform and to create an environment of public order and peace, the Chinese government encroaches on many other aspects of society, especially individuals’ privacy and personal data protection, as well as their freedom of expression and autonomy in society. The social credit system project is thus a substitute for the Chinese system of individual trials, while the combination of ICT development and the use of power without legal guarantees is just another dimension of lowering democratic standards (Macnish, 2014, pp. 142–153). Such systems do not provide for any mechanism of protection and legal remedies in cases of unjustified placement of individuals on blacklists. By doing so, the government systematically violates fundamental human rights that are decided globally e.g. under the UN Universal Declaration. Thus, even the provisions of the Chinese Constitution remain just a dead letter, leading to digital dictatorship (Zhao, 2015, pp. 29–52; Chen and Cheung, 2017, pp. 356–378; Dai, 2018). In the case of the social credit system, the government deliberately promotes dictatorship, stifles fundamental human rights arising from international pacts, and imposes draconian projects aimed at the restriction of individual rights, surveillance, and citizen obedience. The reasons for this form of government can be found in the lack of an effective electoral system, transparency of government and its work, and democratic governance guidelines in general.

4 Results of the comparison of privacy regulation, trends and safeguards in the EU and China

To study the global understanding and development of privacy from a political and sociological aspect, we performed a comparison between the EU and China based on key findings of scientific literature, expert interviews, and axiological and sociological methods. It was aimed at exploring the com-

monalities and differences between the two systems to tackle our research question addressing global and regional principles of democratic governance, the regulation and understanding of personal data protection more strictly in Europe as opposed to the regulation in China.

The Chinese social credit system is by no means the only one where ICT and big data based algorithms are used in the context of surveillance. Although such systems of society regulation are hardly imaginable in the EU, some cases of individuals' assessment according to their specific actions can already be observed. Behaviour is assessed, for example, by some EU insurance companies that use computer-based data processing to determine whether an individual is a careful or reckless driver, which affects the cost of insurance for the vehicle owner. Similarly, data from various devices for tracking sports activities are used to determine the price of health and sports insurance. Moreover, the assessment of individuals is present in the private sector where customers rate service providers and the system uses the relevant algorithm to assign to this provider – according to its rating – more potential customers and improves its visibility on the platform. Similar assessment methods can be seen on social networks such as Facebook, Twitter, Instagram, etc. These systems operate on a voluntary basis but eventually act as control systems encouraging individuals to take certain actions. Yet, unlike the Chinese social credit system, they are based on individuals' voluntary registration and are not implemented by the government as in the Chinese case. The European assessment systems focus on encouraging citizens to pursue activities that are beneficial to society, thus helping society to create credible profiles of people, places and events (Kasl, 2019, pp. 349–358). However, such a way of society control also resulted in lower participation and visibility of individuals with low ratings. According to the review of the relevant scientific literature, such kinds of assessments on social networks in some way even promote the social credit systems (Shahin and Zheng, 2020, pp. 25–41; Mistreanu, 2018). In comparison, China's system is much more formalised and centralised, laying in the hands of a superior authority without the possibility of logging out and with much more serious consequences, i.e. limited fundamental human rights and tightened social surveillance.

In light of the above, the comparison between the EU and China was largely based on expert interviews, taking into account a previous normative analysis. The interview questionnaire contained four sets of questions with standardised answers to allow an easier and more objective comparison. The first set of questions referred to the authorities' role in ensuring privacy and personal data protection, i.e., whether the authorities are entitled to encroach on privacy or, on the contrary, they are primarily obliged to ensure the protection of privacy and personal data. The second set dealt with social surveillance, the third one with the institutional and supervisory function of the government to ensure personal data protection, while the fourth set featured a direct comparison between the EU and China according to previously defined dimensions and criteria. It is clear from expert interviews that in the EU, the methods of social surveillance – such as the social credit system in China or

even in Europe in the private sector and on a voluntary basis – are far from acceptable and are inconsistent with existing legal sources and trends. The European legal order explicitly excludes and restricts such encroachments on fundamental human rights and, if necessary, even restricts authority but this does not necessarily mean that any method of control is illegitimate and illegal. Namely, interferences are permitted when the following elements are cumulatively present: (a) a legitimate purpose prescribed by law; (b) exercised by a body designated as competent by the legislature, and (c) exercised within clearly defined limits of necessity and proportionality and with all safeguards concerning personal data protection and privacy, as well as other human rights. It is precisely the principle of proportionality that underpins any interference with fundamental human rights, even if social control systems had the necessary and thus legitimate purpose. Surveillance through the social assessment of individuals could only be some kind of transitional compensation by the Chinese authorities for the inefficiency of their courts in enforcing sanctions and ensuring conforming conduct by individuals (cf. Macnish, 2014).

Regarding the extent to which the government should regulate the right to privacy and personal data protection, the expert interviewee Chen emphasises that it is first necessary to differentiate between privacy and personal data protection, as only in view of their differences it is possible to argue that the government must allow individuals to have control over their personal autonomy and self-determination. He estimates that there can be no simple solution to what kind of regulation it should be, as the authorities must carefully extract this variable value of personal autonomy from a rather complex concept of privacy. This means that encroachments on such rights need to be treated on a case-by-case basis, as there are no general guidelines for guaranteeing such. Even in more collectively oriented societies such as China, there should be an exceptionally good reason in the public interest for certain government interferences with individual rights (e.g., interventions to limit COVID-19, which must also be well considered and limited in time). The same position is taken by the second interviewee, which confirms what also follows from the literature examined in the previous chapters. Expert interviewee Kallenberger emphasises the duty of the legislator to create a framework that allows citizens to exercise their right to control what happens to their data. Expert Kallenberger further points out that all data controllers, whether in the public or private sector, have the obligation to inform the people concerned about the processing of their personal data and observe all the principles of their protection. In the EU, the GDPR represents an important step towards a more prudent and responsible use of personal data by public and private entities (Ding and Zhong, 2020, pp. 630–644; cf. Pirc Musar et al., 2020 in the definition of private controllers). This reflects, inter alia, in the various forms of control despite the approach and purpose being the same, i.e., digitisation of control systems to increase the security of countries or communities.

Table 2 shows the main findings on the fundamental differences in the control systems of the EU and China, as shown by literature review, normative comparisons and, in particular, expert assessments. The table shows that

there are huge differences between China and the EU, both in political and legal terms. Unlike in China, the legal system in the EU is much more restricted, rigorous and detailed – there is stricter protection of privacy and personal data protection and stricter judicial review.

Table 2. Comparison of frameworks and bases of privacy regulation and control in the EU and China

Comparison criterion	EU	China
Political system	<i>Sui generis</i> form of a supra-national union of democratic countries	Authoritarian socialist republic with a single-party government
Legal tradition	A mix of continental & Anglo-Saxon traditions	Continental legal system
Legislation on privacy and personal data protection	More rigorous, uniform and definite legislation, particularly with direct application of GDPR in all Member States	Unclear, diversified and insufficient legislation with many undefined legal terms
Addressing privacy v. transparency	Both principles are systematically seen as a part of good administration	Privacy control is significantly predominant concept, while transparency is understood rather narrowly
Legitimacy	Limited grounds under Art. 6 GDPR (e.g. consent, contract, law)	National security and national interests
Liable entities	Same for public and private sectors	Almost unlimited authority
Procedural guarantees	Systematically enshrined through EU and national (administrative procedural) law	Almost non-existing
Control	As a rule, bi- or multilateral control	As a rule, unilateral control
Judicial review	Strict judicial review in relation to EU Charter & GDPR	Weak judicial review, subordinate to government

Source: own analysis.

The interviewees see the reasons for a more restricted regime in the EU and thus stricter protection of privacy and personal data especially in the system of democracy, the ratification of international human rights treaties, different cultural norms in the EU compared to China, and greater willingness and ability of individuals to participate in public governance and control of the government. Expert Chen notes that the biggest problem with the Chinese regime allowing such systems to prosper is precisely that the concepts and

understanding of the public interest are vague and interpreted in the light of the prevailing political interest. He also notes that the political party in power has monopolised the definition of the public interest, stating that it is in the public interest that the government controls individuals and infringes on their right to privacy. This is further allowed by a lack of regulations such as the GDPR to limit the interference of the government and other controllers. The problems of the Chinese system are thus systemic and culturally conditioned, as the law only reflects social tradition and values. Alongside that, the Chinese courts often refrain from settling the conflict between privacy and transparency by installing the so called “need to know” trend in their ruling of the requesters’ interest to access government’s information. Therefore, the principle of public monitoring and transparency by ensuring the governments accountability is often undervalued and prevailed by privacy (or other non-disclosure) aspects (Chen, 2015, pp. 275–276).

According to experts, in terms of a global understanding of human rights, the EU has – compared to China – more appropriate legislation that protects individuals from surveillance and excessive encroachment on the rights to privacy and personal data protection. The baselines and safeguards set out in the GDPR have already begun to spill over the EU’s borders. Thus, in August 2021, even China adopted its Personal Information Protection Law. This law and the GDPR are quite similar in several respects, from which it can be concluded that the GDPR is the gold standard of protection of the right to privacy and personal data protection both in the EU and more broadly, internationally. This is indeed positive for increasing the provision of these rights worldwide. According to the expert interviewees, the power and weight of individual principles (transparency, privacy, accountability, etc.) depend on political philosophy and the establishment of hierarchy between the two is a matter of political and wider social discourse.

These results might suffer from the classic limitations of interviews or survey-based studies (Nitzl et al., 2020; Speklé and Widener, 2018). The conclusions are necessarily based on average evaluations. Hence, we provide an overview of the systematic grounds, sources and trends, not idiosyncratic factors. The subjective evaluations of the respondents may lead to the misrepresentation of some key constructs in our study but by triangulation comparisons, we believe, overcome this weakness, so that final findings present scientific value and practical implications to be taken into account by legislatures and public administrators. From scientific point of view, it is important to mention also that our study is reflecting a specific point of time. A longitudinal research could analyse more long-term changes.

5 Discussion

Society control and the related challenges for privacy and personal data protection are increasingly shaping the course of societal development. Privacy and personal data protection, especially in the light of their provision and possible excessive interferences, also present a challenge in terms of under-

standing their dimensions and impact on other fundamental human rights (e.g. freedom of expression). The analysis of the Chinese social credit system suggests that inadequate provision of privacy and encroachment on privacy and personal data protection related rights/principles lead to a full surveillance society that deprives individuals of their ability to act autonomously. Based on the analysed academic and professional literature, it seems that the EU has developed some important fundamental safeguards under international, constitutional and administrative law (see Galetta et al., 2015, Cullen, 2016, and others) that prevent slipping into surveillance similar to that in China. At the regulatory level, privacy and personal data protection – in relation to the massive, algorithm-based collection of data on individuals – are generally defined by the GDPR. The latter thus represents the gold standard for the protection of the right(s) to privacy and personal data protection, as unanimously recognised by research and expert assessments.

The main objective of the research was to answer the questions of how the concept of privacy can be understood in the context of two entities as politically, culturally and sociologically different as the EU and China, and what safeguards the EU citizens have against (excessive) society control. Comparing the EU and China, however, has its limitations, taking into account the statehood and (de)centralised modes of public, governance, yet the aim of this study was to show cultural framework of legal safeguards and their trends on the field. While transparency and privacy are not antonyms, there is a trade-off between them. Transparency appears both as a concern and as a remedy in the debates over privacy: too much transparency may compromise individuals' privacy, but when trying to control the use of registry data by the public administration, we call for transparency (Erkkilä, 2020). If EU seems to dedicate a lot of attention to the proportionate balance of data protection on one side and (administrative) transparency on the other side, Chinese developments are rather unilateral in terms of more and more strict surveillance mechanisms of the state over its people. This shows fundamentally different understanding of human rights and democratic safeguards, which has comparative scientific but above all practical implications.

In this regard, it is worth pointing out that privacy is a rather complex notion that can be understood in different ways. Although in the EU privacy is considered a fundamental human right that enables the fulfilment of other fundamental human rights, while any encroachment on this right is seen as an encroachment on the autonomy and freedom of individuals, this is not the case in China. In China, privacy is not seen as a human right, nor is it regarded as one of the foundations of freedom, while its legislative protection is scattered and uncoordinated. Given its dysfunctional judiciary supporting a system of sanctions and punishments for all kinds of violations, the government's main sanction is naming and shaming, which means total loss of privacy and social surveillance. In China, such kind of governance seems to build primarily on systemic problems rooted in the citizens due to the lack of basic democratic elements. The European system, on the other hand, focuses on democracy, the rule of law, lawfulness and strict protection of fundamental human rights. The differ-

ences between the two are cultural, social, as well as political and legal, which means in particular that China, compared to the EU, presents a severe lack of adequate safeguards against government interference with the privacy of individuals and an inadequate system of judicial review. The extensive surveillance of citizens through naming and shaming discredited individuals and allowing sanctions and rewards leads to the gamification of the process of managing public tasks and government obligations, and thus to disproportionate interferences with the privacy of individuals. This result was indeed expected, as historical and comparative experience shows that human rights protection standards are much higher in the EU than in China. As a result, understanding the limits of privacy and its importance in the context of ensuring other fundamental human rights, in particular, is a major guiding principle of Western democracies. Any restrictions on fundamental human rights should always be the result of rigorous consultation procedures, where the real costs and benefits of any measures and interventions in any human right are carefully weighed.

The initial research question, to which extent and why the EU, compared to China, presents stricter and broader protection of the right(s) to privacy was answered taking into account the attributed principles of democracy and the strict provision of fundamental human rights in the EU. The finding might seem (too) obvious, yet is not self-evident in the extraordinary circumstances in major crises (financial, health, migrations or wars related). Consequently, based on both the extensive academic literature on the social credit system, its limitations, evolution and impact on individuals' privacy and personal data protection, as well as on comparisons of regulations and assessments by expert interviewees, it is shown that cultural values serve critically as a framework for individuals' safeguards toward public authorities or the lack of them. The key difference between the European and the Chinese models do turn out to be especially values of Western democracies, with their respect for the principle of proportionality, which applies to both drafting and implementing regulations in practice. The use of technology must thus be appropriate, lawful and within the framework of privacy and personal data protection (Peerboom, 2005, pp. 72-162; Kent, 2013; Zhao, 2015, pp. 29-52; Kasl, 2019, pp. 349-358). This prevents the development of ICT systems such as the social credit system on European soil. China's system of rating its citizens is incompatible with the core values of European society, which is based on democratic precepts and a strict guarantee and recognition of human rights such as personal data protection. In this respect, the GDPR may well be considered the gold standard on a global level.

This is the case not only in terms of substantive privacy rights but also refers to procedural and institutional regimes (cf. Fisher, 2010). For the latter the role of European data protection board and supervisor, as well as national agencies and information commissioners are emphasised for the sake of achieving both, the unified application of EU law in all MSs (EDPB, 2022), and bridging potential gap between the law in letter and administrative practices in force. Moreover, the procedural elaboration of a substantive right defining the participants in the procedure, formality, stages of the procedure, dead-

lines and remedies, enables its realisation, particularly through co-participation of legitimate entities. In consequence, it is important to acknowledge the role of joint procedural and even more the national Administrative Procedure Acts application in enforcing the privacy rights (cf. Kovač, 2014). Besides the GDPR, the future EU Regulation on artificial intelligence (proposed in April 2021) is expected to provide additional protection against interferences with privacy. It is intended to standardise the rules for AI use in the EU and provide additional safeguards for the use of such systems. The main objectives of the Regulation are, in particular, to ensure that AI systems placed on the Union market are safe and respect Union values and fundamental human rights, to ensure legal certainty and predictability to facilitate innovation and investment in the AI sector, and to facilitate the development of a lawful, safe and trustworthy single market for AI. Finally yet importantly, it aims to enhance governance and effective enforcement of safety requirements and fundamental rights applicable to AI systems. The proposed AI Regulation is based on the estimated level of risk posed by AI in terms of achieving the appropriate level of compliance (from unacceptable to high, limited and low risk). It also envisages the setting up of a special EU body – the European Artificial Intelligence Board (EAIB) – to provide advice and expertise to the European Commission, as experience with personal data protection or public information (see Kovač, 2014; Pirc Musar et al., 2020) points to the need for institutional oversight for the effective exercise of rights. The EAIB will foster effective cooperation between national supervisory authorities and the European Commission, coordinate and contribute to guidelines, and assist national supervisory authorities and the European Commission in ensuring a consistent application of the Regulation (Corbet et al., 2021).

We should hereby point out that the GDPR already serves as the main existing protection mechanism and regulatory framework that limits some uses of AI and big data processing in the EU. Not only does the GDPR in Article 25 stipulate the design of any systems processing personal data by being built with the awareness of data protection by design and by default, the GDPR also strictly limits any system (AI or beyond) to strictly take into the account the main personal data principles, such as data minimisation, purpose limitation, transparency etc., when any personal data is being processed. The GDPR also enables (in light of the transparency principle) that the individuals may always request from their data processor any information regarding their data and therefore stipulates in Articles 15, 1(f) that any data subject has the right to obtain information whether their data was processed by automated means and has the right to obtain meaningful information about the logic involved as well the significance and the envisaged consequences of such processing for the data subject. With that in mind, Article 22 of the GDPR also gives the right to the data subject (except in certain conditions set by the Article 22, paragraph 2) to refrain from decision made solely by AI and request that such decision has no effect on the individual. Moreover, Article 35 of the GDPR also invasions that a controller conducts an impact risk assessment of envisioned processing on the protection of personal data, where the processing might result in high risk to the rights and freedoms of the individuals. All things considered, the

not yet finalised AI Regulation will thus, according to the proposed provisions, complement the already existing provisions of the GDPR and provide additional safeguards in the EU to discourage systems similar to the social credit system. As the artificial intelligence systems become smarter, faster and more proficient, their ability to sort out valuable information from the variety of big data becomes easier, granular and immensely more accessible. The faster collection of big data and systems ability to meticulously analyse the data, offers an immense challenge on its ability to intrude on privacy interests of the individual. It is therefore crucial to design such regulation that would on one hand protect individual right to privacy and personal data protection while on the other hand not excessively intrude on the AI development.

China may be seen as a very peculiar national system, especially compared to the supranational one like the EU. Yet, Chinese rather extreme practices and trends offer a reflection on the European cultural values and the consequent EU legal regulation. This study, in spite of given constraints, shows both; first, a high level significance of cultural background for legal institutes and administrative practices to be enforced in any field. Second, the EU is not immune to the erosion of democratic safeguards at protecting privacy when a more centralised need to respond to major crises is required. As in China, also in the EU, one observes the deterioration of the rule of law instead of its strengthening when faced with a need for rapid administrative measures. In sum, this research opens up numerous scientific questions for new prospective field studies. For instance, an issue of crises resilience in public governance, especially in law-making and administrative procedures, occurs. The study also reflects upon the differences of centralised countries regardless of its size (China as an example albeit extreme one) and the decentralised coordination required as in the pursuit of unified EU and national law and institutions in public affairs and related European reforms. Further, we can explore the importance of the principles of separation of powers (legislative, executive, judicial) in the contemporary environment and proportionality, especially in conflicting privacy and transparency rights. As key concepts of public administration, privacy and transparency are relevant for both democracy and efficiency of public governance, despite the fact that they are ambiguous and even paradoxical by nature (Erkkilä, 2020). Actually, too strictly taken or top-down only enforced privacy often acts as the trigger for transparency call (Fisher, 2010). Ensuring the balanced enforcement of privacy and transparency rights, (indirectly) enables the individual to better participate in the process of governing public affairs while also on the other side protects the individuals from possible abuse of power by enhancing the governments' accountability to the public.

In conclusion, it should be pointed out that the Covid-19 pandemic brought many challenges to society and led to stricter control over citizens to protect public health. Such approaches are often presented as an expression of increased efficiency and responsiveness as the guiding principles of good public governance (e.g. according to Aristovnik et al., 2021). For example, in March 2020, Russia reported that it used face recognition technology – a highly invasive and therefore almost unlawful approach according to the proposed EU

regulations! – to arrest and fine over 200 individuals who breached isolation and quarantine. Although Russia was critical of China's social control system, the threat posed by Covid-19 showed – in Russia as well as in several EU countries, cf. the results of the constitutional review assessing certain measures as unconstitutional or unlawful – that under specific conditions, a system without adequate safeguards can force even a critical authority to do the same. Comparative study, carried out hereby, is therefore of high significance, especially in the light of privacy intrusions and personal data protection during the corona pandemics. Namely, it has revealed the relativity and even fragility of the right to the protection of personal data globally, the EU included. This finding, we believe, is very important for future development of safeguards, albeit or even in particular when facing special circumstances. Not even major crises should allow rather total infringement and denial of such fundamental principles and rights as developed over time in European context or insofar sacrifices prove to be of no avail, which is not acceptable within a democratic framework. Individual human rights should therefore only be limited to the extent of what is appropriate and necessary in order to attain the objectives legitimately pursued by the measure in question which should be proportionate *stricto sensu* given the context of the concrete limitation.

The study shows that broader cultural and societal environment is very decisive when it comes to regulating, respecting and guarding human rights and implementing good administration. Privacy and data protection are hereby often among the first victims of governments' interests to command the critical response to crises occurring in a contemporary world. The Chinese example shows where also European or Western development can lead to if not careful in preserving (regional) democratic standards and proportionate weighing between efficient public governance and good administration principles, privacy rights incorporated. Recognising how fragile the concepts of democracy and fundamental human rights are, we can conclude that the introduction of similar control systems in the future is likely even in the EU. Despite consistent protection of privacy and personal data, which derives from the widespread practice of both national and European courts, and despite the ratification of international treaties (Browne, 2017) it can be concluded that the safeguards of human rights protection in the EU prevent the authorities from creating a surveillance society. It is precisely through the definition of fundamental human rights in the EU that personal data protection preserves its relevance (Kuner et al., 2020; Cullen, 2016). It is therefore necessary – even or especially in crises – to overcome the dilemma between security and freedom, as these are both valuable civilizational assets.

6 Conclusion

The key difference between the EU and China in the regulation of the topic under consideration is the concern for privacy and related rights of personal data protection. The European legal framework on privacy and personal data protection, with the GDPR at the forefront, is robust, modern and able to

adapt to the needs of modern society, notwithstanding the exceptional development of ICT and global crises. However, new technological solutions and practices, as characteristic of the Asian setting, are causing new collisions with established social conditions, and thus with the guaranteed human rights of individuals. This often leads to a series of challenges and the necessity to regulate a certain area in a manner such as to ensure that the collection and processing of personal data employing technology are appropriate, lawful and proportionate. But this is only possible if and as long as personal data protection is systematically understood as a core human right, restricting the authorities' interference with the privacy of individuals.

The main difference between the EU and China thus lies in the systemic regulatory framework that allows for an effective personal data protection and prevents mechanisms such as the social credit system. In the EU, democratic safeguards are in place that guarantee human rights, proportionality, the rule of law and legality, which are not categories that can simply be taken for granted. They call for constant monitoring, awareness raising and improvements of regulations tailored to societal changes. This leads to a final call for the society of the future to be guided by the principles of democratic government based on the European values of high protection of privacy and personal data. Let the path of social development be paved not by technology, but by the values of a particular social community, balancing individual rights and community benefits as the prescribed foundations, measures and limits of the public interest.

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Command, Control and Co-Creation: Drivers and Barriers Faced by Professionals Co-Creating in the Slovenian Public Sector

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ABSTRACT

The academic contribution to the field is twofold. Firstly, the paper identifies co-creation drivers and barriers from the professionals' point of view – a largely overlooked perspective in the relevant literature. Secondly, by being placed in the Slovenian administrative context, the paper complements and enriches the debate on co-creation shaped predominantly by the experience of Northern and Western Europe.

Purpose: By focusing on the Slovenian public sector, as a traditionally hierarchical administrative context, the paper aims to identify factors that stimulate professionals to implement co-creation in their everyday work, as well as factors that impede their decision and behaviour in this direction.

Design/methodology/approach: The paper relies on two Slovenian case studies capturing the experience of professionals from the Ministry of Public Administration and the Municipality of Ljubljana. The key data-gathering methods were qualitative open-ended interviews with 'lead professionals' (at managerial positions) and focus groups with professionals who have regular contact with service users/external stakeholders and/or experience with co-creation.

Findings: The findings of the paper indicate that professionals implement co-creation even in 'unfavourable' hierarchical and centralised settings. A key driver for them to co-create in such a context is strong political support at the highest level. However, a more profound internalisation of

co-creation depends on the redefinition of their professional identity, as well as on the (personal or collective/organisational) interest in co-creation.

Originality/significance: The paper makes a pioneer step in providing an in-depth look into the drivers and barriers professionals face when implementing co-creation in the Slovenian public sector. As such, it provides valuable input for further comparative analyses of co-creation drivers and barriers faced by professionals across Central and Eastern Europe.

Keywords: barriers, co-creation, drivers, professionals, Slovenia

JEL: H83, L84

1 Introduction

Public sectors across the globe have been facing unprecedented challenges stemming from economic crises, pandemics and climate change. A promising solution to these wicked problems is 'co-creation' – a concept resting on the assumption that their successful solution requires wider collaboration and exchange of resources among all relevant actors, including citizens, companies, NGOs, etc. (Dixon et al., 2021; Torfing, 2019). However, the very adoption of this idea by public organisations does not automatically guarantee success (Magnussen and Rønning, 2021; Engen et al., 2020), as the outcome largely depends on the role played by professionals.

The paper aims to map drivers and barriers professionals face during the implementation of co-creation in the Slovenian public sector. Precisely, the goal is to identify factors that stimulate professionals to implement co-creation in their work, as well as factors that impede their decision and behaviour in this direction. Thus, the paper addresses two key shortcomings in the literature on co-creation: 1) the largely overlooked perspective of professionals, and 2) its contextual bias. The latter implies that the theory and research on co-creation are shaped almost exclusively by the experience of Northern and Western Europe, marginalising other regions as relevant research sites (specifically Central and Eastern Europe, see Jukić et al., 2019, p. 11). Given the importance of the context, this is highly problematic as it widens the discrepancy between theory and practice and thus challenges the relevancy of the theoretical conclusions as to when and why co-creation works. Addressing both these gaps simultaneously, the paper will contribute significantly to the literature on co-creation, in terms of identifying conditions that stimulate professionals to co-create even in 'unfavourable' (e.g. centralised and hierarchical) settings.

Therefore, the paper shifts the research focus to the co-creation experience of the Slovenian public sector and the prism of professionals. Slovenia is an interesting administrative environment due to its resilience and impact of the local context on reform outcomes – *inter alia* evident in the failure to achieve full convergence with the EU benchmarks on administrative reform (Verheijen, 2010, p. 232). Moreover, the Slovenian context has provided space for the

emergence of some authentic collaborative innovations, such as participatory budgeting (Klun and Stare, 2019) and co-creation and co-production initiatives at the national and local levels (Vrbek and Jukić, 2021; Dečman, 2019; Bastin and Weinberg, 2018). The limited research conducted specifically about the co-creation experience of Slovenian public organisations has managed to capture co-creation drivers and barriers related to (un)favourable organisational features (Hržica et al., 2021; Vrbek and Jukić, 2021), thus drawing an image of the Slovenian public sector as a rather centralised structure embodying top-down culture (Regal and Ferlie, 2020). However, the key problem is that we still lack an understanding of the perspective and role of professionals to be able to conclude whether and to what extent this kind of administrative environment enables or impedes them to implement co-creation.

Hence, the following research question is posed:

What are the drivers and barriers that stimulate and impede professionals in the Slovenian public sector to implement co-creation in their work?

To answer the research question, the paper relies on two case studies referring to the experience of professionals within the Slovenian Ministry of Public Administration (MPA) and the Municipality of Ljubljana (MoL). The former case captures the endeavours and activities undertaken in the area of digitalisation, where professionals often (aim to) apply co-creation. The latter case refers to the experience of professionals within the MoL, which sets collaboration with citizens among its key strategic priorities and implements innovative practices featuring aspects of co-creation (e.g. the Service of Citizens' Initiatives, see Vrbek, 2020).

The remainder of the paper is structured as follows. In the next chapter, we review the relevant literature to define who professionals are and discuss their role regarding co-creation. The third chapter presents the methodology of the research and the two Slovenian case studies. The fourth and fifth chapters discuss co-creation drivers and barriers faced by professionals from the MPA and MoL, respectively. In the concluding chapter, we provide an answer to the research question and revisit the empirical findings through the prism of their contribution to the theory on co-creation. Eventually, we finish with a discussion of the findings of the two cases with a view to making more general conclusions about the Slovenian context, while pointing out the research limitations and suggesting directions for future research.

2 Professionals and co-creation – a theoretical discussion

Professionals are the ones who actually 'make' policies through their crucial role in implementing public policies (Lipsky, 2010, see also Hill, 2003; Jilke and Tummers, 2018; Zacka, 2017; Hupe et al., 2016). Thus, they emerge as the key 'gatekeeper' when introducing new 'ways of doing things' that could disturb the established equilibriums, roles or power structures. In a time of change, their behaviour can vary on a spectrum from resistance to acceptance (Numerato et al., 2012), depending on the specific situation and their motiva-

tion. Precisely in the context of co-creation, Osborne et al. (2021) note that the result can be sometimes negatively affected by professional power or by manipulation of the very process to suit their ends. This, however, should not be understood as an a priori opposition of professionals to co-creation. Often, professionals are simply expected to co-create although this idea is novel in terms of their professional culture and they lack the support, tools and methods for creating interaction and dialogue with the citizens (Tuurnas, 2015). Thus, they might be willing to co-create, but simply do not have the knowledge or ability to do so.

Moreover, the efforts of professionals to internalise and practice co-creation in their work is expected to vary across different contexts. The impact of different administrative traditions is an important aspect in this regard, which had caught the eye of scholars before – e.g. concerning the implementation of New Public Management (NPM) reforms and Europeanisation (Painter and Peters, 2010). Now, the administrative and/or national context emerges as a prominent factor also in the debate on co-creation (Torfing et al., 2019; Voorberg et al., 2017; Parrado et al., 2013). Namely, Parrado et al. (2013) observe that national contexts are an important aspect that shape the quality and level of collaborative innovations. Moreover, contrary to the general expectations, Voorberg et al. (2017, p. 191) conclude that an authoritarian state tradition does not automatically represent a barrier to co-creation – in some national contexts (e.g. Estonia), it actually enables easier implementation of co-creation initiatives. Hence, Torfing et al. (2019) reject any deterministic correlation between co-creation and specific countries (e.g. the Nordic countries), arguing that such initiatives exist in different national contexts. Unfortunately, the question as to how different administrative/national contexts affect the position and behaviour of professionals is still largely overlooked.

Hence, the goal of this chapter is to present the state-of-the-art of the relevant literature about the role and behaviour of professionals, with a specific focus on co-creation. We will start off with a conceptualization of professionals as daily ‘creators’ of public policies, followed by a discussion of how professionals are portrayed as either ‘stubborn’ or actual change agents in literature. The concluding paragraph delves into what is currently known about drivers and barriers that professionals might face when co-creation. As this debate is largely shaped by the experience of Northern and Western Europe, this chapter is crucial for understanding our empirical findings vis-à-vis (the limits of) the present theoretical knowledge. A clear overview of the theory on professionals and co-creation will prepare the setting for the discussion (in the conclusion) as to whether and to what extent our findings confirm present theoretical assumptions or challenge our understanding of professionals’ behaviour regarding co-creation in different (non-Western) administrative contexts. The latter will not only require additional research and potentially redefinition of the very theoretical basis as to when co-creation works, but will have valuable practical implications – providing basis for the development of practical tools supporting public organisations to successfully implement co-creation in different administrative environments.

2.1 Professionals as day-to-day 'creators' of public policies

Despite the professionals' contribution to solving complex societal problems and implementing public policies (e.g. Zacka, 2017; Hupe and Hill, 2016), their perspective in co-creation research is underrepresented (van de Grift et al., 2020; Steen and Tuurnas, 2018). However, before turning to a more in-depth consideration of (the importance of) the roles that professionals play in making co-creation 'work', we need to define who professionals are and to examine and delimit the term 'professional'.

Harold Wilensky is considered the first to have adopted the 'professional' concept in social science research. Ever since his ground-breaking work *The Professionalization of Everyone?* in which Wilensky identified the key characteristics of professional occupations, his work has inspired a large body of literature on the sociology of professions (e.g. Evetts, 2009; Noordegraaf, 2007; Freidson, 2001). Notwithstanding the popularity of the term, the concept 'professional' is often loosely applied and scholars refer to somewhat different characteristics to describe what 'professionalism' entails. Still, we can identify three main principles that seem dominant in the current day literature on professionalism.

First, professionals have acquired specialised knowledge. Through enduring training, professionals obtained a 'technical base' (Wilensky, 1964), a shared body of knowledge that is sometimes even called 'esoteric' because it is specialised and takes time and effort to acquire (Freidson, 1970). Second, professionals ideally share a 'service ethic'; they know how to act like professionals, according to their professional standards, and they are devoted to the service of the public, beyond material or financial incentives (Evetts, 2009). Codes of ethics for example prescribe appropriate behaviour (Wilensky, 1964). By investing in education, associations and codes of conduct, professionals secure both the 'technical base' of their profession as well as its 'service ethic' (Wilensky, 1964), and high levels of professional autonomy. The third principle is a regulatory one; professionals themselves have control over the content of their occupation. They develop professional standards and associations, determine professional qualifications, set up training and education programmes, and develop codes of conduct. Besides this occupational autonomy, individual professionals have the leeway to apply their body of knowledge and make decisions about individual cases (Freidson, 1994).

These three principles – a technical base, a service ethic and autonomy – together form the 'archetypical' or 'classic' model of professionalism. Despite a wide scholarly agreement on these key assets, they do not provide decisive answers as to which occupations can be considered 'professional' whilst others cannot. As a result, scholars might get bogged down in debates about 'more' or 'less' professional. For instance, medicine and law are often portrayed as 'full' or 'classic' professions, while social workers, police officers and elementary school teachers have been positioned as 'semi-professionals' – because their knowledge base is considered less 'esoteric', or because they exercise less control over the content of their work (Etzioni, 1969). In general,

the more standards are set by occupational fields, the stronger these professionals are considered in terms of their autonomies and power (Noordegraaf and Steijn, 2014).

Occupations that are often considered as semi-professional or 'street-level professionals' (e.g. social workers, police officers, teachers) (Noordegraaf, 2015) have important similarities with what Michael Lipsky called 'street-level bureaucrats'. In his seminal work, Lipsky (2010) argues that street-level bureaucrats actually 'make' policies through their crucial role in implementing public policies (Lipsky, 2010, see also Hill, 2003; Jilke and Tummers, 2018; Zacka, 2017; Hupe et al., 2016). Both 'full' professionals and street-level professionals/bureaucrats have the leeway – Lipsky refers to it as 'discretion' – to make decisions about individual cases that often have an important impact on people's lives. Compared to 'full professions', street-level professions are educated, trained and socialised, but they operate within more strict bureaucratic and organisational frameworks, with procedures and protocols (Noordegraaf, 2015).

Hence, we can identify the professionals in this paper – civil servants working at the municipality and ministerial level – as 'street-level professions'. In the case of civil servants from the ministry, we focus on professionals as 'redesigners' of public services directed at digitalisation and in collaboration with external stakeholders. In the case of civil servants working at the municipality, we focus on professionals as 'daily producers' of public services, that is, people who are in direct contact with citizens and other stakeholders while they make decisions on specific cases. Although in both cases we primarily focus on professionals that collaborate with other stakeholders to (re)design and deliver services within the (legal) frameworks of the ministry and municipality, we also capture the perspective of 'lead professionals' (on a managerial position). Thus, we acknowledge the ongoing scholarly discussions about whether managers can be considered professionals (as they also develop a technical base and set professional standards; see e.g. Adams, 2020; Van Bockel and Noordegraaf, 2006).

2.2 Professionals from 'stubborn' to 'change agent'

To gain an insight into the current knowledge about the drivers and barriers that professionals face when co-creating, we first explore how they view and deal with change directed at co-creation. For this purpose, we refer to literature on New Public Governance (NPG) (Bryson et al., 2014; Osborne, 2010) and to sources analysing the (changing) roles of professionals in earlier reforms, such as NPM. The latter is recognised as relevant since the present behaviour of professionals towards co-creation largely depends on the roles and skills they acquired in the past (McDermott et al., 2015).

Unfortunately, due to limited empirical evidence of how professionals respond to co-creation related change, their role is mostly hypothesised. A dominant storyline of the literature on both 'street-level bureaucracy' and 'sociology of professions' draws the image of professionals as 'stubborn' and resistant to change. Namely, street-level bureaucracy literature focuses on the coping behaviour of professionals (see e.g. Tummers et al., 2015 for an

overview) and identifies three 'families' of such behaviour: moving towards clients, moving away from clients, and moving against clients. These strategies strongly resonate with the behaviour described by Lipsky (2010) – when professionals, to ease their work, either 'cherry pick' simple cases or ration services by saying to service users "today is very busy, please return tomorrow" (due to lack of time and information).

Similarly, the literature on the sociology of professions portrays professionals as resistant to change, particularly when it comes to NPM-like reforms entailing market-based competition and (quantitative) performance measures that have been implemented in many Western European societies (see e.g. Kuhlmann et al., 2009; Thomas and Davies, 2005; Blomgren, 2003). Farrell and Morris (2003, pp. 136-137) refer to a quote by Ackroyd et al. (1989) that is quite illustrative of this period: "To put it crudely, professionals would be the 'losers' and managers 'the winners'" – implying that the key reason for the professionals' resistance to NPM reforms was the perceived threat to their autonomy (Farrell and Morris, 2003; Sehested, 2002).

In contrast to these dominant trends, professionals are also seen as potential change agents (Leicht, et al., 2009). Namely, not only discretion has been used to thwart change, but also to circumvent barriers in order to implement and achieve the agreed policy objectives (Campbell 2012). Hence, since professionals do have discretion and valuable knowledge required for effective interaction with citizens and other stakeholders (Dent et al., 2016), their active engagement can be a success factor for collaborative initiatives. In sum, although professionals have been mostly portrayed as 'stubborn' and resistant to change, they are increasingly seen as important actors whose efforts are an absolute requirement to make new approaches, such as co-creation, work in practice.

2.3 Drivers and barriers professionals face when using co-creation

Unfortunately, the relevant literature does not explicitly tackle the issue of drivers and barriers professionals face when co-creating. This is not surprising, as professionals are often portrayed as actors who are simply expected to embrace reforms (inter alia toward processes of co-creation) and 'just do what it takes'. Hence, most literature focuses on how to engage citizens in co-creation (e.g. Brandsen et al., 2018) and not on what professionals need to do to co-create successfully with citizens and other stakeholders. Despite the prevailing assumption that professionals are key for successful public policy delivery (Jilke and Tummers, 2018; Zacka, 2017; Hupe et al., 2016), the issue as to how professionals actually implement co-creation in their work has been hardly dealt with. This is problematic, as an approach towards more integrated or 'holistic' services is new to professionals; therefore, it is unrealistic to expect that they will 'automatically' take on new roles in the wake of NPG reforms (Tuurnas, 2015).

Put it differently, professionals have always been trained to provide specialised services for which they endured continuous training. Lately, however, professionals have been faced with increasing expectations to become what is known as 'T-shaped professionals' (see e.g. Barile et al., 2012), meaning that on top of their specialised expertise (the vertical axis of the letter T) they also need more general expertise to be able to collaborate with others (the horizontal axis of the letter T). The demand for T-shaped professionalism not only requires more and different knowledge but also implies a shift in professional identity. In traditional models of professionalism, professionals were seen as 'experts' or 'guardians of the law' that use their specialised knowledge to make decisions about complex cases. The horizontal layer of the letter 'T' implies a need for more holistic knowledge, but also a professional identity of a 'collaborative partner' able to connect expertise from different domains and stakeholders (Hendrikx et al., 2020).

Based on the limited research it can be concluded that professionals, in general, seem to proactively support the aims of co-creation efforts – e.g., responsiveness to local needs of service users (van Gestel et al., 2019, Weir et al., 2019; Steen and Tuurnas, 2018; McDermott et al., 2015). An important driver for them to use co-creation is recognition of added value from collaboration with citizens and other stakeholders. At the same time, however, professionals often struggle to fulfil the new roles expected from them, because they feel constrained (van Gestel et al., 2019) or inapt (Tuurnas, 2015) to do so (Aschhoff and Vogel, 2019). Co-creation is simply expected from them, while an explication of what co-creation actually stands for – in terms of a shift in professional identity, new skills and roles that come with it – is lacking. Thus, professionals often lack the support, tools and methods for interacting with other stakeholders (Tuurnas, 2015), which is a key asset of T-shaped professionalism. As professionals are not supported in developing their new role, Moynihan and Thomas (2013, p. 790) argue that most of them continue to identify themselves as 'experts', while co-creation is better served by those who see themselves as ('lead') partners in service development and delivery (see also Steen and Tuurnas, 2018). Consequently, professionals simply keep applying their familiar professional practices and frames since there is little attention for training and professional development directed at new approaches of service delivery, such as co-creation (Noordegraaf et al., 2016; Tuurnas, 2015).

Thus, it can be concluded that professionals are often willing to co-create, but not able to take on a new identity and use co-creation in their daily work. However, we should be cautious in making generalisations as these conclusions rely on empirical evidence gathered in Northern and Western European contexts (see for example the work of Tuurnas (2016) conducted in the Finnish context). Having in mind the importance of the national administrative environment, they will be revisited in the concluding chapter of the paper in light of the conclusions made about the Slovenian context.

3 Methodology

The paper relies on two Slovenian case studies – one at the national and the other at the local level. The first case focuses on the efforts and activities of professionals within the Ministry of Public Administration (MPA), undertaken specifically in the area of digitalisation – e.g. development of e-services, digital co-creation platforms and data management. Although the MPA fits into the general idea of the Slovenian public sector as a hierarchical and centralised structure nurturing a top-down culture, there are organisational units within it that practice different, more innovative approaches that depart from the standard ‘way of doing things’. This is particularly relevant for the area of digitalisation featuring project-based organisation of work and co-creation with external stakeholders aimed at solving complex problems. In 2020 (when the research was conducted), the organisational unit responsible for most tasks related to digitalisation – such as the development of e-services and portals for external users, back-office information systems and data management – was the Information Society and Informatics Directorate. Besides the work of the Directorate, there were other innovative digital platforms established by the MPA and enabling co-creation activities on a regular basis, e.g. the Stop Bureaucracy portal and the E-democracy portal. The former provides a channel for citizens and entrepreneurs who encounter problems during administrative procedures and enables them to work together with the relevant institutions on their solution, while the latter offers a platform for citizens (and anyone interested) to comment and suggest amendments to legislative acts in the procedure for adoption.

The second case study captures the experience of professionals working in the Municipality of Ljubljana (MoL) – an interesting research site due to the existence of innovative collaborative practices with citizens, specifically within the framework of the Service for Citizens’ Initiatives (see Vrbeč and Jukič, 2021). Just like the first case, the MoL resembles a traditional administrative environment marked by hierarchy and a top-down approach. However, a specific feature of this case is that the same Mayor has run the municipality ever since 2006. He has established himself as the key figure influencing the strategic direction of municipal development, *inter alia* regarding the introduction of a citizen-oriented approach to the work of the municipal administration and institutionalisation of collaboration with external stakeholders (in particular citizens). A key innovative practice established upon his direct initiative (Vrbeč and Jukič, 2021) is the Citizens’ Initiative Service – an interactive online tool that enables direct participation and contribution of citizens to the work of the municipality by pointing out local problems that need to be fixed and/or suggesting ideas for better solution of certain issues under municipal authority. However, to analyse the stance of MoL professionals on co-creation and identify co-creation drivers/barriers, we have taken a more general perspective – beyond specific collaborative projects/practices implemented by the municipality (e.g. the Service). This is expected to give us a more realistic idea about their attitude regarding co-creation, as well as about the level and quality of collaboration during the performance of their regular everyday tasks.

The data for the case studies were gathered in the context of the COGOV project – specifically, as part of Working Package 6, which analysed 14 case studies of professional involvement in co-creation efforts across Europe. The process of data gathering relied on a unified methodology building on two key methods – open-ended interviews with managers or ‘lead professionals’ and focus group interviews with professionals. Both questionnaires (for the interviews and focus groups) captured three main topics: (1) What are the main changes professionals experience in their work? (2) How do they deal with these changes? and (3) How do professionals believe the process of co-creation can be improved? By covering these main themes, the aim was to learn more about new professional roles and identify the drivers and barriers that professionals face when using co-creation in their work. To make sure respondents had the time and felt safe to frame their own answers to our questions, we asked them to first individually note down their answers. After that, we started a group discussion in which professionals shared their views.

All interviews and focus groups sessions were recorded and transcribed verbatim. Next, for each case, an extensive report was written, based on a template provided by the working package lead partner. The template allowed us to relate the findings of our cases to the findings from the literature review, according to the purpose of this paper. Namely, the template directly addresses questions in the interview protocols and spells out themes to be tackled in the case study reports. Hence, the findings of the two cases presented in this paper, are based on the case study reports and full transcripts of two anonymous interviews and two anonymous focus groups conducted in October 2020 (for a detailed insight into the structure of the interviews, focus groups and the report see: Hendrikx et al., 2020, Appendix A and B).

Precisely, for the MPA case, we interviewed an office head within the Information Society and Informatics Directorate and conducted a focus group with seven professionals working on different IT projects. The focus group participants were professionals from the Information Society and Informatics Directorate and other departments directly engaged in digital projects/platforms under the authority of the Ministry (e.g. the Stop Bureaucracy portal). In the MoL case, we interviewed a person at a managerial position within the Municipal Police Department and conducted a focus group with four professionals from different departments – the City Administration Secretariat, the City Inspectorate, the Department of Urban Planning and the Department for Real Estate. The key criterion for the selection of the professionals for the two case studies was contact with service users/external stakeholders as an integral part of their professional tasks and/or regular experience with co-creation.

The analysis of the drivers and barriers faced by professionals in the Slovenian administrative environment presented in the following chapters rely on both the information contained in the case study reports produced in the context of the COGOV project and full interview/focus group transcripts.

4 Co-creation drivers and barriers at the national level – the case of the ministry of public administration

4.1 Drivers of co-creation faced by professionals from the Ministry of Public Administration

The key driver paving the way for co-creation to be accepted as an attractive idea among professionals is the general change of the mainstream discourse embracing collaboration with external stakeholders as a crucial aspect for successful policymaking. Although this shift has happened mainly at the declarative level, it has set an environment where, in contrast to a decade ago, it is no longer appropriate to (publicly) question the need for collaboration and participation of external actors.

Hence, MPA professionals strongly and genuinely believe in collaboration with external stakeholders (citizens or businesses – depending on the type of the service) as the most important phase of service creation/renewal. Precisely this attitude emerges as the key driver that stimulates them to actively create opportunities and engage in co-creation (even in the absence of systemic institutional support). However, in addition to the ‘moral’ aspect of their support to co-creation as the right way to do things, there is also a more ‘pragmatic’ side, as MPA professionals recognise a strong interest in applying co-creation in their work. At the personal level, this is explained as finding an intellectual stimulus and challenge in their work; while at the organisational level, their interest to engage in co-creation derives from their desire to better promote new services among potential users. Interestingly, in the context of the latter, co-creation is referred to as a promotion tool – a free advertisement of new services provided by their organisation.

Moreover, the internalisation of co-creation ideas by MPA professionals has been largely facilitated by the very nature of the work they perform – implying more decentralised and project-based activities that are inherently compatible with collaborative innovations. Thus, collaboration with external stakeholders has been more easily incorporated as an additional aspect of their regular work activities than it would have been if their direct work environment or tasks were more traditionally and hierarchically organised.

Eventually, despite a general lack of regular and systemic institutional support to co-creation, the *Inovativen.si* project – an EU project implemented by the MPA – has been pointed out as a ‘safety net’ offering concrete support to professionals (e.g. consultation, facilitation, etc.) when faced with acute challenges related to collaborative innovations. In addition to *Inovativen.si*, acknowledgement has been made of the work of the Administrative Academy as a body providing training to public servants, inter alia on the topic of collaboration.

Table 1: Co-creation drivers recognised by MPA professionals

Co-creation drivers for MPA professionals
Change of the general discourse and recognition of collaboration with external stakeholders as a crucial aspect for successful policymaking
Strong and genuine belief in co-creation as the right approach to work
A professional interest in applying co-creation
Nature of the work performed by professionals – featuring decentralised and project-based activities
Direct institutional support to co-creation initiatives
Training opportunities

Source: own

4.2 Barriers to co-creation faced by professionals from the Ministry of Public Administration

The last decade has been marked by political instability and frequent changes in government. In the period between 2012 and 2020, five governments changed (the incumbent one being the fifth) and only one managed to stay in power for the full term (from 2014 to 2018). This has had a very negative and disruptive effect on professionals, as each new political leadership often undermines the work done in the previous term – by aborting already implemented projects and setting new goals. Moreover, political changes not only affect the highest managerial levels but also the lower levels within the public sector hierarchy. These changes profoundly affect digitalisation as a strategic priority, which apart from declarative support has not received the attention it deserves. As a key argument in this regard, professionals point out that Slovenia does not have a digitalisation strategy – the one adopted in 2016 covered the period until 2020 (Digitalna Slovenija, 2016). Such a negligent attitude by the highest political levels is interpreted by professionals as being left on their own in pursuing the digitalisation agenda.

These developments (at both the political and strategic levels) are identified as the key barriers for professionals to co-create. Namely, the fear among the political leaders of being quickly removed from office makes them press on professionals to deliver fast solutions – often at the detriment of co-creation. Moreover, political changes and the lack of strategy imply that professionals need to constantly adapt and establish relations with the new leadership, instead of focusing on their professional tasks (including co-creation). Precisely the limbo of priorities and strategic direction makes them confused as to where to invest their efforts and knowledge. The underlying problem is that regardless of which political option comes to power, there is a general lack of knowledge and support to co-creation across ideological lines.

In addition to the political and strategic barriers, professionals note three organisational barriers to co-creation. The first one refers to the unfortunate 2018 integration of two substantially different directorates into the Information Society and Informatics Directorate, which diverted the focus from the development of new digital solutions to operational support. However, the mistake was soon recognised and eliminated by the (re)establishment of the Information Technology Directorate and Information Society Directorate (see GOV.SI, 2021).

The second organisational barrier stems from the lack of co-operation among ministries, as well as the lack of awareness of the importance of co-creation within other ministries. Although MPA professionals are only responsible for the digitalisation of public services owned by other ministries, in practice they often find themselves in a position to develop and co-create these services as a whole – i.e. by identifying needs on the ground, contacting service users, pushing for legislative changes, drawing process models for service provision, etc. The higher demand for more digital services resulting from the Covid-19 crisis only intensified this problem and added additional workload on MPA professionals. As a solution to this unsustainable situation, they see ministries as service owners taking the lion's share of service development, including co-creation with different stakeholders and MPA professionals as internal 'relevant' stakeholders. Unfortunately, due to the indifference and ignorance of their colleagues from other ministries, this scenario seems impossible.

The third organisational barrier relates to the rigid rules defining the work of professionals. Namely, due to the lack of domestic interest and support, co-creation initiatives are usually financed by EU projects. This implies clear (if not rigid) deadlines for implementation, which collides with the very idea of co-creation as an unpredictable process that cannot be confined in tight timeframes. Moreover, co-creation often requires work beyond the traditional workday – e.g. during weekends, afternoons and evenings yet the rules applying in the public sector are not flexible enough to recognise and value such activities. The rigid system of salary and incentives also emerges as a barrier to attracting experienced professionals from the private sector. Regardless of their accomplishments and years of service in the private sector, they would – in case of a transfer – need to start from scratch.

The last group of barriers identified by professionals affects their relationship with external stakeholders. The issue identified as the most problematic in such regard is the lack of structured guidance and support during co-creation, in particular in the phases of identification and inclusion of external stakeholders. There are no developed strategies for mobilisation of external stakeholders, nor are specific techniques used, such as stakeholder analysis. Moreover, professionals lack facilitation skills deemed important for the conduct of the very act of co-creation. Despite this awareness of their weaknesses, they are not provided with systematic and regular training. Therefore they often improvise or act in an ad-hoc manner – to the best of their ability and creativity.

Eventually, an external barrier over which professionals do not have much power is the interest and capacity of external stakeholders to contribute to the process of co-creation. In this context, as a specific feature of Slovenia, professionals point out the strong ideological cleavage between 'right' and 'left' among common people, which could represent an irreconcilable barrier to constructive co-creation among citizens belonging to different ideological 'poles'.

Table 2: Co-creation barriers recognised by MPA professionals

Co-creation barriers for MPA professionals
Political instability
Absence of digitalisation strategy
Pressure on professionals to deliver fast solutions
Lack of cooperation among ministries
Lack of knowledge and indifference about co-creation among professionals from other ministries
Rigid rules defining the work of professionals
Lack of institutional support to co-creation
Lack of skills relevant for co-creation
Capacity and willingness by external stakeholders to constructively participate in co-creation
Highly politicised/polarised society along ideological lines

Source: own

5 Co-creation drivers and barriers at the local level – the case of the Ljubljana municipality

5.1 Drivers of co-creation faced by professionals from the Municipality of Ljubljana

As the key driver for the establishment of innovative collaborative practices, MoL professionals unequivocally point out the strong support by the top leadership – foremost, the Mayor as well as the lower levels within the hierarchy (down to the heads of units). Without explicit support and 'green light' by their superiors, professionals would not dare to take an independent initiative, which confirms the perception of the municipality as a rather traditional and hierarchical environment. Interestingly, the top leadership (both political and managerial) has been recognised as the most responsible for fostering a collaborative culture internally, by building trust among employees from

different departments. Thus, overcoming silos is recognised as an additional driver for professionals to collaborate not only internally, but also with external actors.

As a related driver, MoL professionals note a clear legal basis regulating the inclusion of the public in decision-making. Although the existing legislative framework is not recognised as problematic as no specific legal acts prohibit professionals from engaging in co-creation, professionals argue in favour of a more explicit legal basis regulating collaboration with citizens in the context of their tasks. This gives an impression that professionals do not feel confident to go beyond the letter of the law and initiate (new forms of) collaboration independently. Although pointed out as a driver, this reveals a mind-set of legal positivism, which can emerge as a barrier since co-creation requires a softer, unregulated approach prone to experimentation and ‘learning by doing’.

Therefore, it cannot come as a surprise that the Citizens’ Initiative Service is noted as one of the key co-creation drivers providing an official institutional platform for collaboration with citizens. Precisely the institutionalisation of this collaborative practice – in terms of its integration in the structure of the municipality and the regular work tasks – gave professionals a sense of authority and the right/obligation to collaborate with citizens. In addition to the Service, there are also various international projects implemented by the MoL that set collaboration with external stakeholders as a key aspect of implementation (e.g. the European Green Capital). Eventually, as an important co-creation driver for citizens, professionals point out the high public trust their municipality enjoys, which is built by the provision of efficient and high-quality public services.

Table 3: Co-creation drivers recognised by MoL professionals

Co-creation drivers for MoL professionals
Strong support by the top (political) leadership
Explicit legal basis requiring collaboration with external stakeholders
Official institutional platform for collaboration
International projects (e.g. EU funded projects)
High public trust in the municipality

Source: own

5.2 Co-creation barriers faced by professionals from the Municipality of Ljubljana

The main co-creation barrier has not been explicitly defined as such by MoL professionals but has been induced from their answers – namely, the lack of understanding of collaboration, in particular of the concept of co-creation. Collaboration is usually defined very narrowly, in terms of communication and

cooperation among different departments to perform tasks under municipal authority; or inter-institutional cooperation with central level organs, e.g. ministries, the police, etc. Although collaboration with the public is pointed out as an important aspect of the work of professionals, this is often understood as a one-way communication during service delivery – from professionals to service users.

The dominant (traditional) identity of professionals as subjects who derive their authority and leverage exclusively from the existing legal framework emerges as an additional barrier to co-creation. Therefore, even when referring to more substantial types of collaboration with external stakeholders, they stick to existing formats/procedures of participation prescribed by the law or specific practices of collaboration institutionalised by the municipality (i.e. the Service for Citizens' Initiatives). Precisely, their prime professional identity as 'guardians of the law' largely explains their narrow (if not mistaken) understanding of collaboration as a one-way channel for informing citizens about formal procedures and service provision to claim their rights as prescribed by law.

Moreover, the 'identity' aspect can also explain the professionals' lack of trust in the capacity of citizens (e.g. their knowledge or sense of aesthetics) to constructively contribute to the work of the municipality. Namely, there is an evident feeling of superiority among professionals, which in combination with the lack of understanding of the idea of co-creation does not leave much room for accepting citizens as equal partners. An additional barrier here is the problem of competing values and interests between professionals and citizens, where the former are usually (self-)perceived as 'guardians' of the public interest, while the latter are seen as subjects pursuing personal, particularistic interests.

Moreover, professionals mention the lack of mandate and authority for implementing changes. Namely, the adoption of many citizens' initiatives requires cross-sectoral or cross-institutional cooperation, which could challenge co-creation. Hence, even when the municipality is keen on supporting citizen initiatives, it might fail to implement them because of shared authority with other (central level) institutions that do not see an interest or feel the same pressure for a solution as the MoL does.

Professionals argue that the very nature of their tasks rarely leaves room for co-creation with citizens. As particularly unsuitable for co-creation they point out the work of the municipal police as a repressive organ; of departments dealing with the very final phase of service delivery; and of bodies whose actions are strictly regulated (e.g. the municipal inspectorate). Moreover, although professionals recognised the policy areas they cover as (over)regulated, this is not considered necessarily bad. Instead, they warn that a looser regulative framework might stimulate unlawful behaviour, thus additionally confirming their general distrust of citizens.

Eventually, barriers to co-creation also include the lack of interest by citizens to contribute constructively to the work of the municipality, as well as their pressure for fast change. Regarding the former, it is argued that citizens

usually expect to get free services/benefits instead of contributing their resources. Citizens are also criticised for having unrealistic expectations, being impatient and pressing for fast change even when this is not possible (due to political negotiations, adoption and implementation activities). Not only this can cause disappointment among citizens in the short run, but can – in the long run – negatively affect trust in the public organisation and thus undermine one of the key drivers for co-creation for external actors (noted in the previous sub-chapter).

Table 4: Co-creation barriers recognised by MoL professionals

Co-creation barriers for MoL professionals
Lack of understanding of the idea of co-creation
Traditional identity, i.e. role of professionals as 'guardians of the law'
Sense of superiority over citizens
Shared institutional authority (e.g. with the central level)
Nature of tasks
Lack of interest by citizens to collaborate
Expectations by citizens for fast change

Source: own

6 Conclusion

The analysis of the two case studies paints an image of the Slovenian public sector as a traditional administrative environment – implying a hierarchical and centralised setting that embeds the logic of 'command and control'. Nevertheless, the very existence of collaborative innovations in the Slovenian context confirms the conclusions of Voorberg et al. (2017) that the 'traditional' administrative context does not necessarily hinder the establishment of units – 'islands' of experimentation (as in the MPA case). In certain cases (as in the MoL case), such a context can even emerge as a driver for the institutionalisation of collaborative practices with citizens. The latter, however, requires a strong political figure who recognises the importance of co-creation with external actors and capitalises on the traditional top-down environment to implement such practices.

Precisely this aspect – strong political support – is recognised by professionals at both national and local levels of governance as the key driver of being empowered and/or in authority to co-create with external actors. Moreover, the fact that political support was present in one case and not in the other provides an additional perspective on its strength. Namely, in the MoL case, where political support/pressure for collaboration with citizens was present, professionals changed their behaviour in this direction, but only when this was explicitly required from them. This, however, has not equalled genuine

transformation of their state of mind and thus embracement of co-creation as a standard 'way of doing things' during the performance of their (other) professional tasks. The fact that MoL professionals collaborate with citizens predominantly in the context of the Service – as an official framework for collaboration with citizens – or when observing the law indicates that in the case of a political or legal change they will not have problems adapting to the new situation that significantly diverts from the present state of play. In contrast to the MoL case, MPA professionals managed to develop strong awareness about the need for co-creation in the absence of political support and in a rather unfavourable environment due to political instability.

Hence, although political support at the highest level emerges as the most important issue for securing concrete and visible changes on the ground (e.g. institutionalisation of collaborative practices), it is not a sufficient factor for socialisation and actual internalisation of co-creation ideas among professionals. Instead, the drivers for securing more profound changes towards acceptance of co-creation rather include their professional identity and recognition of interest (be it personal or collective/organisational) in collaboration. Regarding these two drivers, we note some differences between the cases, which are relevant in the light of the literature review presented in chapter 2.

Firstly, we do see differences in how professionals identify themselves as 'professionals' and consequently how they employ co-creation in their work. Some professionals (e.g. the MoL case) still rely on the image of professionals as 'experts' and 'guardians of the law' – thereby differentiating themselves from other stakeholders based on their 'technical base' (cf. Wilensky, 1964) and defining co-creation mostly as 'one-sided' communication from 'experts' to service users. Professionals that presume a predominantly one-dimensional role as 'guardians of the law' (in the traditional Weberian sense) rather than 'lead professionals' or 'collaborative partners' (cf. Moynihan and Thomas, 2013) do not have the capacity to practice co-creation. Their 'natural' inclination towards a legal positivist approach does not leave much leeway for experimentation or inclusion of external stakeholders beyond what is stipulated by the law or required by their superiors.

Secondly, we see a difference between the recognition of interest in and 'fitness' for co-creation and the very nature of professionals' work. For instance, MoL professionals who regarded the nature of their work as repressive (e.g. municipal police and inspectorate) and strongly regulated noted less room for the implementation of co-creation in their everyday tasks. In contrast, internalisation of co-creation ideas by the MPA professionals was largely facilitated by the very nature of the work they perform – implying more decentralised and project-based activities that are inherently compatible with collaborative innovations. Thus, co-creation more naturally fits their institutionalised professional values and practices. This corresponds to the findings of van Gestel et al. (2019) who recognise social workers as more apt to internalise NPG initiatives (collaborative practices and client-centeredness) compared to teachers and doctors, precisely because of the good fit between the nature of their work and their professional values.

Although identity change is a complicated and long-term challenge, the experience of MPA professionals indicates that such a change can be stimulated by reflection and recognition of both individual and collective benefits from co-creation. However, even the 'right identity' – implying awareness and desire to co-create – and the initiation of collaborative projects are not sufficient if professionals lack appropriate skills. This requires a strategic orientation by public institutions to secure regular and systematic capacity building, as well as the creation of a more responsive environment that appropriately values the collaborative innovation efforts made by professionals. Similarly, as in other 'Western' administrative contexts, Slovenian professionals are expected to simply embrace co-creation initiatives, whereby the complexity of what this demands from professionals in terms of their professional repertoire is overlooked. However, the fact that they have insufficient training on this matter comes with the risk of further applying their familiar professional practices and frames (Noordegraaf et al., 2016; Tuurnas, 2015) under a new 'label'.

Eventually, the MPA case draws attention to the fact that collaboration with external parties should not overshadow the importance of inter-institutional collaboration, i.e. among the 'relevant' actors of co-creation. Namely, although professionals within the ministry acted as 'frontrunners' who genuinely believe in co-creation, they were faced with insurmountable challenges due to the indifference by other responsible ministries, which confirms the importance of crossing borders both across and within organisations (see also Kuiper and van Gestel, 2021).

This paper represents the initial step for the detection of co-creation drivers and barriers professionals face within the Slovenian administrative context. However, to draw more universal conclusions about their experience we need a larger number of empirical cases at both the local and national levels, referring to various types of public organisations and policy areas. Hopefully, this will be addressed by future research, which should secure additional evidence and thus the basis for strategic action against the impediments professionals face when applying co-creation in different organisational and policy settings. Moreover, this research provides valuable input that can be used in the context of a comparative analysis of co-creation drivers and barriers faced by professionals across Central and Eastern Europe (CEE). Such a perspective will contribute significantly to the literature on co-creation for better understanding the impact of administrative traditions – especially when they do not fit the idea(l) of favourable context for co-creation, as painted by the present literature (dominated by the Anglo-Saxon and Nordic administrative experience). Eventually, this can have great practical consequences for CEE public sectors, by providing directions and ideas for larger-scale reforms towards the introduction of co-creation as the standard way of policy-making/service provision.

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Government Responses to COVID-19: A Comparative Analysis of Visegrad Countries

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ABSTRACT

Purpose: The purpose of this study is to compare government responses and the challenges faced by public authorities in the Visegrad/V4 countries during the Covid-19 outbreak.

Design/Methodology/Approach: The study is based on a comparative analysis method. In this study, we analysed government responses through literature review and data obtained from various databases. The data used in the study were collected from ourworldindata.org, OECD, WHO, World Bank, Eurostat databases, CoronaNET dataset and Covid-19 Government Response Tracker.

Findings: The Visegrad countries did well during the initial phase of the Covid-19 pandemic. Compared to many other countries in Europe or in the world, they had less cases and lower death rates. What made them successful was timely and decisive reactions and harsh measures to curb Covid-19. They all implemented Non-Pharmaceutical Interventions strictly. Mandatory mask wearing, trust in the government and people's tendency to obey the rules all helped V4 members in the fight against Covid-19. However, in two countries (Poland and Hungary) of the V4 Group, democracy was in decline during the outbreak.

Practical Implications: The study shows that pandemics spread rapidly and affect many countries within a short time. They have a significant impact on public health, the economy, and social and political structures of the countries. In order to reduce or prevent their effects, the governments must provide a timely response. Timing is a key success factor in the fight against the pandemics and helps minimise the consequences thereof.

Originality/Value: The study aims to contribute a detailed and comparative analysis of government responses and challenges of V4 countries in the fight against Covid-19 in the initial stage of the outbreak.

Keywords: Covid-19, government responses, Visegrad countries, NPIs, policy responses

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1 Introduction

Human beings have undoubtedly witnessed various pandemics which affected different parts of the world. Many people died because of these outbreaks. Although the results or effects were different, in general, they emerged as a global problem. However, in terms of the country and population it affects, the Coronavirus (Covid-19/SARS COV-2/Novel Coronavirus) pandemic is the most important of all. The outbreak is still ongoing and there is uncertainty about when it will end. COVID-19 (SARS-COV 2), a member of coronavirus family such as the SARS (South Asian Respiratory Syndrome) and MERS (Middle East Respiratory Syndrome) outbreaks (Şencan and Kuzi, 2020, p. 364) faced by the world since early 2000s, first emerged in Wuhan Province of China (Lee et al., 2020, p. 364) as clusters of pneumonia cases (Chen et al., 2020, p. 507) in the last quarter of 2019. Although the source or the origin has not been fully identified, the virus is thought to be emerged at a fish market in Wuhan, China (Zhu et al., 2020, p. 728; Zu et al., 2020, p. E15; Lu et al., 2020, p. 401).

After the first case identified in China on 12 December 2019, it started to spread the other countries within a short time. When they informed World Health Organization (WHO) about the virus, it was already late. Like Chinese government, WHO was slow in declaring the coronavirus as a pandemic, too. WHO first watched the process and declared the Covid-19 outbreak as a "Public Health Emergency of International Concern (PHEIC)" after more than 200 people died on January 30, 2020 (Mahase, 2020, p. 1). As it was getting worse than expected, about one and half month later WHO officially declared COVID-19/SARS-COV 2 as pandemic (WHO; 2020a). At that time there were 126,714 cases and 4,616 deaths across the globe. After WHO declared COVID-19 as pandemic, the governments started to take measures in order to stop or reduce the cases and deaths in their countries. As pandemics are different than the other crises or diseases and it is difficult to form a policy response, the governments' responses varied among the countries. That is quite normal because most of them haven't encountered such a crisis before so they have no idea what to do or how to respond to it. After a while, as they began learning the dynamics and the characteristics of COVID-19, they started to implement Non-Pharmaceutical Interventions (NPIs) that is also known as public health interventions.

There are various publications for government or policy responses of Visegrad (V4) countries to Covid-19. Sagan et al. (2021) analysed and compared the health policy responses of V4 members during first phase of Covid-19. By using the data from Health Policy Response Monitor they focused on the similarities of V4 members. Drinóczy and Bień-kacata (2020) discussed the Covid-19 Acts or pandemic related regulations in Poland and Hungary. They note that both countries tried to manage the process in an illiberal way. Especially, Hungary was an example of autocracy. Túri and Virág (2021) compared and evaluated the public health policies and pandemic management as well as social and economic outcomes of V4 countries and South Korea during Covid-19 pandemic. They found that South Korea did quite well in the fight against

Covid-19 owing to the appropriate combination of NPIs and advanced health system. Although V4 countries did well, they need to have a well-functioning surveillance system, comprehensive testing strategy and transparent government communication. In their conference paper, Kovács and Zsigmond (2020) analysed the economic effects of Covid-19 on V4 countries for the Spring period of 2020 that is the first phase of the outbreak. According to the study V4 countries really felt the effects of Covid-19 economically. The decline in GDP was significant and many people lost their jobs. In their comprehensive literature review, Chubarova et al. (2020) analysed and identified the critical factors in success/failure of public policies focusing on fighting the spread of COVID-19 pandemic in Czech Republic, Russia, and the Slovakia. They analysed the policy responses and found that timing of public policy responses and success in motivating compliance may be critical factors in containing the pandemic. Aidukaite et al. (2021) discussed the social policy responses to Covid-19 in Central and Eastern European countries including Poland, Hungary and Slovakia. The mentioned study shows us that governments in V4 countries reacted to the COVID-19 crisis by providing extensive protection for jobs and enterprises. The authors found that *“social policy responses to the first wave largely depended on precious social policy trajectories as well as the political situation of the country during the pandemic”*.

This paper aims to discuss the government responses of V4 countries to Covid-19 and the challenges they faced during the outbreak in a comparative way. After introduction part, the study is structured as follows: In section two we give theoretical background. And then we give a brief information about Covid-19 in V4 countries. After methodology section, we focus on the government responses of V4 countries and challenges that they faced in the fight against Covid-19. At the last section, we analyse and discuss the findings. This study covers only the initial phase of Covid-19 outbreak.

2 Theoretical Background: Non-pharmaceutical interventions (NPIs) as a response to Covid-19

Pandemics have been a problem for humanity throughout history as they affect the whole society in many ways. Microorganisms, which are effective in spreading diseases, can spread rapidly via various ways i.e. humans. Especially today, modern and advanced transportation facilities have both facilitated and accelerated the spread of viruses. Pandemics emerged as a result of the rapid progress of outbreaks and the spread of them to a wider area than the country where they originated in.

The effects of pandemics were devastating and millions of people died. Hundreds of thousands of people have also died in the ongoing COVID-19 pandemic. In addition to public health, its impact on the countries' economies has been devastating. In order to prevent this, governments implemented various measures. Besides the political structures of the countries and the values that the decisions are based on, there are other factors affecting the policy-making process in implementing those measures. The initial conditions of the

pandemic and its early development, the global and regional connections of countries, in particular, the proximity or connection with the country/s that are the epicentre of the pandemic, culture of the countries (local or national) are some of these factors (Anttiroiko, 2021, p. 3). Efficient pandemic management is crucial. During the pandemic management government or the public administration must consider everything such as Non-Pharmaceutical Interventions, international trade and travel, economic consequences of the pandemic. They must find solutions for these problems on time. Pandemic management must also involve a vast majority of the population in order to be successful (Migone, 2020, p. 260).

During a severe pandemic, several measures are used to prevent or halt the spread of an outbreak. One of them is to introduce pharmaceutical (drug) interventions such as vaccines and anti-viral drugs and the other one is Non-Pharmaceutical Interventions (NPIs) that are applied in cases where there are not enough vaccines and drugs or the treatment of the disease/outbreak is not yet known. NPIs are the mostly and frequently used ones that both individuals and households and communities can implement. By implementing these measures, the rate of person-to-person transmission of the virus can be reduced and thus prevent the burden of an outbreak on health systems and public health (paho.org). NPIs may delay the start of a pandemic, or if the pandemic has already started, they may prevent or delay its peak enabling health authorities to prepare for the outbreak. Due to the implementation of NPIs, the transmission of the virus in the community can be reduced, which is useful especially for health systems with limited resources or capacity. They can reduce the overall morbidity and mortality rate even if NPIs do not reduce the total number of cases in the outbreak (WHO, 2019, p. 8). NPIs include isolation of sick people from human and environmental cleanliness (hand washing, hand and surface hygiene, wearing a mask), contact tracking, quarantine of infected people, social distance, travel restrictions, closing schools, churches and workplaces, and banning people from gathering (Lai et al., 2020; Ferguson et al., 2020, p. 20). However, the main condition for the success of such interventions is the early and effective implementation at the onset of the pandemic. Otherwise the chance of success decreases (Nunan and Brassey, 2020, p. 1-8). In general, it is best to wait until there is a cluster of cases of severe disease in the country or the region. Interventions must be proportionate. If they are implemented too early, especially social distancing policies (interventions) in the community level, they may cause job and income losses. If they are implemented too late, then virus may rapidly spread causing deaths. So governments must be very careful on implementing NPIs (paho.org).

Today, three different NPI strategies, including containment, mitigation and suppression, are adopted and implemented (Hossain et al., 2020). Containment measures are applied to prevent the infection and spread of the disease. It is also a method applied when the first cases are detected to save time on the health system to make preparations for patients and to wait for the development of vaccines and effective interventions (Lai et al., 2020). Mitigation measures are used when the number of cases increases and the possibility of

finding a relationship between cases is complex. A mitigation strategy is not aimed at cutting off transmission entirely, but rather to slow or reduce the health impact of an outbreak on mortality and the collapse of the health system (Ferguson et al., 2020, p. 20). The mitigation strategy is likely to be high in terms of the risk of the fact that this strategy is applied because of the serious illness or death. The suppression strategy aims to reducing the number of secondary cases produced by each case (Patino-Lugo et al., 2020, p. 3). The suppression strategy has significant effects on health and well-being both in the short and long term.

3 Confrontation: First wave of Covid-19 in Visegrad countries

Compared to other EU members, Visegrad countries felt the effects of Covid-19 later. Covid-19 arrived at V4 members over a month later than the first confirmed case in Europe. Covid-19 related cases were seen in the group members at almost the same time (the first week of March). Among the Visegrad (V4) group, the first country where the Covid-19 outbreak was detected was the Czech Republic. Then the cases were also detected in Poland (Guasti, 2020, p. 53; gov.pol; usnews.com) and Hungary on March 04 (Röst et al., 2020, p.15) and finally in Slovakia on March 06 (Nemec and Spacek, 2020, p. 839; Nemec, 2020; Donicova, 2020, p. 729). The first confirmed cases were detected in those who returned from abroad or had a contact with them. The first cases in the Czech Republic were in three people linked to Northern Italy (Brom et al., 2020; Komenda et al., 2020; Guha et al., 2020), The first case in Poland was identified in a 66-year-old man returned from a visit to Westphalia (Germany) to Świecko by bus and from there to Cybinka by private vehicle. (Szymczak, 2020). The first cases in Hungary were detected in a 27-year-old university student (Röst et al., 2020, p. 13), who was studying and residing in the country and recently returned from Iran and a doctoral student returned from Iran. The first confirmed case in Slovakia was a 52-year-old male patient who did not travel anywhere but he was estimated to have contracted the virus from his son who visited Venice, Italy on February 14-15, 2020 (Slovak Spektator, 07 March 2020). Because his son's test result was positive and he was quarantined.

In V4 countries, the pandemic was slower than in many European countries and the effects were relatively weaker. After the first case detection in the group countries, the increase of cases followed a fluctuating course and peaked in April and then declined again except Poland. At the end of March totally 6,474 cases were detected, including 3,308 in the Czech Republic, 2,311 in Poland, 492 in Hungary and 363 in Slovakia. As of May 31, there were 23,786 cases in Poland, 9,268 in Czech Republic, 3,876 in Hungary and 1,521 in Slovakia. Mortality rates were at lower levels than in many countries, too. Death tolls, which were very low at the end of March, increased in April and started to decrease again in May. On May 31, there were totally 1,938 deaths, that were 1,064 in Poland, 526 in Hungary, 320 in the Czech Republic and 28

in Slovakia (ourworldindata.org). Slovakia, in particular, has the lowest mortality rates not only among its peers but also within the EU (Gerbery, 2020).

Table 1. Cases, Deaths, Tests and Case-Fatality Rate During First Wave (31 May 2020)

Country	Cumulative Confirmed Cases	Cumulative Confirmed Deaths	Case-Fatality Rate	Test Per 1000
Poland	23.786	1.064	4,5 %	22,10
Czech Republic	9.268	320	3,5 %	N/A
Hungary	3.876	526	13,6 %	19,23
Slovakia	1.521	28	1,8 %	31,66

Source: ourworldindata.org

4 Methodology

Our paper based on a comparative analysis. This paper focuses on government responses of V4 countries to Covid-19 in a comparative way. As government responses, we discussed Non-Pharmaceutical Interventions (public health responses). This study also aims at explaining the challenges V4 countries faced during the pandemic. The period (timeframe) of government responses in this paper is between January 01 and May 31, 2020 which is also known as the first wave (Spring period) of the outbreak. We believe that this timeframe is long enough to analyse responses of the V4 Countries.

Data on Covid-19 cumulative confirmed cases, cumulative confirmed deaths, case-fatality rate and tests per 1,000 people were collected from the ourworldindata.org that is sourced by the Coronavirus Resource Centre of Johns Hopkins University and operated by Oxford University. For the responses of V4 countries to Covid-19 outbreak, we used the secondary sources such as articles from ScienceDirect, Google Scholar, PubMed, Web of Science (WoS); newspapers or institutional reports and Covid-19 and health related data from WHO, IMF and OECD databases. For the policy responses in V4 countries and other EU countries in order to make a comparison, we used ourworldindata.org, CoronaNET and Covid-19 Government Response Tracker (OxCGRT) databases. While we were selecting sources for this article, we decided some inclusion criteria which are as follows: the publications should contain Covid-19 management of our selected countries, the countries' health systems, the functions and responsibilities of the organizations of outbreak management, policy responses of the countries to the pandemic. We excluded the publications that are not related to pandemic management and that don't include good strategies for the fight to Covid-19.

There are several reasons for choosing V4 countries. First of all, these countries have a common history. Because of their geographical location, they are

often known as Central and Eastern European nations. Because of these characteristics, they have relations with EU countries such as Germany, Austria and non-EU countries such as Ukraine. All of these countries are high-income countries with a very high Human Development Index. V4 countries are at the forefront both in Europe (5th) and in the world (8th) in terms of exports and imports. In addition, V4 countries rank high not only in the EU but also in the world in terms of national income per capita. They are similar to Central and Eastern European countries in many respects, so the results here may be useful for other countries in the region.

Although V4 countries are governed by populist leaders, they differ from each other in the style of leadership. Hungary and Poland, in particular, have further accelerated the transition to illiberal democracy (also called as autocracy) that they started before the pandemic, along with the Covid-19 pandemic. For Hungary in particular, this presented a great chance to gather power and rule the country with the decrees. Although the situation in the Czech Republic and Slovakia is not that bad, there is still a risk. Therefore, comparing the measures taken by populist leaders who adopt such different management styles to prevent the pandemic and evaluating their effectiveness has also become important and worth discussing.

V4 countries, like many other countries-especially Europe and EU countries - have not previously encountered a situation similar to Covid-19. However, a study on OECD countries by Sebathu et al. (2020) found that countries that have adopted the democratic style of governance (this is controversial for Poland and Hungary) followed each other's positive decisions. Therefore, it would be useful to examine the reactions of these countries in such a situation. Most importantly, they gathered these countries under one roof. The policies implemented by these countries can also provide us with information in terms of the functioning and compliance of the union (group). As we focus on discussing the similarities, differences and challenges of the policy responses of V4 countries, we try to find answer to the following research questions (RQ).

RQ1: How do the government responses differ in V4 countries?

RQ2: Why are the government responses similar or different in the group countries?

RQ3: What challenged the V4 countries during the fight against to Covid-19?

5 Results

5.1 Government responses to the pandemic in V4 Countries

After the declaration of Covid-19 as a "*pandemic*" by WHO on March 11, 2020, the governments started to take "Non-Pharmaceutical Interventions (NPIs)" to slow down the pace of the pandemic and minimize its effects (Lewnard and Lo, 2020) as mentioned above. To do that governments rapidly started to implement various measures such as travel restrictions, border closures,

closure of workplaces, bans on public or religious gatherings, mandatory mask-wearing, curfew or lockdown (Desvars-Larrive et al., 2020, p. 2; Correia et al., 2020). While implementing NPIs, some governments (as China) used Restrictive/Suppression Strategy which includes more rigid and central to local measures, some such as the UK and the USA used Permissive Strategy that is softer and doesn't contain harsh interventions. The others such as Hong Kong, Japan, Singapore preferred Hybrid Strategy that is the mixture of two above (Travica, 2020).

In our sample countries, in order to reduce the spread of the virus and to minimize deaths, as in many other countries, "hybrid strategy" and its various methods were applied, except for some minor differences. The rationale to choose this strategy and especially the NPIs was that the outbreak had a feature that can be easily transmitted through respiratory droplets, and the only way to prevent it was to implement NPIs at that time. This method, especially human mobility restriction, isolation and quarantine practices, gave successful results (albeit with a delay) in China where the outbreak was first emerged (Kraemer et al., 2020; Voko and Pitter, 2020; Vinceti et al., 2020; Alfano and Ercolano, 2020) have prompted V4 countries, like many others, to implement the same method to stop transmission and reduce the burden on the health system. V4 countries, like other EU members, unlike Asian countries (they have experienced SARS, MERS beforehand), have not experienced a large-scale pandemic like Covid-19 since the Spanish Flu. Because of this lack of experience, the governments have begun implementing similar practices or measures implemented around the world in the Covid-19 outbreak. In addition, European countries' trust in each other in their policy practices (Sebatu et al., 2020) has been influential in implementing similar policies and therefore NPIs. Moreover, as there was no vaccine or vaccine development studies in the group countries, NPIs were the best as they were accessible, affordable and effective. We can group the NPIs in V4 members into three categories as in WHO paper (2019). These are as follows;

1. Travel related measures (travel advice, entry and exit screening, internal travel restrictions and border closure).
2. Social distance measures (school and workplace closures, quarantine of exposed persons, contact tracing, isolation of sick people; bans of gathering, meetings etc.),
3. Personal protective measures (hand hygiene, face mask and other personal protective equipments),

The governments first introduced travel related measures because mobility may cause the rise of the cases. So as to reduce human mobility and mitigate the Covid-19 outbreak, many European countries including V4 members followed the guidelines of European Commission (Linka et al., 2020, p. 711). They introduced travel restrictions within and outside the country by closing the borders to certain countries such as China, Iran, Italy. The V4 countries were among the first countries that closed their borders in Europe (Sagan et al., 2021, p. 5). The V4 members also started to test the people at the airports

coming from abroad and they were kept in quarantine for a certain period of time. A 14-day mandatory quarantine for people returning from certain regions of Italy on March 06 in the Czech Republic (Radio Prague International, 03 June 2020), for everyone returning from abroad in Slovakia (uvzsr.sk) and all citizens coming from abroad for 14 days in Poland (Filonchuk et al., 2020, p. 2). Polish government also advised her citizens not to do unnecessary flights and travels within the country and to nine countries, including Northern Italy, China, Iran and South Korea, unless necessary (Pinkas et al., 2020, p. 2). The Czech Republic closed its borders on March 16 (GOV, 2020; Brom, et al., 2020, p. 2), Slovakia on March 12 (uvzsr.sk), Poland on March 13 (Pancevski and Hinshaw, 2020) and Hungary on March 16 (Guasti, 2020). Bans on all personal international flights, train and bus travel, and unnecessary international travel as of 12th of March 2020 was the strictest measures implemented by the Slovak Government in Europe.

In addition to travel related measures, V4 members also introduced social distance measures. Educational institutions and workplaces were closed; social or religious activities or meetings that could bring many people together were banned to reduce human mobility and spread of the virus. One step further than those measures was a curfew or full lockdown. In the Czech Republic public meetings and activities with 100 people or more were prohibited (GOV, 2020; Nemeč and Spacek, 2020, p. 839) on March 10. The next day, as of March 11, all educational institutions (universities were closed on March 16), along with 22 countries such as Italy, China, France, the USA, Japan, Singapore, were closed and online (distant) education started (Brom et al., 2020, p. 1). By this decision, the Czech Republic was one of the first countries in the world to close educational institutions face to face (UNESCO, 2020). The Czech government declared the state of emergency on March 12 (Löblova, 2020, p. 75; Trnka and Lorencova, 2020, p. 546) and decided to close the workplaces, non-essential shops, bars etc. on March 14. Curfews were imposed except for basic shopping, commuting to work and walking in parks (16 March 2020). Since March 23, more than two people except family members and employees have not been allowed to come together (GOV, 2020; Trnka and Lorencova, 2020, p. 546). Hungary introduced similar measures as her peers. On March 7, the anniversary of the Hungarian Revolution, which would be celebrated on March 15, was cancelled. The Orban government first closed the universities (11 March) and then all educational institutions (13 March) to in-person education and distant education started. On March 11, the government banned indoor meetings of more than 100 people and outdoor meetings of more than 500 participants (nnk.gov.hu). On the same day, the state of emergency was declared. As of March 17, the opening hours of the shops were shortened and the mobility of citizens were restricted on 27th of March (www.koronavirus.gov.hu; Merkely et al., 2020, pp. 1064-1065). On March 28, public events were cancelled and a lockdown was announced. Only grocery stores and pharmacies were allowed to remain open (Merkely et al., 2020, p. 1065).

In Poland, all mass events were banned on March 10 (Matczak, 2020, p. 350), and all educational institutions, including universities, were closed two days

later (Jarynowski et al., 2020, p. 10; Wielechowski et al., 2020, p. 6) and restaurants and shopping centres were closed on March 1 (Paul, 2020, p. 242). Starting from March 14, all gastronomic activities, sports and entertainment services were limited (Filonchik et al., 2020, p. 2; Jarynowski et al., 2020, p. 10). A pandemic was declared in the country on March 20, and more social distance measures were promulgated of March 25 (Pinkas et al., 2020; Matczak, 2020, p. 351). The measures against the pandemic in Slovakia took place just on the eve of the government change. Despite this, we can say that the current government did not neglect the fight against the pandemic and did well before handing over its task. The Slovak government mobilized the crisis team long before the outbreak started. Earlier than many European countries, Slovakia declared the state of emergency on March 16 (Sagan et al., 2021). The Slovakian government banned social, sporting and cultural events starting from March 9. Kindergartens and all educational institutions were closed on March 12. All sports facilities were cancelled (13 March), all public prayer halls, including churches, were prohibited. As of March 16, all retail stores have been closed, except the stores that are allowed to remain open under certain conditions. Grocery stores and pharmacies were excluded from closure (Nemec, 2020).

The last group of NPIs implemented in the Visegrad Countries was personal protective measures such as hand washing, social distance and mask wearing (face covering). Hand hygiene was one of the important measures of Covid-19 all over the world. The cleanliness-hygiene-distance rule has been recommended to everyone since the beginning of the pandemic. Hands must be frequently washed with water and soap. If there is no water or soap, then alcohol-based hand sanitizers are recommended, too. People were also advised to maintain at least 1-2 metres distance from the others. It was also recommended to clean surfaces such as frequently used door handles, lighting buttons and frequent ventilation of closed areas such as home and workplace (CDC, 2019; WHO, 2020b). All these measures were advised to the people in the V4 countries as they were advised by WHO. In the Czech Republic, as of March 19, it has been obliged to wear masks, including children over two years old. The Czech Republic is the first European and V4 country that imposes the obligation to wear masks (19 March 2020) in indoor and outdoor areas. When Czech Government imposed to wear mask in the public spaces, there were no countries imposing mandatory mask wearing (only France recommended mask wearing) in Europe. Like Czech Republic Slovakia was also one of the first countries who imposed to wear mask (in public transport and shops on March 15 and in all public spaces on March 25) in European and V4 countries (Tait, 2020). Other than these countries Poland (required in all public spaces) and Hungary (required in some public places such as public transport) also imposed mandatory mask wearing (ourworldindata.org).

Table 2. Measures/Responses to Covid-19 in Visegrad Countries

Country	Measures						
	First Measures	Quarantine at Country Entrance	Border Closure	School Closure	State of Emergency	Mandatory Mask wearing	Full Lockdown
Poland	10.3.2020	15.3.2020	11.3.2020	12.3.2020	20.3.2020 (* state of pandemic, not emergency)	16.3.2020	24.3.2020
Czech Republic	06.3.2020	06.3.2020	16.3.2020	10.3.2020	12.3.2020	18.3.2020	15.3.2020
Hungary	07.3.2020	26.3.2020	16.3.2020	16.3.2020	11.3.2020	No	16.3.2020
Slovakia	28.2.2020	13.3.2020	13.3.2020	08.3.2020	16.3.2020	25.3.2020	08.4.2020

Source: ourworldindata.org; Guasti (2020, p.50); Covid19healthsystem.org; Sagan et al. (2021)

The measures taken against the Covid-19 outbreak naturally have to have some legal basis as restrictions on many rights and freedoms were imposed. The restrictions or practices lacking no legal basis can't remain in force for a long time and they don't have sufficient support from the people. Although they have been criticized in some aspects, Covid-19 measures of V4 countries have legal basis. In Poland, the details of the state of emergency and what measures can be applied are stated in Article 228(1) of the Constitution of Poland 1997. According to this article, one of the "martial law, state of emergency or natural disaster measures" may be applied in cases of special danger where constitutional measures are insufficient. But instead of these measures, which are enshrined in the Constitution (Urbanovics et al., 2020), the Polish government declared a state of pandemic emergency under the law on the prevention and control of human infections and Infectious Diseases (5 December 2008) - also known as the Polish Infectious Diseases Act or Contagious Diseases Act (Binder et al., 2020). Articles 46-48 of the Act in question detailed regulation of the pandemic emergency. it is mentioned in its articles. Accordingly, the pandemic emergency came into force on March 14, and the restrictions were gradually lifted from the end of May. All measures during the outbreak were based on Contagious Diseases Act.

In Hungary, the general rules of certain types of "Special Order of Law" are mentioned in articles 48-54 of the Constitution (Fundamental Law). The so-called "state of danger" of the Hungarian government was declared with Government Decree 40/2020 (Binder et al., 2020) in accordance with the article 53 to the Fundamental Law. Until the adoption of the Hungarian Coronavirus Law, the government chose to manage the pandemic only by decrees based on Article 53 of the Constitution. The Hungarian Coronavirus Act came into force on 31 March 2020 and remained in effect until it was abolished on 18 June (Urbanovics et al., 2020). But despite this act, the government still chose

to manage the process through decrees. Borders, shops, schools and universities in Hungary were closed by decrees issued on the basis of the article 53 of Fundamental Law (Drinóczi and Bień-kacała, 2020, p. 183). Drinóczi and Bień-kacała (2020, p. 180) claims that Coronavirus Act itself is unconstitutional because of three reasons. First, the measures do not correspond to the 15-day rule of Fundamental Law. Second, the published decrees are aimed at legitimising the old post facto because they are not placed on a constitutionally appropriate basis. Finally, it has allowed future decrees to be excluded from parliamentary oversight. Due to these characteristics, the Coronavirus Law is named as the "*Law of Authoritarianism*".

In the Czech Republic, the declaration of a state of emergency is not in the Constitution, but in the Czech Security Law (CAS). Article 2 of CAS listed the declarable types of extraordinary permits, including the state of emergency specified in the articles. In addition to this law, the Czech Crisis Management Act (CMA) and the Czech Health Protection Act (APPH) have established the legal basis for decisions taken in the management of the pandemic. Article 5(1) states in which case the state of emergency will be declared, and Article 6 (2) states the process of the state of emergency and how it will be extended. Bans (freedom of movement, the right to free assembly and the right to do business) during the outbreak were introduced in accordance with the article 5 of the Czech Crisis Management Act (Urbanovics et al., 2020).

The structure of Slovakia's state of emergency is very similar to that of the Czech Republic. The way to declare war, declare a state of war, declare a state of crisis, declare a state of emergency and use public authority in a time of war, the state of war, the conditions of a crisis situation will be set out by a constitutional law [Article. 102 (3)]. The constitutional law 227/2002, which forms the basis of the Slovak government's declaration of state of emergency, is the Slovak Security Law (CASS) on state security. However, there are two other low legislative acts that have a role in emergency situations of COVID-19, and these are the Civil Security Act No. 42/1994 and the Slovak Emergency Law Covid-19. On 12 March, the so-called state of emergency" was declared under the Slovak Civil Security Law (Urbanovics et al., 2020). A state of emergency under the Slovak Security Law was declared from 16 March and introduced a much stricter package of restrictions and precautionary measures (Binder et al., 2020).

5.2 Challenges in V4 countries

When taking steps to prevent the pandemic, governments have to deal with or consider numerous problems which also have important effects on the efficiency and success of policy-making. We can list the difficulties faced by the administration in the Covid-19 process as economic structure, government and health system capacity, public support, the country's elderly population and vulnerable groups, the efficiency of the decision-making process. But apart from these, there are also some more challenges such as air pollution, ethnicity issues that governments face during covid-19 policy-making process.

In general, although the government and health system capacities of the group countries are at a good level, it is useful to mention some factors that governments may have difficulties in policy-making process while the outbreak is ongoing. V4 countries do not allocate a sufficient share to health expenditures. In other words, the money spent on health is below EU average, which is a significant challenge. Hungary's share in public health expenditures is two-thirds, that is below the EU average (79%) (OECD, 2019a, p. 3). Almost half of out-of-pocket health expenditures in Hungary (one of the highest rates in the EU) go to pharmaceutical and medical device expenditures and this creates a serious problem for the low-income and vulnerable population (OECD, 2019a, p. 22). Similarly, in Poland and Slovakia, the share of the government in health expenditures is also below the EU average. Poland's health budget (1507 Euros per capita and 6.5% of GDP) is one of Europe's lowest (OECD, 2019b, p. 22). As its peers the Slovakian government spends significantly less on health than the EU average, both in absolute terms (EUR 1,600 per capita in 2017, adjusted for differences in purchasing power) and as a share of GDP (6.7%) (OECD, 2019c). Low financing of health expenditures may lead to inadequacies in meeting the healthcare needs of the increasing elderly population and providing quality healthcare services (OECD, 2019b, p. 18). Especially in these days when the Covid-19 pandemic continues, this risk is higher.

In addition to health expenditures, the low or high number of healthcare workers, one of the indicators of health system capacity, is also an important factor in health service delivery. A country with sufficient and qualified health workers is more likely to cope with pandemics, crises or other unexpected situations. The shortage of healthcare personnel is a problem for many countries or regions. Although the number of medical graduates has increased in recent years in Poland, the number of physicians and nurses is still insufficient. In particular, the scarcity of general practitioners causes disruptions in the provision of primary health care services and it is estimated that this problem will continue (OECD, 2019b, p. 19). In Hungary the inadequacy of the number of healthcare workers and the uneven distribution of the existing healthcare personnel make it difficult to access healthcare services and to provide effective healthcare services. In order to overcome this problem, the Orban government has made significant improvements in the income of healthcare workers in recent years but there is still a shortage of healthcare staff due to inadequate working conditions and career planning (OECD, 2019a, p. 8). The problem for the Czech Republic is the growing share of the elderly population among healthcare workers. Especially the rising elderly population of doctors and the approaching of retirement times as a result, if necessary measures are not taken, are likely to create a problem in the future (EC-EPC, 2018). The number of healthcare workers in the country is equal to the EU average, but it poses a risk to the public administration as interregional disparities persist (OECD, 2019c). Another country facing a shortage of healthcare workers is Slovakia. In particular, the number of nurses is below the EU average and this rate is increasing every year (OECD/EU, 2020). In sum, V4 countries have a rate relatively below the EU average but above the OECD average in terms of the number of physicians. In terms of the number of nurses and midwives, group

countries are below both the EU and OECD averages. The number of hospital beds the countries have is above the EU and OECD average. V4 countries gave a better test than many European and world countries in the first wave in the fight against Covid-19 and did not encounter a bed occupancy issue such as Italy, the USA, Spain. However, as mentioned above, the ratio of health expenditures of countries to GDP is far below the EU and OECD average.

Table 3. Health Indicators of Visegrad Group Members

Country	Number of Physicians per 1,000	Number of Nurses and mid-wives per 1,000	Number of H. Beds per 1,000	Number of ICU Beds per 100,000	Curent Health Expenditures (% of GDP)
Czech Republic	4,1	8,4*	6,6	11,6	7,6
Slovakia	3,4*	6,1**	5,8	9,2	6,7
Poland	2,4*	6,9	6,6	10,1	6,3
Hungary	3,4	6,9	7	11,2	6,7
EU	3,7	9,3	4,6		9,1
OECD	2,9	9,6	5,1	12	12,5

Source: who.int; ourworldindata.org; databank.worldbank.org;
 * According to 2017 data; ** According to 2016 data

6 Discussion

The Covid-19 pandemic is still ongoing. it seems as if it is going to continue for a longer period, at least until the vaccination reaches a certain level. Unlike previous pandemics, it affected a vast region, and as it is a virus that has not been experienced before, it initially left the governments desperate. While some Asian countries such as South Korea, Singapore, Taiwan were more prepared for the pandemic due to their previous MERS and SARS experiences, the vast majority of the world was unprepared for this outbreak. Confusion about what measures to take at first and the inability of the World Health Organization to manage the process caused the virus to spread rapidly. However, governments have immediately adapted to the process and started to take essential measures. These methods, also called Non-Pharmaceutical Interventions, have been applied worldwide with minor differences. They are used as one of the most effective ways of preventing pandemics/diseases that have not yet been treated. When the epidemiology literature is examined, it has been found that NPIs (Markel et al., 2007; Hatchett et al., 2007) provide an approximately 45% reduction in high mortality and flatten the infection curve. There was a 20% decrease in the cumulative excessive death rates of cities that intervened in the pandemic with early and drastic measures. In sum, we

can say that NPIs has been proven by studies that slow down the spread and meeting rate of the disease (Bootsma and Ferguson, 2007).

In this paper, the pandemic management of V4 countries and the challenges that affect or may affect governments' policies were discussed. The countries in the region started to take rapid measures that are similar in almost all group members after the spread of pandemic to Europe. Interventions such as mask wearing, hygiene and distance rules, school and workplace closures and curfews were implemented in all V4 countries. Apart from health measures, the countries also implemented socio-economic policies for the people and firms, too. The performance of V4 countries during the first wave of the pandemic was better than many European countries and worldwide. It is obvious when the cumulative number of cases, deaths and tests as of 31 May 2020 is checked. There are some key factors that can explain this success story.

Timing is one of the key factors, for us the most important, for the success of V4 countries in the fight against Covid-19. It is important as it increases the efficacy of the decisions. For instance, the Czech Republic had a full lockdown before the deaths from Covid-19 were detected in the country. Similar to the Czech Republic, Slovakia also greatly reduced human mobility before deaths, meaning it had achieved a partial closure. Two other group countries, Poland and Hungary, were also fast for the measures. On March 10, the last of the first measures taken against Covid-19 in V4 countries, no deaths from Covid-19 were recorded in any group members. While, on March 10, the total number of cases in V4 countries was 79 (41 in Czechia, 22 in Poland, 9 in Hungary and 7 in Slovakia), it was 1,457 in Germany, 10,149 in Italy, 182 in Austria and 889 in the UK. Similarly, the total number of deaths in V4 countries was 318 (159 in Poland, 99 in Czechia, 58 in Hungary and 2 in Slovakia) on April 08, the date of the last decision for full lockdown. At the same date, the total number of deaths was recorded as 2,349 in Germany, 8,589 in the UK, 10,874 in France and 273 in Austria (ourworldindata.org). These figures clearly show that one of the core success factors of V4 countries in the first wave of the pandemic is that they acted on time and quickly. This also coincides with the survey of Lai et al. (2020) in China.

According to that survey, if the interventions in China had been implemented one week before their actual time, there could have been a 66% reduction in the number of cases, and if they had been implemented three weeks earlier than the actual time, the number of cases could have been reduced by 95%. If there had been a reverse application, that is, if the NPIs had been implemented one week or three weeks later than real-time, a 3-fold and 18-fold increase could have occurred respectively. Based on these data, Lai et al. (2020) suggest that timing (early detection and isolation) may be more effective than travel restrictions or social contact bans in fighting against the pandemic. This is also consistent with the work of Jablonska et al. (2020, p. 141). Brudzinska (2020) notes that there are mainly three reasons why V4 members acted assertively and fast. The first one is that the region is near the ski-resorts in Italy or Austria. Citizens of V4 countries usually go those resorts for the winter holiday and they may bring the virus from there. The second reason is that

Visegrad members have one of the highest number of cross-border commuters as a share of employed population. About 5% of Slovak, 2,3% Hungarians and less than these two country workers cross the border to work every day. Those people can move among the countries with no stringent ID or passport checks at the border which also means no control of virus. The last reason for the rapid movement is the healthcare capacity of the countries and elder population in some countries (Czechia, Hungary and Poland).

Society's tendency to accept and obey rules, in other words trust and support of the people to the governments may be another success factor of V4 members. Trust, especially political trust, in a state is very important for the success of government policies or interventions in times of crisis. As shown in various studies (Scholz, 1998; Chanley et al., 2000; Tyler, 2006), trust in the government encourages citizens to comply with the policies implemented by the government. During the SARS pandemic, although the people of Singapore did not know much about the disease, they followed the rules to the maximum extent as a sign of trust in their government, and thanks to this, the Singapore government was able to control the pandemic (Deurenberg-Yap et al., 2005). The governments of V4 countries have received sufficient support from the public. Especially during the first wave of the outbreak people in V4 countries supported and trusted their governments. They obeyed the social distance rules and curfews. This high willingness to comply with social distance measures such as South Korea, Taiwan, Singapore and Hong Kong played an important role in the fight against Covid-19 in V4 members. According to a survey conducted by Kantar (2020) in the name of European Parliament in the second half of June, support given to governments during the Covid-19 outbreak was 63.6% in Slovakia, 52% in the Czech Republic, 48.2% in Hungary and 29% in Poland. In the same research, the satisfaction level of the participants with the measures was 72.5% in Slovakia, 64.6% in the Czech Republic, 48.2% in Hungary and 40% in Poland (EU POM, 2020). There is a background of cooperation in complying with the measures taken in V4 countries. The first one is the higher civic awareness in Central Europe compared to Western Europe. The other one is the high level of resistance and collective thinking that existed in the society due to the difficulties experienced in communism times (Bault, 2020). Only Poland and Hungary received less support when compared to their peers. This is because of the fact that Hungary implemented harsh restriction. The restrictive limitations, lack of transparency and the increase in the powers of the Prime Minister by decrees and the elimination of Parliament for an indefinite period are factors which have an impact on the decline in trust in the government in Hungary (Wojtas and Walecka, 2020, p. 196). The Czech Republic has also received a high level of support but it has been criticized by the public for not managing the process transparently enough and not providing sufficient scientific evidence and basis (Löblova, 2020). These results show us that compliance of people with measures are important but it doesn't mean that this will last forever. If there is an uncertainty about when the restrictions will end, this support can turn into protests within no time. As Newton et al. (2018, p. 40) noted "*if the people are in a serious difficulties i.e pandemic, the trust to the government or its*

policies may weaken or disappear." For that reason, the duration and content of the measures should be clearly defined and they should not be extended arbitrarily, except under extraordinary circumstances.

Another key factor for the low number of cases especially in Poland and Slovakia is that a significant part of the population (46% in Czechia, 40% in Poland) lives in rural areas. Although this rate was low in the other two group members, the case and death rates were also low in them. V4 members do not have very crowded cities. Czech Republic, Hungary, and Poland have only one city with population of one million or more. Slovakia does not have city with the population over 500,000. Furthermore, the vast majority of the population in V4 countries (Slovakia 88%, Czech Republic 89%, Hungary 82% and Poland 88%) live in cities with a population of 500 thousand or less. This low population density in the cities reduced the rate of spread of the pandemic. As aforementioned, Covid-19 is a disease that can be transmitted through human contact (Chan et al., 2020). Therefore, there is a common belief that the virus can be transmitted more easily and spread rapidly in crowded areas, while in low-population dense regions, people are less likely to become infected (Bhadra et al., 2021, p. 623). Although some argue that population density does not increase the spread of the virus and the number of deaths (Carozzi et al., 2020), It has turned out to be effective in the later stages, if not at the beginning of the pandemic, in densely populated areas (Wong and Li, 2020). A study by Bhadra et al. (2020) in India found that the virus spreads faster in densely populated areas. In the policy brief of United Nations (2020) it is stated that %90 percent of the Covid-19 cases (according to July 2020 data) were in urban areas.

Although V4 countries are ruled by populist leaders (Guasti, 2020; Buštíková and Baboš, 2020), and especially in two of them – Hungary and Poland – have adopted an autocratic management style, they have adopted a different approach against Covid-19 than many populist leaders. Of course, during the pandemic they, especially Victor Orban, tried to gather power in their hands (Drinóczi and Bień-kacała, 2020, p.179; Kovács, 2020; Thompson and Ip, 2020)¹, but none of these leaders have underestimated the outbreak. On the

1 There are very practices that Victor Orban has taken power by turning the pandemic into an opportunity and has acted in a manner that undermines the separation of powers. Decrees on Covid-19 are the sample practices. Normally, decrees have an automatic sunset after 15 days without parliamentary authorisation. So as to ensure that Decree remains in force, the Orban government submitted the Act on Protecting Against the Coronavirus to parliament on March 23rd, but it was passed on March 30. This act has been publicly called the 'Enabling Act' as it gives the government extraordinary powers to the government. These powers also do not require the approval of parliament. Parliament is in session but it is the prime minister who makes the decisions and decides when they end. Control over the executive with the Authorization Act is also getting more difficult (Thomson and Ip, 2020; Kovacs, 2020). By Enabling Act, elections and referendums are cancelled until the pandemic is over (Kovacs, 2020). As Orban has the majority of parliament i.e. two-thirds of it, he can easily have the decisions he wants accepted. Another important indicator is that Covid-19 measures are excluded from judicial review. The ordinary courts were closed and they do not have the opportunity to supervise the actions of the government. That power is only in the Supreme Court. However, the court seems far from doing this as most of its members are Orban allies (Kovacs, 2021). The government has also implemented military measures (Drinóczi and Bień-kacała, 2020). The army began to control strategic institutions and state-owned hospitals and even became involved in decision-making processes. Management of public hospitals and implementation of health re-

contrary, they have taken various measures by acting faster than many countries, which was a core success factor for the low cases and deaths. Schwartz (2012) states that authoritarian regimes can produce effective results in an undemocratic environment due to centralized decision-making, effective mobilization of public support, and power over mass media. We think this is what happened in Hungary and Poland. Unlike Hungarian and Polish leaders, populist leaders in the USA, in Brazil, and in Venezuela have underestimated the Covid-19 virus at the onset, even denied it is a pandemic. For example, Bolsonaro, president of Brazil, described the pandemic which has caused the death of nearly 20,000 people worldwide as a media trick. Trump and Maduro suggested that the virus can be treated using hydroxychloroquine, although they cannot withstand any scientific data (Mckee et al., 2020, p. 2-3). Trump called the virus just a simple flu and claimed the outbreak would end in April 2020. Similarly, Bolsonaro described the virus as a simple flu and strongly criticized the closure of schools and workplaces. Furthermore, he did not hesitate to hug and kiss his supporters frequently (Gezgüç and Duman, 2020).

There were differences such as timing, the way they implemented the measures, testing, leadership etc. among the group members. While places such as restaurants, cinemas and theatres were closed, businesses and shops where food and beverage sales are allowed varied from country to country. For example, restaurants in Hungary were open until 15.00, while they were just allowed for takeaway services in the Czech Republic, Poland and Slovakia. There were also differences on timing of school closures. Towards the mid-March, there was no decision for closing schools in Poland, while all grade level schools were closed in Czech Republic and certain grade levels in Hungary and Slovakia. With the rapid spread of the pandemic, from the second half of March to the second half of May, schools in all V4 countries were all closed and distance education started. They also differed in restrictions on gatherings. While Czechia first banned the gatherings of 101-1000 people on March 10, 2020, it changed its policy on March 12 and banned 11-100 people from coming together. As of March 24, 10 or fewer people are banned from gatherings. Hungary banned 1,000 or more people after March 11; Slovakia has banned between 11 and 100 people from gathering. Poland, compared to its peers, introduced the restrictions on gatherings later and banned 10 or fewer people after the end of March until the bans were lifted (Pozo-Martin et al., 2021).

Although populist leaders have ruled the Visegrad Countries, their reactions to Covid-19 were different. Unlike Slovakia and Czech Republic, leaders of Hungary and Poland preferred to use autocratic methods in pandemic management (Kovács, 2020; Drinóczi and Bień-kacała, 2020). In Hungary, the Orban government decided to manage the outbreak with decrees for an indefinite

forms are coordinated by the Ministry of Interior (Kovacs, 2020a). Another practice that Orban is trying to gather power in his hand is the inclusion of provisions in the Criminal Code that allow violations of pandemic confinement and imprisonment of those who give and spread false information during the pandemic process for up to five years. It has been criticized by various international organizations such as the UN High Commissioner for Human Rights, Secretary-General of the Council of Europe and Director of the OSCE- Office for Democratic Institutions and Human Rights (Thomson and Ip, 2020) and the domestic opposition as the crime of misinformation was very complex and not clear enough (Drinóczi and Bień-kacała, 2020, p. 185).

period of time and rendered the parliament ineffective. This caused distrust in the public (Wojtas and Walecka, 2020, p. 196). In countries with authoritarian leaders, the effectiveness of government or its policy production capacity is problematic. Greer et al. (2020, p. 619) claims that authoritarianism itself does not naturally produce a decisive or effective government, and some forms of authoritarianism will reduce both decisiveness and effectiveness. Unlike other countries, Hungary has also engaged soldiers and police in the fight against the pandemic. This based on Fundamental Law which has provisions on police, national security service and military mobilization (Drinóczi and Bień-kacała, 2020, p. 174). The government in Poland which tries to rule the country with autocratic tools, has not yet achieved its goals, but tries to undermine liberal democracy. In Czech Republic and Slovakia democracy was resilient. They managed to rule pandemic in a peaceful manner (Guasti, 2020, p. 57) because of functioning system of check and balance.

Epidemiologically, all V4 members did quite well. However, Czech Republic and Slovakia were not successful in managing the pandemic economically. Although both countries have taken various measures to reduce or mitigate the socio-economic effects of the pandemic, they have remained inadequate. State subsidies, especially for Slovakia, were not at the desired level. Another criticism directed at these countries is that pandemic measures have not been carried out in coordination with neighbouring countries and EU member states (Nemec, 2020, p.13). Allocations provided were not used in proper areas in some of the group members, either. For example, allocations provided by the Hungarian government have gone to football clubs and stadium constructions rather than employees or companies affected by the pandemic. Another difference between countries occurs in the number of tests. According to the data on 31 May 2020, the number of cumulative tests per 1000 people was 31.66 in Slovakia, 22.10 in Poland, 19.23 in Hungary and 0,61 in Czech Republic (ourworldindata.org, 2020). These test numbers are not at the desired level. With these rates, V4 countries were below Germany (51,26), Austria (49,80), the United Kingdom (51,77) and Slovenia (38,68). Poland and Hungary were not good at testing (Aristodemou et al., 2020). In Poland coordination between the central and the voivodes on testing at the beginning of the pandemic was very weak. One of the important indicators of this was that test samples could not be directed to laboratories with less work intensity (Matczak, 2020, p. 351) and therefore the results were not obtained in a timely manner. This naturally increased infection and the number of cases. Although their numbers increased later, there were only two certified laboratories in the country during the pandemic period (Szymczak, 2020) that was not enough. According to the news on the media, the reason why the government kept the number of tests low was to make the number of positive cases look low. Fewer tests mean fewer positive cases. Thus, the government aimed at holding elections on time by persuading the public that the process was well managed and nothing to be worried about the cases (Matczak, 2020, p. 351). Poland also had a different testing policy than its peers at the onset of the pandemic. While her peers adopted testing for some key groups and symptoms since the first week of March, Poland began testing in late March

(ourworldindata.org). Similarly, the number of tests in Hungary remained low compared to its peers. This could be because of inadequate government resources (ourworldindata.org). Merkely et al. (2020) notes that another reason why the number of tests remained low in Hungary is as the fact that health authorities did not consider it necessary to conduct more tests due to the low positivity rate of the tests performed. They also add that the testing policy of the government was only to test essential workers, people who have contact with Covid-19 patients and those coming from abroad.

Covid-19 related regulations were seriously criticised especially in two countries, Poland and Hungary. In Poland, according to academics, the government chose a pandemic state of emergency rather than a state of natural disaster under the Constitution because the elections have not yet been held and the ruling party didn't want to postpone the election as they hoped to win by an overwhelming majority (Drinóczy and Bień-kacała, 2020, p. 181). If they had chosen the first one, the election would have been postponed. Jaraczewski (2020) criticizes the emergency measures of Polish government from several perspectives. Firstly, he stated that the Infectious Diseases Act was unconstitutional because it did not clearly specify the scope of it while limiting human rights and freedoms. In addition, he underlines that the act gives government the power to unconstitutionally limit freedom of movement. Jaraczewski also argues that the act loses its legitimacy because penalties for violating Covid-19 prohibitions are imposed by administrative authorities rather than judicial authorities, and they cannot be appealed (Urbanovics et al., 2020). As mentioned above Orban, Hungarian leader, rules the country with governmental decrees. It is the most significant distinction between Hungary and the rest of the group and the EU. Because, rather than managing the pandemic through legislation, Orban chose to rule through decrees, which both expedite the process and allow it to pass laws without the approval of Parliament. They were prepared within a short time (1-2 days) and none of them went through any consultation process (Drinóczy and Bień-kacała, 2020, p. 185). Since decrees are issued for a certain period of time (15 days), the coronavirus law adopted to create the legal infrastructure for this also contains some provisions that are contrary to the Constitution. The first one is that the Constitution does not comply with the 15-day rule, the second one is that this law does not fall under the disaster Law, and the last one is that it forms the basis for decrees that will be issued later and by-passes the parliament (Drinóczy and Bień-kacała, 2020, p. 180).

As a result, key success factors of V4 countries in the fight against Covid-19 are as follows;

- V4 countries acted quickly and decisively (Sagan et al., 2021). They were rapid to respond the outbreak. After the first cases recorded within their borders, they soon declared the state of emergency (ECDC, 2021; ourworldindata.org) which gave the governments extraordinary powers to fight Covid-19.
- They all implemented harsh measures. They closed their borders, banned meetings, concerts etc.; they closed the restaurants, shops, cafes; they all closed their schools and universities; there were very strict social distance ru-

- les; by banning travel within the country and/or to abroad, they reduced the human mobility. Lockdown was also one of the key factors of V4 countries.
- Mandatory mask wearing, especially in the Czech Republic and Slovakia, helped to succeed mitigating the cases. The two other members of the group followed their peers but a few weeks later.
 - Trust to governments at the initial stage and people's tendency to obey the rules helped V4 members in fight to Covid-19.

In the fight against coronavirus, there are some points that governments should pay attention. The state has to protect the health of its citizens that is a constitutional requirement and also a feature of a social state. However, it is necessary to pay attention to the policies implemented for this purpose. For example, they should not forget the negative effects of curfews on the health of people. Long curfews and ambiguity about when they will end have significant effects on the mental health of the elderly population whose only social contact is outside the home (Armitage and Nellums, 2020). Therefore, it would be more appropriate to have a certain duration of the measures and to treat the elderly population, which is easier to fall into a mental depression, a little more flexible. Otherwise, we are likely to push these people whom we are trying to protect their health to other diseases or ailments. This may be a significant public health issue that influences policymakers' decision-making processes. In V4 countries, the governments did not give enough attention to the primary health care services (preventive health services). Health service delivery in Hungary is mostly secondary rather than primary level (OECD, 2019a, p. 3). In other words, hospital-centred health service delivery is more prevalent than preventive health care services. Preventive health expenditures are also underestimated in Slovakia. Only 1% of health expenditures (this ratio is 3% in the EU) is allocated to preventive healthcare services (OECD, 2019d). Preventive healthcare service is crucial. It helps to reduce medical expenses. Hospital services are expensive in almost every country. Diseases that are not detected on time or treatments that are not performed on time cause people to be hospitalized which means more spending for individuals and governments.

Governments should strengthen their health infrastructures to combat the pandemics. Especially, they should increase the number of hospital beds, the number of intensive care beds, protective materials and other equipment. Increasing domestic production such as masks, ventilators, hand disinfectants and vaccine production will further strengthen the hand of healthcare professionals in cases such as the covid-19 outbreak. The preparation of pandemic preparedness plans and the inclusion of possible situations in the future and the regular strengthening of the plans will play an important role in combating the pandemic. Transparency and participation are also important in dealing with emergencies. Managing the process in a way that includes all stakeholders of the society will increase the trust of the people to the government and it will be easy for them to accept and support the measures and the policies. Policymakers should pay more attention to digitalization of health and public services. In particular, they should make the most of artificial intelligence technologies and mobile applications. One of the success factors of

countries that did quite well in the Covid-19 pandemic was the usage of the internet/digital technologies (Ting et.al, 2020).

This study has some limitations. First of all, the study covers the first wave (Spring period) of the pandemic (01 January 2020-31 May 2020) and the data here is not valid for the second wave or the other phases. V4 countries, which had successful pandemic management in the first phase, had to face the virus again and more seriously from the beginning of autumn because of the relaxation in the summer months. Second, we made an analysis based on data from various databases. The data here can sometimes be deliberately distorted by governments. Data may be incomplete, especially for countries such as Hungary, which try to manage the process without transparency through authoritarian methods. Failure to test adequately or to test a limited part of the population may prevent the correct number of cases from emerging. It may be useful for further studies to evaluate the measures and decision-making processes in the second wave of the outbreak. Researchers may also search whether the support of the public continues in the second wave or what kind of socio-economic or psychological problems it created especially on vulnerable groups so far.

7 Conclusion

Covid-19 is still ongoing. It is a pandemic that caused most human loss after 1918-1919 Spanish Flu. It has had a very serious impact not only on the health system but also economically. In this process, it is not possible to characterize countries as successful or unsuccessful as the process is still ongoing and vaccination is just at the beginning of the road. In the first wave, some countries gave a successful test, while others failed. V4 countries gave a successful test in the first wave of the pandemic, not economically but epidemiologically. By acting in a timely and fast manner, they prevented the spread of the pandemic and the increase in the death toll. In addition to timely intervention, the public's compliance and cooperation in implementing the measures taken has been important in this success. But they couldn't continue this in the second wave of the outbreak. So this caused very high case rates and death tolls compared to the first phase of the Covid-19.

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Work During Non-Work Time of Public Employees

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ABSTRACT

Purpose: Employees and their work during non-work time are affected by technology development, societal changes and other factors that have an inherent impact on the employees' attitude towards work during non-work time. The purpose of this article is to provide an overview of the up-to-date research on employees performing work during non-work time.

Design/Methodology/Approach: The main methodological approach used in the article is a systematic literature review of 18 scientific articles found in citation databases in WOS, Scopus, etc. The collected literature is relevant as it encompasses both quantitative and qualitative analyses to gather insights on performing work during non-work time.

Findings: The results imply that work during non-work time is a growing phenomenon among employees and public employees are no exception. Regarding the socio-demographic groups affected, findings indicate that work during non-work time is particularly common for employees in managerial positions and for professionals in education, health and police services, as well as for employees engaged in remote work. They also confirm that employees work during non-work time at different times of the day, at weekends, and during their annual and sick leave.

Practical Implications: The article is especially relevant for public employees due to increased use of information and communication technology. As such, they are also exposed to intensifying work-related expectations and requests/pressures for flexible work arrangements.

Originality/Value: The originality of the topic is reflected in the under-representation of scientific research on the performance of work during non-work time among public employees.

Keywords: non-work time, public employees, public sector, work arrangements, working time

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1 Introduction

Employees in organisations are increasingly confronted with a variety of changes and challenges. Typically, these challenges are even more difficult when there are factors in the work environment that directly or indirectly affect work activities (Buzeti, 2020). One of the challenges that employees face is the appropriate allocation, organisation and duration of working time and rest periods. There is a growing trend towards different forms of flexible working in the workplace (Eurofound, 2021). The rapid development and widespread use of information and communication technology (ICT) allows employees to continue work during non-work times (Lee et al., 2021; Bauwens et al., 2020); for example at night, at weekends and during annual leave (Mar and Buzeti, 2021; CIPD, 2020; Houdmont, Elliott-Davies and Donnelly, 2018) and away from the employer's location (Von Bergen, Bressler and Proctor, 2019). Organisations provide flexible policies to their employees, and in turn, they expect their alertness and promptness in reaction to their managers' requests and customers' needs (Lutz, Schneider and Vorderer, 2020; Von Bergen et al., 2019). This in turn leads to the continued availability of employees for work (Eurofound, 2021; Von Bergen et al., 2019). As a consequence, employees have a reduced ability to recover from work (Mohd Fauzi et al., 2020), which has implications for changes in their well-being, the occurrence of undesirable emotional states and the problems with psychological detachment (Lee et al., 2021; Lutz et al., 2020; Ďuranová and Ohly, 2016). The boundary between work and private life is increasingly blurred (Eurofound, 2021; ILO and Eurofound, 2017), and conflicts between work and family life are becoming more frequent (Andrade and Matias, 2021; Gadeyne et al., 2018). Employees in the public administration and the wider public sector are no exception.

In Slovenia, the public sector, according to the Public Employees Act (ZJU, Article 1), is made up of "state authorities and administrations of self-governing local communities, public agencies, public funds, public institutions and public economic institutions", and "other entities governed by public law that are indirect users of the state budget or the budgets of local communities. The term public employees, is used to refer to individuals who enter into an employment relationship to carry out an administrative activity (Haček, 2015).

The ZJU (Article 23) defines senior public employees, officials and technical and professional public employees in more detail.

The purpose of this article is to present an overview of the up-to-date research on employees performing work during non-work time. The aim of the article is to provide key findings on employees' work during non-work times, and guidelines for further research with special attention to the specificities of a public sector. The research questions of the article are: RQ1) How is work during non-work times becoming more widespread among employees?, RQ2) Which employees are characterised by work during non-work times?, RQ3) During which periods do employees work during non-work times?

This article begins with general overview and a legal framework of a non-work time concept, followed by a review of the relevant literature on employees' work during non-work time. The discussion will provide key findings on work during non-work times and suggestions for further research on this topic.

2 Work during non-work time of public employees

Working time is the crucial element of professional life of every employee (Senčur Peček in Benčan et al., 2019). That means the period of time that an employee spends at paid occupation labor (Lok, 2018). The rest period time means any time that is not working time (Senčur Peček in Benčan et al., 2019). Working time in the public sector slightly differs in comparison to the private sector. In the public sector, working time is more in line with the dynamics of legal regulations and political decisions than in the private sector, where it is influenced by profit-making and collective bargaining (De Spiegelaere and Piasna, 2017). Working time and rest periods are determined at the international level by the International Labour Organisation (ILO) conventions. In the European Union (EU), minimum standards regarding the organisation and duration of working time and rest periods are laid down in Directive 2003/88/EC of the European Parliament and of the Council (Senčur Peček, 2018). EU Member States are obligated to set a reasonable length of daily and weekly working time according to the framework of the European Social Charter. In Slovenia, working time and rest periods of employees are regulated in Employment Relationships Act (ZDR-1), which also applies to public employees in Slovenia. In addition to general labour law provisions such as ZDR-1, the specificities of the public administration system and the status of public employees are regulated in the Public Employees Act (ZJU), the Public Sector Salary System Act (ZSPJS), sectoral laws¹ applicable to specific professions and collective agreements², and the internal acts of individual bodies and entities governed by public law (Virant, 2009).

Working time contains elements such as (1) period during which the worker is working, (2) period during which the worker is at the employer's disposal and

¹ Organisation and Work of the Police Act, Judicial Service Act (ZSS), Medical Services Act (ZZdRS), Higher Education Act (ZVis), Decree on working time in state administration bodies,...

² Collective Agreement for Police Officers, Collective Agreement for Persons Employed in Health Care, Collective Agreement for the Education Sector in the Republic of Slovenia,...

(3) period during which the worker performs his work tasks and duties (Article 2 of Directive 2003/88/EC). In addition, it is stipulated that the maximum weekly working time including overtime, lasts 48 hours (Article 6, of Directive 2003/88/EC). According to that, in Slovenia, the Employment Relationship Act (ZDR-1) stipulates in that, on average, full-time work may not exceed 40 hours per week (Article 142 of ZDR-1). In the event that the employer requires the employee to work after working time, this period is assessed according to the rules for overtime work, which is counted as working time (Article 143 of ZDR-1). A rest period is a period of time, other than working time, which employers must provide to their employees to prevent them from harming themselves and their own health, or causing injury to their colleagues, through fatigue or other irregular working patterns (Eurofound, 2017). Rest periods should be of an appropriate length as they are intended for employees to relax and enjoy themselves, and to be free from work commitments (Eurofound, 2017). To this end, European Directive 2003/88/EC expresses the duration of rest periods in units of time, namely hours, days and fractions thereof. In accordance with the provisions of European Directive 2003/88/EC³ and ZDR-1⁴, employees in Slovenia are entitled to a daily rest period of a minimum of 11 hours between two working days and a weekly rest period of 35 hours, as well as the right to annual leave⁵ for a minimum period of four weeks.

In this article, we will use the term non-work time instead of rest period. Non-work time is intended for employees and their physiological needs, and for leisure activities unrelated to work (Parker, 1971, in Brook & Brook, 1989). During this time, it is crucial for employees to take a mental break and recover from work, as this has an impact on their well-being and health (Lee et al., 2021; Sonnentag and Niessen, 2020; Ćuranová and Ohly, 2016). In the context of time periods, these are the time before the start of official working hours (morning) or after the end of official working hours (evening or night), when employees are entitled to daily rest, weekend rest or the corresponding weekly rest (Mar and Buzeti, 2021; ILO and Eurofound, 2017), and annual leave (CIPD, 2020; Houdmont et al., 2018). Additionally, this time does not include paid work⁶.

3 Methodological approach and research questions

The methodological approach used in the article is a literature review. To obtain relevant research literature, we used databases WOS, Scopus, Eurofound and International Labour Organization (ILO) website. Research fields included social science and humanities, economics and management, education, healthcare, psychology. We also used manual search to encompass relevant surveys (Eurofound, 2021; CIPD, 2020; Eurofound and ILO, 2019; ILO and Eurofound, 2017; Eurofound, 2016). To identify relevant scientific researches, we used search strings (keywords) such as non-work time, organizations, public

3 From Article 3 to Article 5.

4 In Article 155 and Article 156.

5 In the European Directive 2003/88/EC (Article 7) and ZDR-1 (Articles 159 to 162).

6 Meriam-Webster.

administration, public sector, employees, information and communication technology (ICT). To be included, the research had to be published in English between January 2016 and December 2021 in scientific journal, as research article, conference document or survey which contains quantitative, qualitative or both empirical methods and involves employees in the public administration and public sector, who used different ICT to perform the work. The focus was on the newer literature which were not older than 5 years (2016-2021). As we know from practice the performance of work during non-work has expanded with the mass use of ICT at work and the problem started to be more visible because of mass spread of remote work during COVID-19 pandemic. We found and identified 18 scientific literature on the selected topic of work during non-work time (Andrade and Matias, 2021; Eurofound, 2021; Lee et al., 2021; Mar and Buzeti, 2021; Wendsche, de Bloom, Syrek and Vahle-Hinz, 2021; CIPD, 2020; Lutz et al., 2020; Mohd Fauzi et al., 2020; Bavafa and Terwiesch, 2019; Eurofound and ILO, 2019; Schmoll, 2019; Thulin, Vilhelmson and Johansson, 2019; Gadeyne et al. 2018; Houdmont et al., 2018; ILO and Eurofound, 2017; Ďuranová and Ohly, 2016; Eurofound, 2016; Kreiner, 2006). Based on the research questions (RQ), we have analysed the following literature:

RQ1: How is work during non-work times becoming more widespread among employees?

Based on an analysis of literature (Eurofound, 2021; Wendsche et al., 2021; Lutz et al., 2020; Gadeyne et al., 2018; Eurofound, 2016), we have examined whether work during non-work times is becoming more common among employees, including public employees.

RQ2: Which employees are characterised by work during non-work times?

From the literature (Andrade and Matias, 2021; Mohd Fauzi et al., 2020; Eurofound and ILO, 2019; Thulin et al., 2019; Houdmont et al., 2018), we present our findings on which employees are characterised by work during non-work time, in terms of socio-demographic factors.

RQ3: During which periods do employees work during non-work times?

Following a review literature (Mar and Buzeti, 2021; CIPD, 2020; Bavafa and Terwiesch, 2019; ILO and Eurofound, 2017), we have identified the most frequent periods of non-work times (morning, evening, night, weekends, annual leave) during which employees carry out work.

4 Results

To answer the RQ1: *"How is work during non-work times becoming more widespread among employees?"*, the literature review is presented hereinafter in this chapter.

The development of ICT has changed the way work is done in many sectors, including public administration, and has made employees constantly available

to supervisors, colleagues and customers. Flexible working arrangements are becoming more widespread in organisations, allowing employees more autonomy in their working time, depending on their needs and preferences. However, the high degree of flexibility in working hours and work location, combined with high work demands, increases the intensity of the work. Employees face interruptions in their working hours, which impair their ability to get their work done during these hours. As a result, employees work long hours, overtime, and work during non-work times, even when this time is devoted to their private activities. The findings show that this is blurring the boundary between employees' private and professional lives, and that there is a perceived imbalance between employees' work and private lives. The quality of women's working time is higher than men's, as they are better at balancing work and private life, while men are more likely to be better paid and more focused on career progression and professional development (Eurofound, 2021).

Many employees in the service sector, such as education, health, public administration and private sector, have started working from home in 2020, due to the declaration of the global COVID-19 pandemic. Between April 2020 and March 2021, 54.3% of respondents in a Eurofound survey (2021)⁷ of 87,477 employees in the European Union (EU27) confirmed that they had worked during non-work times to meet their work commitments. In Slovenia, the proportion of respondents who worked during non-work time was slightly higher than the European average, with 57.2% of respondents confirming this. Compared to previous years, according to the 6. European Working Conditions Survey (Eurofound, 2016), which surveyed 43,850 respondents, 49% of surveyed public employees (public administration, education and healthcare) from the European Union (EU) worked during non-work time, and 51% of respondents employed in Slovenian public sector. At the same time, 18% of those surveyed in the Slovenian public sector reported that their daily rest period was less than 11 hours (Eurofound, 2016).

Moreover, the performance of work during non-work times depends not only on the changes and challenges that arise in the work environment, but on the moderating role of the integration preference of employees. A survey of 467 Belgian working parents from different sectors, showed that they work during non-work times because of their ability to use ICT. In particular, the high level of organisational expectations and work demands on employees' commitment to work, as well as their integration preferences and behaviours, have an impact on carrying out work during non-work times. This is linked to a higher incidence of conflict, especially when employees combine work commitments with private activities. In addition, both organisational characteristics, and employees' integration preferences and characteristics, have been found to impact each other (Gadeyne et al., 2018).

Carrying out work requires more effort from employees from various organizations, which leads to work being perceived as very stressful. The survey⁸

⁷ Working during COVID-19.

⁸ Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (2020).

of employees in Germany, 60% reported the emergence of multi-tasking demands, 48% experience performance pressure in the workplace, 46% face interruptions at work, and 40% of employees confirmed that they have to get work done very quickly. In another German survey⁹, 20% of respondents confirmed that their daily rest was less than 11 hours at least once a month, while 17% said their breaks were often shorter or interrupted. Similarly, in the BIBB/BAuA survey (2018), 22% of respondents confirmed that working outside working time makes it harder for them to recover from work. Respondents explained that work during non-work times affects their allocation of time for private activities, leading to imbalances between work and private life (Wendsche et al., 2021).

One study (Schmoll, 2019) found that the use of ICT changes the traditional time and space limits of employees' work and their work-related behaviour. The results showed that the main factor in the work-related behaviour of an individual is not only their habit but also their intention, which depends on the individual's attitude, beliefs, perception of control, subjective norms and work-related information. That means that perception of control over the behaviour and performance of employees plays a particularly important role, but it is no longer autonomous and voluntary (Schmoll, 2019). Employees from a range of public and private sector service industries confirmed that their ability to use ICT means that they experience demands from their organisations for their constant availability, even during non-work times. In addition, ICT causes disruption both during and outside working hours. As a result, employees who are constantly available experience unwanted emotional states such as agitation, nervousness and feelings of distress, and balance disorders between work and private life. That means that pressure on employees to be available had no positive affect on them (Lutz et al., 2020). A similar finding was found in the research (Lee et al., 2021), which includes 295 of employees from Vietnam. The results show, that use of ICT after working time is harmful to employee well-being. Therefore, the employees with work-related use of ICTs after hours were positively related to employees' fatigue via psychological detachment. The employees with higher affective commitment showed a stronger negative relationship between work-related use of ICTs afterhours and psychological detachment. Based on the literature review, findings show that the employees, which use ICT during non-work time perceive technology-assisted supplemental work (TASW) as a potential stressor, resource, or demand. If employees perceive TASW as a stressor, that has a negative impact on their recovery and well-being, whereas if they perceive TASW as a resource, the use of ICT is preferred during non-work time. Hence, a novel conceptual, overall framework of TASW with focus on employee recovery and well-being processes was proposed (Ďuranová and Ohly, 2016).

To answer the RQ2: "*Which employees are characterised by work during non-work times?*", according to Eurofound and ILO (2019) carrying out work during non-work times is particularly characteristic for employees in managerial positions, and experts in the education and agriculture sectors. Full-time

⁹ Vieten and Brauner, 2020.

employees (14%) are more likely to work during non-work times than part-time employees (10%) are. Employees are deprived of daily rest because of work during non-work times, as confirmed by 23% of respondents.

A comparison of the age differences of employees in an organisation reveals a difference in their perceptions of organisational expectations for the use of ICT) during non-work times. The older employees, aged 36- 45, confirmed that they perceive organisational expectations to use ICT during non-work times as an interference in their private life. Older employees appreciate more family commitments than younger employees do. As the younger employees aged between 18 and 35 have grown up with the development of ICT, they perceive it as part of their own identification and contact with their family, so using it during non-work times is a way of spending their free time and a modern work culture. For both age groups of workers, the expectation of constant availability has led to a higher incidence of conflict between work and family life. The results of the survey show, that use of ICT during non-work times, and the resulting perception of conflict between work and family life, depends mainly on the individual preferences of employees. Therefore, the management of human resources, and the adoption of measures to improve working relationships between employees and the way work is done, are of paramount importance in an organisation (Andrade & Matias, 2021).

When researching the topic of work during non-work time, we focused on finding relevant academic literature involving public employees, and found that there is a lack of such research. As mentioned above, work during non-work time is typical for employees in the education sector. A study of Belgian secondary school teachers' use of digital learning environments during non-work times found that it lowered their performance, increased their workload, and worsened their balance between work and private life. These teachers reported a perceived increased social impact on colleagues after using ICT during non-work times and consequently working more hours (Bauwens et al., 2020). Employees of public hospitals in Malaysia have confirmed that they are active during non-work times. In addition to performing work-related tasks during non-work times, work-related thoughts occur to physicians during this time. These are usually thoughts about unfinished or upcoming work tasks, and thoughts related to their patients. As a result of work during non-work times, physicians experience various forms of fatigue and, as a consequence, a more difficult recovery from work (Mohd Fauzi et al., 2020). In the research by Kreiner (2006) findings show that segmenting or integrating work and home is not necessarily good or bad. But the compatibility between work-home segmentation preference and the perceived segmentation supplies was granted to the individual and are correlated with work-home conflict, job satisfaction and stress. If there is consistency between the employee's work-home segmentation and the perceived segmentation supplies granted by the organization. The employee's conflict between work and home and stress is reduced but their job satisfaction is increased (Kreiner, 2006).

Work during non-work times is also characteristic of employees doing their work remotely, despite the fact that they are given greater autonomy in their work schedules. A survey by six governmental agencies in Sweden found that teleworkers who doing analytical and managerial work spend an average of two hours per week work during non-work times. But even teleworkers, who carry out routine tasks and take decisions in proceedings, work on average less than one hour a week during non-work times. The only difference between the two groups compared is in terms of experience of working remotely, as employees who do routine work have less experience of working remotely, and are therefore less likely to work overtime or during non-work times. Survey respondents are more likely to stick to deadlines and prepare for meetings during non-work times. This makes it more difficult for them to define the boundary between working and non-working time, and they feel more time pressure, which is influenced by sociodemographic factors such as gender and parenthood (Thulin et al., 2019).

Employees of the Police Authority of England and Wales confirmed that they work during non-work times, and that all three dimensions of the concept of "leaveism¹⁰" are present. In average, around 50 % of management employees work during non-work times. Other police officers also work during non-work times, especially those who were not able to finish their work during working time. Survey respondents confirmed that they work while on leave, to make up for missed work, or that some do not take their full annual leave entitlement because of work. Similarly, employees who were unwell or had health problems took leave instead of sick leave. This behaviour, in turn, leads to a deterioration in balance between work and private life, and a higher incidence of conflict between work and family life (Houdmont et al., 2018).

For the RQ3: "*During which periods do employees work during non-work times?*", we found in existing literature (Mar & Buzeti, 2021; CIPD, 2020; Bavafa & Terwiesch, 2019; ILO & Eurofound, 2017) that employees work at different times during non-work times.

During the COVID-19 epidemic, out of a total of 1670 public employees surveyed in the Slovenian public administration, 80% of those surveyed confirmed that they work during non-work times. In particular, respondents were work during non-work times to meet work commitments, as the volume of their work increased during the COVID-19 epidemic. As a result, most respondents (29.2%) worked during non-work times once or twice a week, and the most frequent times of work during non-work times were in the afternoon (after office hours) (57.1%), at weekends (37.3%) and late in the evening (31.4%). Respondents also confirmed that they worked in the morning before the start of official working hours, on public holidays (13.7%), during annual leave

¹⁰ The concept of "leaveism" was coined by Hesketh and Cooper in 2013. The idea here is that employees make use of their entitled annual leave, instead of sick leave due to ill health and injury (dimension 1). Instead of using their time during non-work times for relaxation and personal matters, employees carry out work commitments that they were not able to complete during working hours (dimension 2). In the same way, employees carry out work commitments while on annual leave, believing that this is a way of catching up on work they have missed (dimension 3).

(13.8%) and when they were off sick (9.5%). The findings show that during the COVID-19 epidemic, public employees were able to adjust their working hours to a certain extent, in line with the agreement with management and according to the organisation of meetings and work tasks to be carried out. Therefore, respondents whose working hours increased or decreased slightly during the COVID-19 epidemic were more likely to work during non-work times (Mar & Buzeti, 2021).

Employees who carried out work remotely are characterised by flexible working and greater autonomy in the allocation of working time. As a result, only a few of them keep to a regular working schedule, and most of them work before or after their regular working hours; for example in the evenings, at night and at weekends, in order to complete their work commitments (INSHT, 2011; Anttila et al, 2009; Glorieux and Minnen, 2008, Walrave and De Bie, 2005, in ILO and Eurofound, 2017). Compared to employees who work at the employer's location, teleworkers work longer hours because they replace commuting time with work activities. Teleworkers more likely to experience imbalances between work and private life due to changes in work routines (ILO and Eurofound, 2017).

Changes in the way work is done also have an impact on when employees work during non-work times. For healthcare staff, the number of hours has doubled with the introduction of a new electronic communication channel that allows patients to consult a physician in the form of an e-visit. The survey took into account statistics covering 3.3 million patient visits over a time period of 8.5 years. After comparing the data between 2008 and 2016, it was found that the average physician spent 14.2 hours on e-visits in 2008, and 27.1 hours in 2016. E-visits led 37% of physicians to work early in the morning or late in the evening, and 14% to work on weekends. It shows that most ambulatory visits occur in the morning and afternoon. Most e-visits are made during the lunch break. Physicians were most active in the morning, as this was the time when they were expected to deal with previous work activities. In 2016, the average physician was engaged in e-visits during non-work times on about a third of days (31%) of the week. As a result, physicians are experiencing an increase in their workload, which has an impact on the occurrence of errors at work, and on the well-being and health of employees (Bavafa and Terwiesch, 2019).

The concept of "leaveism" is becoming more and more widespread among employees. According to the CIPD report (2020), 73% of respondents confirmed that they had used some form of the concept of "leaveism" over a 12-month period. 60% of respondents worked during non-work times, 38% took annual leave because they felt unwell, and 34% worked while taking annual leave. Leaveism is more common in organisations where presenteeism is already present among employees. Therefore, in organisations where both concepts are evident, the key role of management is to create an organisational culture characterised by employees not working long hours or overtime, by moderating and monitoring employee workloads (CIPD, 2020).

5 Discussion

Based on the analysed academic literature, we find that employees' ability to use ICT creates the so-called "Always-on culture" (Von Bergen et al., 2019; McDowall and Kinman, 2017). At the same time, various changes in the organisation, as well as individual preferences, influence employees to be active and do work at any time, including during non-work times (Eurofound, 2021; Wendsche et al., 2020; CIPD; Fauzi Mohd et al., 2020; Lutz et al., 2020; Schmoll, 2019; Gadeyne et al., 2018; Kreiner, 20006). Following a review literature, we found that 9 surveys (Eurofound, 2021; Mar and Buzeti, 2021; Lutz et al., 2020; Mohd Fauzi et al., 2020; Bavafa and Terwiesch, 2019; Eurofound and ILO, 2019; Thulin et al., 2019; Houdmont et al., 2018; Eurofound, 2016) included public employees. Therefore, we can assume that they work during non-work times.

In the context of RQ1: "How is work during non-work times becoming more widespread among employees?", we found from Eurofound (2021, 2016), that work during non-work times is increasingly common among employees. In addition to a variety of flexible forms of work (Eurofound, 2021), the work environment is characterised by high work demands, increasing the relevance of virtual work, pressures to perform well and get work done quickly, and interruptions (Eurofound, 2021; Wendsche et al., 2021; Schmoll, 2019). It is these factors that make it increasingly common for employees to work during non-work times, in order to fulfil their work commitments and tasks in a timely and appropriate manner. The expansion of work during non-work times is influenced by employees' integration preferences (Gadeyne et al., 2018). In addition, the declaration of a global pandemic due to the emergence of COVID-19 in 2020 has had an impact on employees, and the spread of work during non-work times. As a result of the measures taken to prevent the spread of the virus, many employees have started working from home. In order to get the work done on time, they also started work during non-work times (Eurofound, 2021). At the same time, employees have had to balance their work commitments with their private activities. In this context, a key finding is that work during non-work times is also increasingly common among employees of public administration and the wider public sector. It can be seen that it is not only societal changes that are influencing employees to work during non-work times, but also a variety of factors or reasons that are occurring on the part of organisations or work environments, and within each individual.

Hence, based on research RQ2: "Which employees are characterised by work during non-work times?", we wanted to know whether work during non-work times is also influenced by socio-demographic factors. From the literature collected, we found that, within sociodemographic factors, work during non-work times is more common for employees in managerial positions (Eurofound and ILO, 2019; Houdmont et al., 2018) and experts in different service industries (Eurofound and ILO, 2019). Research involving public employees shows that work during non-work times is typically undertaken by employees in the education (Bauwens et al., 2020; Eurofound and ILO, 2019), healthcare

(Fauzi Mohd et al., 2020; Bavafa and Terwiesch, 2019) and police (Houdmont et al., 2018) sector, as well as public employees working remotely (Thulin et al., 2019). Similarly, Schmoll (2019) argues that teleworkers feel the pressure to perform work during non-work time.

Depending on the type of employment contract, work during non-work times is more common among full-time than part-time jobs (Eurofound and ILO, 2019). In particular, men are more likely than women to work during non-work times (Eurofound, 2021). For both employee types, work during non-work times has been traced to imbalances between work and private life (Eurofound, 2021; Wendsche et al., 2021; ILO and Eurofound, 2017). Also, regardless of age, both older and younger employees are found to work during non-work times. However, older employees are more involved in family commitments, whereas younger employees are more likely to identify with ICT, and therefore do not perceive as much pressure to work during non-work times (Andrade & Matias, 2021).

We found that work during non-work times is associated with the socio-demographic factors of employees, such as the employment status, gender, age and job. It was to be expected that work during non-work times is typical for employees in managerial positions. In the work environment, managers are key actors, as their activities contribute to the realisation of organisational goals, and influence the behaviour of employees (Buzeti, 2021). Interesting findings include that age is not a predictor of work during non-work times – this is rather a characteristic of individual preferences and job requirements – and that work during non-work times is more common among men, although we would expect women to find it more difficult to balance work and family commitments.

The article also identifies the periods of time during non-work times when employees are active. Regarding RQ3: “During which periods do employees work during non-work times?”, we found that employees are constantly available to their employer, colleagues and customers via ICT (Eurofound, 2021). Often, employees work during non-work times in the afternoon after the end of official working hours (Mar and Buzeti, 2021), in the evening or at night and during weekends (Mar & Buzeti, 2021; Bavafa & Terwiesch, 2019; ILO & Eurofound, 2017), some in the morning (Mar and Buzeti, 2021; Bavafa and Terwiesch, 2019) and during annual leave (Mar & Buzeti, 2021; CIPD, 2020; Houdmont et al. 2018), and when they are off sick (Mar and Buzeti, 2021). This is why the leaveism is perceived in these employees (CIPD, 2020; Houdmont et al. 2018). Employees also reported that their daily rest time was shorter (Wendsche et al., 2020; Eurofound and ILO, 2019; Eurofound; 2016) than the 11 hours stipulated in European Directive 2003/88/EC. Research suggests that work-related thoughts occur for active employees during non-work times, particularly regarding unfinished or upcoming work tasks, and formal and informal discussions about work with colleagues and clients (Mohd Fauzi et al., 2020; Bavafa and Terwiesch, 2019). In view of the above, the research shows that employees are deprived of their entitled scheduled rest periods as a re-

sult of work during non-work times, since they work at different time periods. In addition, it is increasingly difficult for employees to psychologically detach themselves from work. This has a significant impact on their recovery from work, and in the long term, is certainly not an encouraging prognosis, as lack of rest, self-care and other off-duty activities can, over time, lead to employees showing signs associated with the challenges of exhaustion, burnout, emotional irritability, etc. But employees with granted work-home segmentation, do not feel obliged to work during non-work time (Kreiner, 2006).

Research also confirms that with work-related use of ICT during non-work times affected employees, their segmentation and preferences about work during non-work times (Lee et al., 2021; Kreiner, 2006). According to this employees experience an inability to recover from work, they have a problems with psychological detachment and fatigue (Lee et al., 2021; Mohd Fauzi et al., 2020; Bavafa and Terwiesch, 2019), as well as the onset of unwanted emotional states (Lutz et al., 2020). These employees are more likely to experience conflict between work and family life, as they are preoccupied with work commitments and work-related thoughts during non-work times, rather than engaging in personal activities during this time (Andrade and Matias, 2021; Wendsche et al., 2021; Gadeyne et al., 2018; Houdmont et al., 2018). Employees who work during non-work times experience a spillover of their work-related commitments in their private life, and thereby provide disruption to their private life. This leads to imbalances between work and private life (Eurofound, 2021; Andrade and Matias, 2021; Wendsche et al., 2021; Mohd Fauzi et al., 2020; Eurofound and ILO, 2019; Gadeyne et al., 2018). The main findings of the research questions are presented in Table 1.

Table 1: The main findings of the research questions

Research question	Main findings
RQ1	<ul style="list-style-type: none"> • Work during non-work times becoming more common among public employees because of use of ICT, high work demands, increasing of virtual work, COVID-19 measures, to pressure to meet requirements on time (Eurofound, 2021; Wendsche et al., 2021; Schmoll, 2019; Gad-eyne et al., 2018; Eurofound, 2016; Kreiner, 2006). • Work during non-work time is influenced by employees' integration preferences, and willingness to change their work-life balance at expense of private time their well-being and inability to balance work and their private life (Andrade & Matias, 2021; Lee, at al., 2021; Lutz et al., 2020; Schmoll, 2019; Ďuranová & Ohly, 2016; Kreiner, 2006).
RQ2	<ul style="list-style-type: none"> • Work during non-work time is more common (Bauwens et al., 2020; Fauzi Mohd et al., 2020; Bavafa & Terwiesch, 2019; Eurofound & ILO, 2019; Schmoll, 2019; Thulin et al., 2019, Houdmont et al., 2018; ILO & Eurofound, 2017): <ul style="list-style-type: none"> – For employees in managerial positions. – For employees in the education, healthcare and police sector. – For teleworkers. – Among full-time than part-time jobs. – For men than women.
RQ3	<ul style="list-style-type: none"> • Employees work in all times that are not working times (Mar & Buzeti, 2021; CIPD, 2020; Bavafa & Terwiesch, 2019; Houdmont et al. 2018; ILO & Eurofound, 2017): <ul style="list-style-type: none"> – In the afternoon after the end of official working hours. – In the morning. – In the evening or at night. – During weekends. – During annual leave. – During sick leave.

Source: authors (2022)

6 Conclusion

The phenomenon of work during non-work times spreads progressively in a global economy and is becoming ever important after the global work from home experiment (pandemic COVID-19), not leaving public sector intact. Work from non-employers' premises is here to stay. In general, it is related to employees' well-being, health and balance between work and private life, and there is a higher incidence of conflict between work and family life. Our research implies that employees are working increasingly during non-work times due to the changes in work technologies, societal values, organizational changes and work expectations. After reviewing the literature, we find that there is little research involving only public employees. We note that the public sector survey sample mostly included only specific groups of public employees in

the education, healthcare and police sectors and teleworkers. Our research contribution is in analysing studies that investigate patterns of public employees regarding working during non-working times. Our results imply that development of ICT significantly affected working patterns, and intensified the work intensity, which led to a blurring boundary between working and non-working time. In other words, employees work even if there is no formal obligation to work long hours because they have the means (ICT) and they want to fulfil the expectations. In light of this, a possible avenue for a further research would be a longitudinal study to determine the direction, intensity and dynamics of the phenomenon specifically in the public sector. Moreover, a qualitative research on determinants of various socio-demographic groups of public employees would be beneficial to develop a deep insight in the complexities of effects of work during non-work time on personal and organizational performance. It would be particularly important to explore the impact of the phenomenon of work during non-work times on employees and organizations. Further research is needed to determine whether work during non-work time has an effect on public employee's availability for work. We want to study also the concept "extended availability for work" which is correlated with work during non-work time and the correlation between work during non-work time and public employee's availability and their personality.

The limitations of the study include a non-substantial body of knowledge available on the topic of work during non-work times. Until recently, the phenomenon was investigated mostly as a side effect of increased work autonomy and flexible working arrangements. Thus, there are numerous studies dealing with effects of flexible work on the individual and organizational level, and work during non-work time was listed only as one of its potential negative aspects, and often using different labels to describe situations of working longer and unpaid hours (such as unpaid overtime, long hours, etc.).

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Local Policies in the Fight Against the Covid-19 Pandemic: Ankara and Rome Municipal Councils' Decisions

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ABSTRACT

Purpose and methodology: This study examines how the COVID-19 pandemic is included in municipal councils' decisions and investigates the local policies developed through these decisions. Ankara and Rome Municipalities were selected as study samples. Turkey and Italy are both unitary states and their local government structures are similar because their local government systems are part of the Franco group, as defined by Hesse and Sharpe. Both cities have gained the status of metropolitan cities under the legal regulations adopted in recent years. For this reason, Ankara and Rome present similarities in terms of both the areas they serve and the responsibilities of being the capital. The decisions of their municipal councils were reviewed from March to December 2020. The decisions were analysed within the framework of the relevant commissions and application areas, and the local policies implemented in the fight against COVID-19 were put forward.

Findings: According to the analyses, the Ankara Metropolitan Municipal Council intensified its decisions on economic support, social assistance, cleaning, public health, and local diplomacy, while the Rome Metropolitan Municipality's policies focused on security, education, economic support, social assistance, cleaning, and transportation services. As a result, both municipalities brought their COVID-19 proposals to the agenda of the council. Municipal assemblies played a vital role in helping their countries fight the pandemic as administrative units that provide the legal basis for implementing local policies. Strengthening local assemblies and expanding their mandate and responsibility in times of crisis could also

support the success of central government policies. The findings reveal that fast and effective solutions delivered by local governments through local policies successfully curbed the pandemic that had spread around the world.

Practical Implications: The policies implemented by local governments were impressive and complementary to central government policies, providing a valuable guideline for policymakers.

Keywords: local policies, COVID-19, Ankara, Rome, local government

JEL: H75, H83, Z18

1 Introduction

While providing urban services as the units closest to the public, local governments identify the existing problems and produce policies by offering solutions. The policies implemented by these units, which all enjoy administrative and financial autonomy, are important in terms of efficient, fast, and solution-oriented services in the city. Since the areas served by local governments are generally in cities, their work and policies become even more crucial when problems, such as pandemics, affecting the cities arise.

The COVID-19 pandemic that emerged at the end of 2019 had a particularly notable impact on the cities. In the fight against it, the importance of local governments came to the fore. Especially in metropolitan cities, the dense population and mobility required the municipalities to respond quickly. In this context, it was important to produce solutions to the unique problems of the cities through local and central government policies. Population density, economy, city planning, housing stock, and industrialization of each city are unique. Hence, for solving the problems specific to the cities during a pandemic period, local policies may be more effective than central government policies. As local governments better predict the city's limitations, strengths and weaknesses, needs, and the applications that yield results, they are expected to deliver more efficient and faster policies.

2 Literature Review

Throughout the pandemic period, a vast array of new academic research was produced, covering several disciplines besides health sciences. As regards public administration, many studies were published about how both central governments and local governments fought against COVID-19, how they developed the relevant policies, which legal processes they underwent, and the changes they faced in financial management.

This part of the study focused on a short literature review of some of such studies. One of them was produced by Kuhlmann and Franzke (2021). They aimed at analysing *Länder* and local governments' institutional responses to the COVID-19 pandemic from an intergovernmental perspective. They tried

to find out how the intergovernmental system in Germany responded to the crisis and to what extent the pandemic changed the pertinent patterns of multi-level governance. Another study was about the Czech and the Slovak intergovernmental systems. Jüptner and Klimovský (2021) considered the first wave of the COVID-19 crisis and tried to examine how it affected all socio-political and economic levels and structures and the behaviour of individual levels of government. They pointed out measures adopted by the governments and their impacts on a multi-level governance system.

Several studies examined other European countries. Hegel and Schnabel (2021) examined how European federations (Austria, Germany, Switzerland) managed the COVID-19 period. Askim and Bergström (2021) studied the difference in the government response to COVID-19 in Norway and Sweden, specifically their crisis management and multi-level governance. Hegele and Schnabel (2021) found that Austria and Switzerland adopted a centralised approach, whereas Germany opted for decentralised decision-making. They explained this situation with the distribution of powers. As regards Norway and Sweden, Askim and Bergström (2021) identified similar threats in these countries. According to the findings, Sweden opted for far less strict countermeasures than Norway. While Norway's government response was similar to that of many European countries, Sweden chose soft measures, i.e., recommendations and guidelines.

There are also other studies that analysed several areas of public life and the financial impacts of the pandemic. For example, Horvat et al. (2021) analysed the digitalisation of public administration in relation to delivery, speed of procedure, usage of new technologies on Czech, Hungarian, Polish and Slovak cases. The research consisted of an analysis of the laws in force in these countries. Szarowská (2021) examined the financial impact of the COVID-19 pandemic on the Czech region of Moravian-Silesian. The study relies on secondary statistical data from the Czech Ministry of Finance and monitors financial statements from each region. It also covers in-depth structured interviews made with representatives of the Moravian-Silesian region. Černěnko et al. (2021) examined the impact of the pandemic on the tax revenue of Slovak local governments. In the study, tax revenues were compared and examined in the context of size categories of local governments as well as physical space – regions and districts. At the end, the author said that there was a “sad conclusion” because their dependence on local government tax revenues made them vulnerable to economic fluctuations.

In our study, similar to other studies, the policies pursued by local governments in the fight against COVID-19 are discussed. A distinctive feature of this study is that it examines municipal council decisions of the two selected capitals, Ankara and Rome. The contribution of these decisions to the fight against the pandemic is analysed.

3 Methodology

The present study evaluates municipal councils' decisions to explore how local governments fought against the COVID-19 pandemic and which policies they pursued. The decisions examined were those of Ankara and Rome Municipalities. Ankara Metropolitan Municipality and Rome Municipality are both capital municipalities of their respective countries. The decisions they made and the local policies they put in place were important in the fight against the pandemic.

The two countries as well as the two cities selected for our study have similar characteristics. Turkey and Italy are both unitary states with Ankara and Rome, respectively, as their capitals. The local government structures of both countries are similar. The powers of the Ankara Metropolitan Municipality were expanded by the Law No. 6360 in 2014, including districts. Rome is governed by the Delrio Law enacted in 2014 that gave Rome a special status and included its districts. There are sub-government units and districts in both cities. Within their boundaries, the districts are autonomous but depend on the metropolitan administration for some basic decisions such as city planning, zoning, and transportation issues.

The study included the decisions made by the Ankara Metropolitan Municipality Council and the Rome Municipality Council between March 2020, when the first cases of COVID-19 appeared in Ankara and Rome, and the end of 2020. On each municipality website, with due consideration that there might be different spellings related to the pandemic, COVID-19 related decisions were scanned with different keywords. The Ankara municipal council discussed 27 decisions, while the Rome municipal council discussed 35. After the results had been obtained, each of these decisions was analysed.

The study focused on municipal councils because they are one of the main administrative bodies of the municipalities. The development of local policies follows the decisions taken by municipal councils. Therefore, the course of the fight against COVID-19 was determined based on parliamentary decisions. At the time of the study, the COVID-19 pandemic was not fully over yet.

4 Local Public Policies

Policy is a set of behaviours that includes a series of activities and their results on specific issues, creates a roadmap for a known target, and includes the implementation phase of the decisions taken as a result (Hecló, 1972, p. 84). Public policy studies are intended to solve public problems using scientific analysis and make suggestions to improve and design better policies (Demir, 2011, p. 110). Public policies are options and decisions suggested for achieving a set of policy objectives. In some conditions, public policies are undertaken by local institutions within the framework of the solution of local problems, their authority, and responsibility. To this end, the practices carried out in providing local services to the public, the solutions developed for local

problems, and the decisions taken all make up the local policies. It is the local governments that implement these policies.

Local public policies include the implementation of local and joint needs and services of local governments that concern the city's residents. These policies are carried out on a scale determined by the boundaries of local governments and are designed by a combination of local actors who influence, directly or indirectly, and are involved in the process (Erdoğan, 2020, p. 50; Çakirer-Özservet, 2016, p. 49). Among the duties of local governments are public health, environment and cleaning, disaster management, fighting epidemics, and other responsibilities required thereby.

Local governments, as the administrative units closest to the citizens, support central governments in the quick and effective implementation of public policies. At the same time, they take an active part in the success of policies on a smaller scale by developing local public policies according to the characteristics of each city. The success rates of public policies are thought to be greater at the local level. Both supporting public policies and determining and implementing city-specific local public policies are important in issues such as the fight against the pandemic.

The aim of the study was determined by examining the local public policies of Ankara and Rome Municipalities. Accordingly, it seen was established that the efforts to combat the COVID-19 pandemic were supported by locally developed public policies.

5 Local Governments Legal Framework

5.1 Local Governments in Turkey

In the 1980s, the paradigm of public management changed worldwide, and the new order that emerged triggered some reform movements in Turkey. Local policies were also prioritized in this context. In the first stage, Metropolitan Municipalities were established in 1984 by the Law No. 3030. The European Charter of Self-Government was adopted in 1985, which Turkey ratified in 1992. In the 1990s, the public administration structural reform efforts gained momentum. The efforts to reorganise the powers and responsibilities of the Charter in favour of the local sphere began in the 2000s.

The report titled "Change in Management for the Management of Change" published in 2003 is a comprehensive roadmap indicating the necessity of policies to be implemented, why they are needed, and policy recommendations. The report mentioned that the public administration vision of the 21st century should highlight local and decentralization structures (Dinçer and Yılmaz, 2003, p. 30).

With the Law on Special Provincial Administration, the Metropolitan Municipality Law, and the Municipality Law adopted successively in 2004 and 2005, the restructuring efforts were accelerated (Emini, 2009, p. 35). With the Law

No. 5747 adopted in 2008, sub-tier municipalities and district municipalities were abolished in places where metropolitan cities were established, and only district municipalities were included. With these laws, local governments gained power and autonomy and participation policies were targeted.

The Law No. 6360 was adopted in 2012 and came into effect after the 2014 local elections. The law is described as “reform in reform” (Özer, 2013, p. 97). With the Law No. 6360, fundamental paradigm shifts were experienced in urban management. To this end, the service area of all metropolitan municipalities was extended to the provincial administrative boundaries, new districts were established and, accordingly, the duties and powers of the metropolitan municipalities were increased. Municipalities of provinces with a population of 750,000 and above were converted into metropolitan municipalities.

Considered as the continuation of the public administration reform efforts, the Law No. 6360 aims to provide solutions to many problems related to metropolitan cities while offering a new administration structure (Çelikyay, 2018, pp. 135–136). In this process, the legislation on special provincial administrations was also revised.

The Law No. 6360 introduced significant changes in the administrative structure, financial system, political aspect, geography, representation and participation, personnel structure, service delivery, zoning and planning order, and the socio-cultural dimension resulting from the decrease in the rural population (İzci and Turan, 2013, p. 119). The duties of metropolitan municipalities include zoning plans, urban transformation, disaster management, infrastructure services, transportation, geographical and urban information systems, agricultural areas, environmental health, water and wastewater service, cemeteries, terminals, municipal police, fire brigade, emergency aid, culture, art and tourism services.

One of the main consequences of the change in the metropolitan municipality system is related to the division of duties and powers between municipalities. Accordingly, metropolitan municipalities are equipped with vast powers. With the new regulation, there is a partial increase in the authorities of the district municipalities compared to the Law No. 5216. The role of the metropolitan municipality is seen chiefly as ensuring harmony and coordination. In a sense, a centralized metropolitan system was created by becoming more centralized (Arikboğa, 2018, pp. 16–17).

5.2 Local Governments in Italy

The *Law on Local Administrations* adopted in 1982 strengthened the municipalities and provinces. The law gave new duties and powers to the municipalities and provided equity. Provinces now serve as a bridge connecting municipalities and regions.

With the reforms introduced since 1990, the process of strengthening local governments in Italy continued. With the Law No. 124/1990, local govern-

ments gained greater authority. When metropolitan cities were established, their powers were transferred to metropolitan cities to prevent the priority control of the powers of local governments by the central government. At this point, the reforms made in 1990 and in 2001 were crucial for local governments (Celata and Coletti, 2014, p. 396). In 1972 and in 1990, significant authority was transferred to local governments by the central government in agriculture, health, construction, and public transportation. In addition, local governments continued to be under the supervision of the central government as a requirement of the unitary structure (Vesperini, 2011, p. 6; as cited in Küçük, 2019).

As a result of the legal arrangements made between 1990 and 1997, the financial autonomy of local municipalities and regional governments increased significantly. After the reforms in 1990, autonomy in real terms was given to local governments. With the law enacted in 1993, a legal basis was established for municipalities to elect their own institutions, council members, and managers. In order to make local governments more autonomous, the changes to the constitution continued in the 2000s, focusing on regional development policies.

With the constitutional reforms of 2001, the power of regional administrations increased (Tabossi, 2007, p. 1). These reforms resolved the autonomy problems in the constitution regarding the duties and powers given to local governments. The Italian administrative units were categorized as municipalities, provinces, metropolitan cities, regions, and central governments.

The history of metropolitan urban regulation in Italy dates back to the 1950s. In 1990, only legal regulations could be made for metropolitan cities. However, metropolitan cities could not be implemented under the legal regulation due to Italy's specific problems. Their inclusion as local government units in the constitution in 2001 strengthened the legal status of metropolitan cities. With the law adopted in 2014, 10 metropolitan cities were established in Italy. Rome is one of them (Coşkun, Pank and Şen, 2019, p. 302).

With all these constitutional arrangements, the institutions in which centralization is intensely pursued are now governed by a multi-polar system. The new regulations also institutionally strengthened the autonomy of local governments. The public authority was reorganized with a local to national understanding. With this reform, municipalities were given more importance and local governments came closer to the citizens (Marchetti, 2010, p. 91). All units at various levels were met with an egalitarian approach and local governments became stronger. As a result, the regions obtained an important role in planning regional policies (UCLG, 2004, p. 3). Thus, based on the framework drawn by the constitution, the position and powers of the state were limited (Olivetti, 2014, p. 148).

6 Ankara and Rome Municipality Management Characteristics

6.1 Ankara Metropolitan Municipality

Ankara, the capital of the Republic of Turkey, is located in Central Anatolia, which can be considered the centre of Turkey (Ministry of Culture and Tourism). With a population of 5,663,322, it is the second most populous city after Istanbul (tuik.gov.tr) and the third largest city with an area of 24,521 km² (Ceyhan and Tekkanat, 2018, p. 27).

Ankara is one of the first three cities where a metropolitan municipality administration was established by the Law No. 3030 of 1984. The people elect the mayor and the council through elections held every five years. Ankara has 25 districts. Table 1 presents Ankara's districts and their populations.

Table 1: Ankara Districts and Populations

District	Population	District	Population	District	Population
Akyurt	37,456	Etimesgut	595,305	Mamak	669,465
Altındağ	396,165	Evren	3,045	Nallıhan	27,434
Ayaş	13,686	Gölbaşı	140,649	Polatlı	126,623
Bala	25,780	Güdül	8,438	Pursaklar	157,082
Beypazarı	48,732	Haymana	28,922	Sincan	549,108
Çamlıdere	8,883	Kahramankazan	56,736	Şereflikoçhisar	33,310
Çankaya	925,828	Kalecik	12,941	Yenimahalle	695,395
Çubuk	91,142	Keçiören	938,568		
Elmadağ	45,122	Kızılcahamam	27,507		

Source: Ankara Governorship

The duties and powers of metropolitan municipalities and district municipalities in Turkey are mainly determined by two separate laws. These are the Metropolitan Municipality Law No. 5216 and the Municipality Law No. 5393. The main duties and responsibilities of district and metropolitan municipalities are listed in Table 2.

Table 2: Main Duties of District and Metropolitan Municipalities

District Municipalities (Law No. 5393)	Metropolitan Municipalities (Law No. 5216)
<p><i>land development planning, water supply, sewerage and transport, sanitation and solid waste, geographic and urban information systems, municipal police services, burial services and cemeteries, culture and art, tourism and promotion, youth and sports, social services and social aid, weddings, vocational and skills training, cultural and natural assets, historical urban fabric areas, school buildings, environment and environmental health, tree planting, parks and green areas and housing, construction or repair of school buildings, borrowing and accepting donations, leisure and recreational facilities open to the public</i></p>	<p><i>preparing the metropolitan municipality's strategic plan, annual goals, investment programs according to the budget plan, approving and implementing the master plan of every scale, implementing the metropolitan transport master plan, coordinating transport and public transport services, building or repairing squares, boulevards, avenues and main roads within the metropolitan municipality's purview, naming and numbering squares, boulevards, avenues, roads and streets, setting up geographic and urban information systems, ensuring the protection of the environment, agricultural land and water basins, drawing up the metropolitan area's solid waste management plan, operating or licensing passenger and freight terminals, building or operating social facilities serving the entire metropolitan area, building, repairing or operating regional parks, zoos, animal shelters, libraries, museums, sporting, leisure and recreational facilities and similar facilities, designating cemetery areas</i></p>

Source: Law No. 5393 and Law No. 5216

As seen above, metropolitan municipalities are responsible for basic services that require a holistic coordination throughout the city. These services are approving zoning plans, street names, managing urban transportation, building

and operating water and sewerage services, constructing urban main roads, infrastructure, managing intercity terminals and solid waste recycling. They serve the area within the administrative boundaries of the city, including rural areas. District municipalities, on the other hand, perform their duties within the boundaries of their districts.

All decisions related to municipality's duties require the approval of the city council. Hence, specialized commissions consisting of council members were established within the council. Each issue is first discussed in the relevant commissions which prepares a report. After that, the issue is presented to the council for approval.

The Ankara Metropolitan Municipality Council is one of the governing bodies of the municipality. One out of five members is elected from the district municipal councils. The Ankara Metropolitan Council consists of 143 members. It is obligatory to establish a public works and housing commission, an environment and health commission, a planning and budget commission, an education, culture, youth, and sports commission, and a transportation commission. The Ankara Metropolitan Municipality Council commissions are given in Table 3.

Table 3: Ankara Metropolitan Municipality Commissions

No	Commission Name	No	Commission Name	No	Commission Name	No	Commission Name
1	Agriculture and Livestock	9	Estate	17	Naming	25	Elderly and Orphans
2	ATAK (History and Culture Research)	10	EU and Foreign Relations	18	Planning and Budget	26	Tourism
3	Audit	11	Family Commission	19	Protecting Underground Resources	27	Transportation
4	Consumer Protection	12	Human Rights	20	Public Relations	28	Ulus Historical City Centre
5	Craftsmen and Artisans	13	Infrastructure Service	21	Public Works and Housing	29	Urban Aesthetics
6	Disabled people	14	Law and Tariffs	22	Rural Development	30	Water and Channel Services
7	Environment and Health	15	Management of Dam Ponds and Irrigation Channels	23	Shanty Problems		
8	Equality of Opportunity for Women and Men	16	Management of Geothermal Waters	24	Social Affairs		

Source: www.ankara.bel.tr/meclis-kararlari

6.2 Rome Municipality

The city of Rome is located in the Lazio Region, one of Italy's twenty regions. Rome is the country's capital and also the most important city in Italy, be it historically, politically, economically, or socially. Rome has a population of approximately 4 million. It is the most populated city in Italy and the third most populated in the European Union. The area of Rome is 1,285 km² and covers one-third of the territory of Lazio.

Rome has been inhabited for almost three thousand years. Within the boundaries of the city of Rome is the Vatican, the smallest independent country in the world. The metropolitan city of Rome was established in 2015 under the Local Administration Reform No. 142/1990 and the Law No. 56/2014, thus replacing the Province of Rome. The legal establishment of metropolitan administrations took place on 1 January 2017. However, administrations have not yet been fully operational in all cities.¹

The city of Rome is governed by the Mayor of Rome. There are two groups of metropolitan cities in Italy. The first group is located in regions with ordinary status, which are entirely regulated by the Delrio Law. These are the municipalities of Roma Capitale, Turin, Milan, Venice, Genoa, Bari, Firenze, Reggio Calabria and Naples. The second group consists of four metropolitan cities in special-status areas: Cagliari, Catania, Messina and Palermo.

There are 15 municipalities in Rome. The people elect the mayor and the council through elections held every five years (Roma Tiburtina, 2021). Besides the 15 municipalities, Rome is divided into several subdivisions which, however, are not recognized as local government units. These are *rioni*, *quartieri*, *sub-urbe*, and *zone*.² There are a total of 121 subdivisions and communes under the Municipality of Rome. The municipalities' subdivisions with the largest population are given in Table 4.

Table 4: Municipalities with the Largest Populations in the Municipality of Rome

Municipalities	Population	Municipalities	Population
Rome	2,866,733	Anzio	53,760
Guidonia Montecelio	88,238	Velletri	52,998
Fiumicino	75,378	Civitavecchia	52,942
Pomezia	61,207	Ardea	48,495
Tivoli	56,568	Nettuno	48,346

1 <<https://rm.coe.int/local-and-regional-democracy-in-italy-monitoring-committee-rapporteur-s/1680759b3b>>.

2 <<https://rm.coe.int/local-and-regional-democracy-in-italy-monitoring-committee-rapporteur-s/1680759b3b>>.

With the constitutional amendment of 2001, metropolitan cities were added to the local government units existing under the 1948 Italian Constitution. Thereby, metropolitan cities have also become local government units regulated by the Constitution. While creating metropolitan cities, large municipalities were combined with their neighbourhoods, which envisaged a strong urban economic and social integration. Metropolitan cities have administrative and financial autonomy like other local government units (Art. 119). Under Article 142 of the Constitution, the provinces of Turin, Milan, Genoa, Bologna, Florence, Rome, Bari, Naples, and Cagliari became metropolitan cities.

According to the amendment introduced in the Constitution in 2011, Rome is regulated by a separate state law. Rome was given a special status by the Law No. 42/2009 approved in 2010 and supported by a Decree. The capital city has more powers than a typical city, special provisions on financial and budgetary matters, and a more detailed administrative and organizational autonomy. The city is the subject of specific provisions in various laws and regulations. The 2009 Fiscal Federalism Act is one of them.³

The statute of Rome contains specific provisions about the city's internal, territorial and administrative structure. Accordingly, the Mayor of Rome is also a member of the Rome City Council (*Assemblea Capitolina*). The metropolitan mayor and council members are elected by the people of Rome. Citizens also check the mayor's policy guidelines and can request his resignation when necessary with a motion of no confidence.

The Metropolitan Municipality Council is the political and administrative management and control body. The council consists of the mayor and 48 council members. The council exercises the powers granted to it by law and statutes under constitutional principles. The relations between the council, the Municipal Council, and the Standing or Special Metropolitan Municipality Commissions are defined and governed by the council regulation. The duties of the Metropolitan Municipalities are equivalent to the duties and powers of provincial councils (*Roma Assemblea Capitolina*, 2021).

The duties of the Metropolitan Council are to increase local government performance and keep local expenditures to a minimum by coordinating municipalities on environmental protection, including basic services, transportation, schools, and social programmes (*Roma Assemblea Capitolina*, 2021).

Municipal commissions contribute to a clearer fulfilment of their political-administrative guidance and control functions through in-depth and specific discussion of the issues falling within their competence. According to the parliamentary regulation, there are commissions appointed for the functions of drafting, inspection, control and direction. Among the commissions, the Rome Capital Commission and the Capital Election Commission have their own agendas. Municipal commissions are shown in Table 5.

³ <<https://rm.coe.int/local-and-regional-democracy-in-italy-monitoring-committee-rapporteur-s/1680759b3b>>.

Table 5: Rome Municipality Commissions

No	Commission Name	No	Commission Name	No	Commission Name
1	Budget	6	Public Works	11	Environment
2	Transportation	7	Urban Planning	12	Trade
3	Education Policies	8	Culture and Youth	13	Equal Opportunities
4	Social and Health Policies	9	Control, Security, and Transparency	14	Real Estate and Housing
5	Sports, Wellbeing, and Quality of Life	10	Bylaws and Technological Innovations	15	Tourism and International Relations

Source: <www.comune.roma.it/web/it/commissioni-capitoline.page>

7 Policies of Combating the COVID-19 Pandemic

7.1 Ankara Metropolitan Municipality Council Decisions

Turkey started to work on informing and raising awareness of the public about the pandemic since the outbreak occurred. First, the “COVID-19 Guide” was prepared and a helpline “Call 184” was set up. The most important players in this process were the Ministry of Health, municipalities and non-governmental organizations. Besides these, municipalities also carried out activities to raise awareness and inform the public through the internet, phone lines and other tools. Municipalities rearranged urban public transportation, increased social assistance, postponed some rents and payments taken by municipalities and switched to remote working in accordance with the measures taken by the central government. On the other hand, when the government announced that some policies will be carried out and managed only by the central government units, discussions were launched between the central government and the municipalities. For example, social aid campaigns previously initiated by Ankara, Istanbul, Konya, and Gaziantep metropolitan municipalities were terminated in accordance with the campaign initiated by the Presidency (Turan and Hamza Celikyay, 2020, pp. 14–15). In such cases, central policies were prioritized and municipalities only supported central government policies within the scope of their duties.

The decisions made in the Ankara Metropolitan Municipality Council between March 2020, when the first COVID-19 case was announced in Turkey, and December 2020 were examined as follows: first, the date range was determined between 01/03/2020 and 31/12/2020. Then, considering that there may be different spellings related to the pandemic and the virus, the search included

various keywords, namely "COVID-19," "Pandemic," "COVID or COVID," "Epidemic," "Corona," "Corana," "Korana," "Korana," "Kovid," and "KOVID". It was observed that the search was not case-sensitive. Besides, it was seen that the decisions spelled the virus as "Covid-19", "Covid-19", and "Covid-19." All these scanning results were compared with the "decision number" data, and duplicate records were eliminated. As a result, 27 records were obtained (Council Decisions, www.ankara.bel.tr). The decisions taken in the Ankara Metropolitan Municipality Council during the COVID-19 pandemic are listed in Table 6.

Table 6: Ankara Metropolitan Municipality's Council Decisions Regarding COVID-19

Decision Date	Decision No	Decision Summary
08/05/2020	530	Providing in-kind and cash assistance to families in need of help due to the COVID-19 epidemic, out of the Social Assistance and Services Regulation, by the Social Services Department.
08/05/2020	531	Providing masks, disinfectants, gloves, and hygiene materials in response to requests from other municipalities, public institutions, and organizations.
08/05/2020	532	Providing masks, gloves, disinfectants, and protective materials to municipalities of other countries, especially Sarajevo, Zagreb, Nicosia, and the Republics of Turkey, upon request.
09/07/2020	557	Continuation of activities with current term members since the 26 th Term Member Elections for Children's Council could not be held due to the COVID-19 epidemic
14/07/2020	722	Decision on the subscriber practices of the General Directorate of ASKİ (Ankara Water and Sewerage Administration).
12/08/2020	874	EU and Foreign Relations Commission Report on the measures to be taken to protect citizens from the epidemic and prevent the spread
12/08/2020	923	Child Rights and Activities Commission Report on the preparation of guidelines by the relevant departments of universities to support the developments of the children in the COVID-19 epidemic.

Decision Date	Decision No	Decision Summary
12/08/2020	924	Education Culture and Youth and Sports Commission Report on raising awareness of the youth about precautionary and health and social life.
12/08/2020	938	Consumer Protection Commission Report on the monitoring of social distancing rules in markets and stores
12/08/2020	947	Tradesmen and Craftsmen Commission Report on supporting the financially affected tradesmen.
13/08/2020	973	Elderly and Homeless Commission Report on investigating the physical and psychological effects of the elderly citizens who stayed at home for a long time.
09/09/2020	1097	Child Rights and Activities Commission Report on the promotion of mask use by the children and the production of specially designed masks.
10/09/2020	1134	Real Estate Commission Report on the temporary use of existing immovable property for victims of domestic violence to maintain their shelter, nutrition, and social life.
10/09/2020	1140	Public Relations Commission Report on monitoring the COVID-19 pandemic process in the Altındağ District, investigating the rate of increase and raising public awareness about masks.
12/10/2020	1311	Family Commission Report on investigating the human impact of the panic and fear of the COVID-19 pandemic.
12/10/2020	1323	Environment and Health Commission Report on raising awareness about the COVID-19 pandemic.
12/10/2020	1340	Consumer Protection Commission report on increasing demands for disinfectant products.
12/10/2020	1346	Real Estate Commission Report on the rent debts of workplaces belonging to the Metropolitan Municipality, which were closed during the pandemic period.
13/10/2020	1351	Tradesmen and Craftsmen Commission Report on disinfectant and cleaning of commercial establishments in industrial zones.

Decision Date	Decision No	Decision Summary
13/10/2020	1353	Public Relations Commission Report on the investigation of the measures taken by the Metropolitan Municipality within the boundaries of Pursaklar District.
13/10/2020	1355	The Report of the Commission on Equal Opportunities for women and men on taking preventive measures for public health of the "Mother, Milk, Baby" project.
13/11/2020	1501	EU and Foreign Relations Commission Report on research on meeting and exchanging ideas on a platform such as Webinar due to the epidemic.
14/11/2020	1538	Consumer Protection Commission Report on the kind of help and support provided to the consumer by the municipality.
14/11/2020	1539	Tourism Commission Report on organizing nature walks in our surrounding districts for our citizens staying at home.
15/11/2020	1550	Tradesmen and Craftsmen Commission Report on eliminating grievances of AŞTİ (Ankara Intercity Terminal Operation) tradesmen.
17/11/2020	1561	Public Relations Commission Report on the investigation of the social and economic conditions of the tradesmen operating in the Çankaya district.
11/12/2020	1765	Education Culture and Youth and Sports Commission Report on the organization of information seminars on the digital platform where patients with Parkinson's and movement disorders can access all advanced treatments.

Source: own.

All decisions on fighting the pandemic were adopted unanimously. It is seen that the first decisions were made on 8 May, approximately two months after the first COVID-19 case had been reported. The first implemented policies result from decisions to provide in-kind and cash aid to families in need and to provide masks, disinfectants, gloves, and hygiene materials to municipalities abroad and public institutions in the country upon request. It is seen that the situations that were the subject of the decisions were examined and reported by different commissions. Table 7 shows the distribution of decisions by commissions.

Table 7: Distribution of Decisions by Commissions

Commission Name	Number of Decisions
Mayor's proposal	5
EU and Foreign Relations Commission	2
Family Commission	1
Environment and Health Commission	1
Children's Rights and Activities Commission	2
Real Estate Commission	2
Tradesmen and Craftsmen Commission	3
Public Relations Commission	3
Equal Opportunities Commission for Women and Men	1
Culture and Youth Sports Commission	2
Tourism Commission	1
Consumer Protection Commission	3
Commission for Elderly and Orphans	1
Total	27

Source: own.

Several decisions were made regarding Mayor's proposals, Tradesmen and Craftsmen, Public Relations, and Consumer Protection Commissions. However, it is seen that the commissions to which other decisions are attributed vary, and decisions were taken on issues of concern to almost all commissions.

Women-Old-Young-Child Policies

The decision to keep the mechanisms such as Women's Council, Disabled Persons Council, Children's Council, which are extremely important in terms of participatory policies, running were not neglected during the pandemic period. Since the General Council meetings of the Children's Council could not be held due to the COVID-19 pandemic, also the election of members for the new term could not be held. Thus, it was decided to continue the activities with the current members of the council.

Decisions to produce specially designed masks were made to create a joint guide with the relevant departments of universities and encourage children's mask use to support the development of children during the pandemic period. At the same time, a decision was taken to provide training seminars on

online platforms and later, at the Youth Centre, to raise awareness of young people and distribute hygiene materials in schools. During the pandemic period, citizens over a certain age were restricted from going out. It was decided to investigate the physical and psychological effects that might have arisen from this situation.

Additionally, research was carried out on the impact of panic and fear for all citizens. According to a decision taken, municipal estates were used as temporary shelters so that women and children victims of domestic violence could preserve their shelter, nutrition, and social lives.

Social Policies

It was decided to distribute milk to the expectant mothers, as determined by the Provincial Health Directorate. Besides, in-kind and cash assistance were provided to families in need. The municipality also decided to provide hygiene materials to municipalities and other public institutions upon request.

The council decided to make plans to visit remote areas, small settlements, plateaus, historical and natural beauties of the city. Italy decided to take into account the heart and mental health of the citizens who stayed at home for a long time. Furthermore, the council decided to organize seminars on the digital platform for patients with Parkinson's and movement disorders.

Local Diplomacy

Policies regulating foreign relations were not disregarded during the pandemic period. For example, in cooperation with the UN Commission on the Status of Women (UN Women), it was decided to meet, live or online, with foreign mayors who could set an example for gender-responsive budgeting in the municipality, exchange ideas, and create an infrastructure for best practices works. Similarly, it was decided to exchange information about precautions and protection methods with twin towns and provide hygiene materials to the requesting municipalities.

Economic Policies

Due to some delays in payments resulting from the pandemic, the application of default interest on Ankara Water and Sewerage Administration (ASKI) invoices was stopped. The default interest collected on the applied invoices was regulated and regulation was made to return it to new invoices by settlement.

In order to implement social distance rules in shopping malls, decisions were taken to determine the places without distance lines on the surfaces, investigate what can be done to further support the tradesmen who were negatively affected by the economic measures, and eliminate the grievances of the tradesmen of the Ankara Intercity Terminal Operation (AŞTI). It was also decided to restructure the debts arising from lease agreements during the pandemic for tenants of the Ankara Metropolitan Municipality.

Additionally, decisions were made regarding consumer protection in terms of use of chemicals such as alcohol and disinfectant products and the disinfection and cleaning of commercial establishments located in the industrial zones.

Policies for Districts

As a metropolitan municipality, Ankara provided support to district municipalities in the fight against pandemic to the extent it deemed necessary. This support was in line with the motions or proposals of the district municipal council members in the council. Decisions were adopted with regard to the Altındağ, Çankaya and Pursaklar districts.

In the Altindag district, decisions were made to investigate the growth rate and raise public awareness about masks in relation to monitoring the COVID-19 pandemic, the social and economic conditions of the artisans in the Çankaya district, and the measures to protect the artisans in the Pursaklar district.

7.2 Rome Municipality Council Decisions

In Europe, the pandemic showed its most devastating impact in Italy, with many cases and deaths. Italy ranked first in Europe in terms of the number of deaths due to COVID-19. A total of 3,067,486 cases were seen in Italy, and the number of people who lost their lives was 99,785.⁴ The country ranks 8th in the world's number of cases (Worldometers, 2021).

Italy was forced to close the schools and restaurants, implement curfews, distribute masks and disinfectants at regional and local levels. Vaccination campaigns were mostly managed by central government. For the implementation of all policies, central government acted in coordination with local governments considering local needs and demographic differences.

With the Presidential Decree of 9 March 2020, Italy's "red zone" was expanded to cover all of the country. The Decree also introduced regulations for regions and municipalities. It was forbidden for all citizens living within the boundaries of the region/municipality to leave the municipal boundaries and to organize cultural, religious and sports activities. The activities of schools and universities at all levels were suspended. Persons in close contact with infected people had to be quarantined and reported to the Local Health Service's Department of Prevention. Furthermore, the places where immigrants live were visited by the Security and Civil Protection Department of the Municipality of Rome and information was given about the measures to prevent the epidemic (Brodolini, 2020, p. 9).

With the Italian Civil Protection Decree, EUR 400,000,000 was allocated to municipalities for emergency food solidarity measures. With these funds, Italian municipalities were able to help citizens shop in supermarkets and other food stores, as well as provide credits (*buono spesa*) to stores in the form of

⁴ As of 28/03/2021.

food vouchers to purchase food and other essential goods in times of emergency (Brodolini, 2020, pp. 3–8).

Due to the COVID-19 pandemic, regions and provinces in Italy were categorized into white, yellow, orange and red zones corresponding to the three risk scenarios for which certain restrictive measures applied. The Lazio Region was in yellow at the time this paper was written. This classification was based on a regulation issued by the Ministry of Health.⁵

In crises such as the COVID-19 pandemic, the countries' rapid and effective policies have a significant role in process management. The pandemic showed its effect especially in the cities, and therefore the decisions made by local governments, the policies they implemented, and the work they performed in the fight against the pandemic were of great importance.

In this context, the activities, decisions, policy preferences, and implementation priorities of Rome as the capital of Italy, the most populated city of the country, and a tourist city were of great importance. Examining the decisions made by the Municipality of Rome and the policies it put into practice also revealed the situation of local life in Italy. The relevant council decisions of the Municipality of Rome are presented in Table 8.

Table 8: Rome Municipality's Council Decisions Regarding COVID-19⁶

Decision Date	Decision No	Decision Summary
13/03/2020	61	The decision of the municipality to have the authority to reach the places where services are carried out in violation of the travel restrictions so that the activities of distributing food to the homeless and needy citizens can continue.
13/03/2020	60	The decision to assist the homeless through Civil Protection, take appropriate and necessary measures, protect public health.
13/03/2020	59	The decision by AMA SpA ⁷ employees to systematically sterilize the streets and all vehicles and carry out waste management activities was approved with 14 votes in favour and 11 votes against.
13/03/2020	58	The decision to act together with the government in taking the necessary measures to implement activities such as school cafeterias, services, activities for school adaptation.

5 <www.salute.gov.it/portale/nuovocoronavirus/dettaglioContenutiNuovoCoronavirus.jsp?lingua=english&id=5367&area=nuovoCoronavirus&menu=vuoto>

6 <www.comune.roma.it/servizi2/deliberazioniAttiWeb/elencoDati>

7 <www.ama.it/chi-siamo/ricerca-sviluppo>

Decision Date	Decision No	Decision Summary
13/03/2020	57	The decision to suspend the payment terms issued through collection and allow instalments, acting together with the government as long as the state of emergency is declared.
13/03/2020	56	Temporary suspension of the payment of the rents of commercial facilities and the decision of the owners to pay their rent in instalments.
13/03/2020	55	Under the management of the Istituto Nazionale della Previdenza Sociale, ⁸ the decision to reduce the contribution to be paid by the self-employed, reduce the social security rate equally over 50% of the social security rate and the income exceeding the minimum was adopted with 20 votes in favour and abstentions.
13/03/2020	54	The decision to make available accommodation facilities for the homeless and to identify the buildings belonging to the Municipality of Rome.
13/03/2020	53	The decision on economic measures regarding local taxes for production and hospitality activities was unanimously adopted with 25 votes in favour.
13/03/2020	52	The decision to assist in meeting the needs of health institutions, making hospitals free and accessible, and using hospitals in emergencies was adopted with 17 votes in favour and 5 against.
13/03/2020	51	The decision to extend the call for registration to kindergartens through the offices of the Municipality of Rome until 3 April 2020.
13/03/2020	50	The decision to take the necessary measures for the social security conditions of the workers and extend the ongoing construction permits and zoning contracts was accepted with 20 votes in favour and abstentions.
13/03/2020	49	The decision to activate emergency services for vulnerable populations at risk of isolation and coordinate service providers, unions, and cooperatives.
13/03/2020	48	The decision of AMA SpA ⁹ company to carry out urban waste management and to protect the health of its employees was accepted with 19 votes in favour and abstentions.

⁸ <www.inps.it/nuovoportaleinps/default.aspx>

⁹ <www.comune.roma.it/web/it/ama-spa.page>

Decision Date	Decision No	Decision Summary
13/03/2020	47	The decision to allow users to access and use all kinds of data in the city periodically was accepted with 20 votes in favour and abstentions.
13/03/2020	46	The decision to distribute a sufficient number of masks and disposable latex gloves to the City of Rome Police Service.
13/03/2020	45	The decision to encourage the use of flexible working hours in all workplaces in accordance with remote working methods, protect the health of employees, and consider the relevant needs.
13/03/2020	44	The decision to provide more assistance to the citizens, eliminate the risk of collapse of the health system, and act by considering the protection of public health of the employees in the institutions as the primary benefit was adopted with 21 votes in favour and 5 against.
13/03/2020	43	The decision to solve urgent problems in the struggle for life of disabled citizens and their families, support them, and continue the education of disabled youth.
13/03/2020	42	The decision to continuously clean frequently used public transport vehicles, metro stations, and stops.
13/03/2020	41	The decision to encourage offices to clean all schools and municipal offices and deal with specialist companies that can issue certificates for products used.
13/03/2020	40	The decision to determine all unused intensive care quotas of the municipality in case of epidemiological emergency, open hospitals, and start social and health activities was accepted with 20 votes in favour and 5 against.
13/03/2020	39	The decision to home deliver basic needs for the elderly and citizens, activate a toll-free number for those with disabilities or serious illnesses, and coordinate responsible volunteers.
13/03/2020	38	The decision to provide protective masks to public transport drivers.
13/03/2020	37	The decision to exempt schools from paying lunch and transportation fees was adopted with 21 votes in favour and abstentions.
13/03/2020	36	The decision to organize an information campaign on cleaning and disinfection activities in government offices.

Decision Date	Decision No	Decision Summary
13/03/2020	35	The decision to provide on the municipality web portal information on the measures and risks to the citizens to minimize the risk of infection.
13/03/2020	34	The decision to provide food, consumables, and medicines to citizens in quarantine with a toll-free number was adopted with 25 votes in favour.
13/03/2020	33	The decision to close the borders of the city of Rome, if deemed necessary, was accepted with 21 votes in favour and abstentions.
13/03/2020	32	The decision to temporarily prevent evictions and foreclosures was adopted with 23 votes in favour and abstentions.
13/03/2020	31	The decision to evaluate every possible situation with the unions regarding all issues aimed at protecting the employment of the employees was adopted with 21 votes in favour and abstentions.
13/03/2020	30	The decision to support education rights such as payment of education contributions, school meals, and school transportation was accepted with 20 votes in favour and abstentions.
04/09/2020	90	The decision to carry out studies on the activities of tourist attractions and amusement parks.
09/10/2020	146	The decision to provide masks to all personnel, including the opening of schools, cleaning, implementation of health standards, transportation of students, school staff, educators, and teachers, was approved by 24 votes in favour and abstentions.
09/10/2020	145	The decision to protect the right to education and carry out more activities within the school structures and services was approved by 20 votes in favour and abstentions.

Source: own.

The Municipality of Rome adopted effective decisions to reduce the impacts of the COVID-19 pandemic on the city and successfully manage the process. The first case in Italy was seen on 31 January 2020. In the Municipality of Rome, the first council decisions regarding COVID-19 were taken one and a half months after the first case emerged. From March 2020 to December 2020, a total of 35 decisions were adopted. Most of the decisions were taken unanimously. The decisions taken during the pandemic process were generally related to the deferred and instalment payment of taxes, the protection

of the employment of the citizens, the provision of in-kind and cash aid to the citizens in need, the distribution of masks and disinfectants to the municipal employees and those in need, and education and social policies applied for children and youth.

Health Policies

The Municipality of Rome made decisions on health policies to protect the health of citizens. In the context of health policies, Italy was the country most affected by the COVID-19 pandemic in Europe. Hence, there were many municipal council decisions regarding health in the city of Rome. Many decisions were adopted and health policies implemented, such as informing the public, taking precautions regarding the ways of protection from the virus, determining the number of patients in hospitals in Rome and putting all hospitals into service, distribution of masks and disinfectants, and disinfection of public transportation vehicles, subways, and stops.

Women-Old-Young-Child Policies

The policies of the Municipality of Rome cover all citizens of the city. Additionally, decisions were taken to prevent children, youth, and disabled people from being deprived of education and social activities during the pandemic. Cleaning and controlling schools, parks, entertainment centres and planning to increase green spaces for children were among the prominent policies during the pandemic.

Social Policies

In-kind and cash aids were provided to families, homeless, unemployed, disabled, and elderly people in need of help due to the COVID-19 pandemic. It was decided to provide masks, disinfectants, gloves, and hygiene materials to municipal employees and those in need. In this process, social policies were also implemented through the free helpline and volunteers.

Economic Policies

One of the areas that the COVID-19 pandemic affected the most was the economy. The city council made important decisions to protect the employment of the citizens within its borders, defer the payment of rents, suspend and introduce instalments on payments issued through collections, and produce solutions for the problems of the homeless, the unemployed, and the disabled. Policies were also implemented to postpone the payment of the contribution that families have to pay for education and school services and support education rights such as school meals and services until the pandemic was over.

With regard to the decisions made and the policies implemented by the Rome Municipal Council, successful studies were carried out. Considering the role of local governments, as the units closest to the public, in identifying problems and producing fast and effective solutions made the importance of the local level even more visible. When the first cases emerged in Italy and were followed by a very rapid increase, the inadequacy of central policies and the

health system was revealed. However, with the work and activities of the local governments, the situation in Italy started to improve. In particular, by making decisions on health policies and putting them into practice shortly after the outbreak of the pandemic, the Municipality of Rome set an example for other municipalities and positively managed the pandemic process in the city. The decision of the Municipality of Rome for all citizens living in the city also increased its success. In addition to pioneer studies, social policy decisions and especially economic decisions were adopted to support the citizens.

8 Analysis

The study examined the decisions made by the Ankara and Rome municipal councils regarding the COVID-19 pandemic. Decisions relate to the period from March 2020 to December 2020. The Ankara Metropolitan Municipality unanimously adopted 27 decisions concerning the fight against the COVID-19 pandemic. This was a meaningful example of the council's solidarity with the general public health and safety. To this end, some decisions were discussed as mayoral proposals without being referred to the commissions. The first decisions came to the council's agenda about two months after the first case was seen and involved helping the families in need and distributing masks and hygiene materials. In the above period, the Municipality of Rome discussed 35 decisions. The first decisions on distributing food to the economically disadvantaged citizens concerned public health and cleanliness and hygiene of the streets. Three decisions were passed with a majority of votes. These were the decisions to reopen the health institutions affiliated with the municipality, sterilize the streets systematically, and carry out waste management activities. In some decisions, some council members abstained. The names of the commissions were not available in the decision reports of the Rome Municipal Council.

In general, decisions were mostly taken on aid materials, economic supports, health, and cleaning. Decisions for women, the elderly, the young and children were remarkable. The Ankara Metropolitan Municipality made decisions not only in the country but also in the cities with which it is related abroad. Decisions generally concerned economic support for shopkeepers and tenants of workplaces, aid to families in need, distribution of hygienic materials and masks. Otherwise, decisions were made regarding education and social policies for children and youth, food control, cleaning and physical needs of schools, amusement parks and venues, and playgrounds. Decisions were made regarding deferral of contributions to be paid for educational institutions, taking measures regarding public transportation, suspending collections and instalment payment. In addition, there were decisions about instalment payment of rents for commercial facilities, reducing self-employment contributions, extending the duration of construction permits and zoning agreements. Supporting remote working, protecting the employment of employees, tourist attractions, venues, and amusement parks were other topics concerned by the decisions. An analysis of the decisions taken by the Ankara and Rome Municipal Assemblies reveals that an important effort was put for-

ward against the COVID-19 pandemic, and effective decisions were taken in this fight. These policies will significantly strengthen the management of the pandemic in the city and support central policies. It is very difficult to manage a global pandemic in metropolitan cities such as Ankara and Rome. Decisions made in municipal councils regarding COVID-19 are crucial in terms of ensuring an effective fight. It was observed that the local policies determined and implemented by local governments had a key impact on the management of a successful process by producing solutions to urban-specific problems in cases such as disasters and pandemics.

9 Conclusion

The COVID-19 pandemic had severe impacts on all aspects of life in many parts of the world. Both central governments and local governments found themselves involved in a complex struggle. Countries had to develop a series of policies in this challenging process. How quickly and effectively the decision mechanisms and policymakers responded to problems and developing demands also affected the resulting success. In this process, the whole world turned into a kind of laboratory where each country developed public policies with a different approach.

Local governments indeed played an important role of this process. It is the responsibility of local governments to implement central government's decisions, supervise their implementation or develop policies by making some urgent and vital decisions at the local level. The importance of local governments came to the fore in the fight against the pandemic. It has thus become more important to develop local policies, especially in big cities where settlement density is high.

The COVID-19 pandemic was the same for all countries but its effects were faced differently from one country to another. Also the responses of the governments differed from one government to another. Most of hitherto research involved case studies for countries and local governments. The pandemic crisis affected all socio-political and economic levels, structures and the behaviour of individual levels of governments. Jüptnerand Klimovský (2021) studied the impacts on the case of Germany, Jüptnerand Klimovský (2021) and Szarowská (2021) on the case of the Czech regions, and Askimand Bergström (2021) on the case of Norway and Sweden. There were also studies examining other European countries. Hegeleand Schnabel (2021) examined the ways of coping with the COVID-19 crisis in Austria, Germany and Switzerland. Some governments chose to adopt a centralised approach while others chose a decentralised one. Some countries, such as Norway, followed strict countermeasures while others, e.g. Sweden, followed soft measures (Askimand Bergström, 2021). As Černěnko, et. al., 2021, discussed in their research, most countries faced devastating impacts of the COVID-19 pandemic.

Italy was the country with the most COVID-19 cases in Europe. The ability of the central government and local government to fight against the pan-

demic and to produce policies were thus even more important in Italy than in other European countries. The rapid increase in the number of cases and their spread throughout the country, especially to the regions in the north, increased the role of the local governments. In this period, the central government and local governments worked together. The central government provided support to the municipalities for the services where the municipalities alone were not sufficiently effective. The Municipality of Rome was generally successful in managing services such as safety, sanitation, hygiene and public health issues.

In this study, which deals with the cases of Ankara and Rome municipalities, the decisions made in the fight against the pandemic in both councils were examined. Both municipalities quickly determined and put into practice the priority needs of the citizens. They supported the struggle of the central government with their decisions. Many needs were met locally and effectively. It can be concluded that, especially in unitary states, if the central government's policies are coherent with the local governments, local governments are more likely to be supported and successful in combating COVID-19. For example, the Ankara metropolitan municipality began an aid campaign for the people in need and was interrupted by the central government because the central government began an aid campaign at the same time. Similarly, the distribution of masks was discussed as to which level of government should provide this service, central or local.

It is obvious that either central or local governments cannot fight the pandemic alone. When facing a global crisis, it becomes important for municipalities to produce local policies. It is known that the services, duties and powers of the municipalities differ according to the size and population of the cities. The responsibilities of municipalities increase especially during difficult periods such as a pandemic. It is necessary for municipalities to plan budgets, make strategic plans, establish emergency committees to struggle with disasters. Municipalities should produce local policies and get the support of the central government. On the other hand, the central government should support the municipalities especially in terms of financial issues so that the municipalities can provide services quickly and effectively.

COVID-19 is not the first pandemic the world has faced. Unfortunately, the world will face more global disasters such as climate crisis, global warming, fires and floods. For this reason, some lessons should be learned from the past period. Local governments are subject to the subsidiarity principle and are the closest units to the people. Central governments should give support to local policies which can come into effect more quickly than central services. Central budget tax revenue should be extended to municipalities. All debts belonging to municipalities can be deferred or cancelled by central governments. Also, if there are restrictions on social aids, central governments should remove them. For efficient and effective policy results, if a local government can deliver a service successfully, the central government should not provide same service in the same city. To successfully combat COVID-19

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and other disasters, it is recommended that policymakers make decisions that strengthen the decision-making mechanisms and update the laws and regulations concerning the central and local governments' roles to give greater authority to local governments for effective challenges.

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National Development Banks in Europe – A Contribution to Sustainable Finance

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ABSTRACT

Purpose: The paper explains critical changes to investment funding occurred over the past fifteen years in the European Union and explores the added value that National Development Banks create for sustainable finance. The delivery of the European Green Deal and the recovery from the Covid-19 pandemic require an unprecedented scale of resources. The need to adopt a new sustainable investment approach and adjust the operation of the financial system has become inevitable. Existing research has underlined the role national development banks play in counter-cyclical measures and promotion of the government's public policy goals. However, their standing in the sustainable finance landscape has enjoyed less attention so far. The paper, therefore, looks at how the remit of the Banks has evolved and assesses their progress and further development needs in relation to promoting sustainable finance.

Design/Methodology/Approach: The research has followed a two-phase design. The first phase has included the examination of the operational setting of National Development Banks and their impact on overcoming market failures and improving access to finance. The second phase concentrated on drawing a comparison between the new regulatory requirements, in particular the European Green Deal, the EU Taxonomy Regulation and the functioning of the National Development Banks. The methodology has included a detailed literature review, desk research,

data collection and re-assessment of earlier surveys, which has been used for prescriptive comparative analysis and cluster analysis.

Findings: The paper concludes that National Development Banks, despite their common goals and mandates, demonstrate important variations in terms of government involvement in strategic direction and decision-making and the Banks' actual contribution to national policy goals. The outcome confirms the hypothesis that recent changes to the EU strategic and regulatory framework only require minor amendments to the direction of NDB investments. Their original setup and objectives are already in accordance with the new expectations and they invest mostly in economic sectors that the new taxonomy system classifies as sustainable.

Practical Implications/ Originality/Value: This is important for the scholarly discourse on the essential conditions for sustainable finance. Meanwhile, the results provide usable guidance for development banks/funding agencies in Europe, too. The paper offers a solid ground for continued explorations of the European financial sector, whereas the recently adopted Digital Finance Package could further widen the agenda of the research direction.

Keywords: development banks, public finance, sustainable finance, EU taxonomy

JEL G18, G28, H54

1 Introduction

Finance supports the economy by providing funding for economic activities, thus promoting economic growth. Typically, investment decisions are based on the assessment of several factors. However, those related to environmental and social considerations are often not sufficiently taken into account, since such risks are likely to materialise over a longer time horizon. It is important to recognise that integrating longer-term sustainability interests in investments makes economic sense and does not necessarily lead to lower returns for the investors¹.

The financial and economic crisis brought inter alia development banks back to the spotlight. Development banks can provide long-term finance, the take-up for which is further facilitated by the lower level of returns these banks pose as a requirement. This is the most challenging, and at the same time, probably also the most valuable role for development banks. As part of the economic policy toolkit devised to overcome cyclical and structural difficulties in economies, these banks complement the financial systems through improving their functioning and bolstering economic resilience. Interest in development banking to promote growth and boost investment has recently increased, particularly in Europe (Nyikos, 2016). National development banks are government-owned financial institutions using public sources that provide financing for economic development; therefore public finance rules and corresponding implementing specificities have to be applied.

¹ COM(2018) 97 final, p. 2.

Additionally, the financial system is being reformed to address the lessons of both the financial crisis and the present COVID pandemic. This transformative process can form part of the solution towards a more sustainable economy. There is a general consensus that for achieving meaningful sustainable development the current public funding arrangements have proven insufficient. A more strategic use of these funds is needed to leverage private sector investment. Reorienting public and private capital towards more sustainable investments requires a radical shift in the workings of the financial system. Due to the risks presented by global environmental forces such as climate change, the scope of operations and responsibility of financial institutions have altered significantly.

This paper explores the operation of national development banks in Europe and assesses the effects of the adoption of the European Green Deal and the EU Taxonomy Regulation on their functioning. The paper provides a solid literature review in the area of development banking and building on this background explores and summarises the development banking concept, as well as its public policies promoting sustainable development. Previous studies examined different aspects of the operations of state-owned financial institutions. However, little attention has been given so far to assessing the extent their investments are sustainable, in accordance with the new goals laid down in the EU strategies and regulations. Our paper hypothesizes that the part development banks play in financing sustainable investments on the one hand derives directly from the credit rationing theory and on the other hand from their role to reduce the financing gap for those economic agents/projects which are generally excluded by the mainstream financial institutions. The first research question seeks responses for whether the European NDBs should significantly change their strategic goals in order to harmonise with the recently adopted EU strategic documents on sustainable finance or their original setup and objectives do guarantee accordance with the new expectations. The second research question concerns the impact of the European Taxonomy regime. The paper analyses how the new legal obligations pose challenges and increase complexity to the operational context for NDBs and whether the banks need to significantly change the direction of their investments. Our hypothesis states that for the most part NDBs, by their function, have already been financing sustainable investments. They invest mostly in the economic sectors which the new taxonomy system classifies as sustainable. Nevertheless, we assume that their functioning needs to be further streamlined to better align with the new conditions.

2 Literature review

Sustainability and the transition to a low-carbon, more resource-efficient and circular economy are key factors to ensuring the long-term competitiveness of the EU economy. Sustainability has long been at the heart of the European

Union project and the EU Treaties give recognition to its social and environmental dimensions².

Academic literature on state-owned financial institutions has essentially focused on examining their financial performance (e.g., Micco et al., 2007). State-owned financial institutions, a larger category to which national development banks belong, generally have a lackluster track record in order to preserve their financial solvency and good credit ratings, reduce high arrear ratios, as well as to stay adaptable to changing market conditions (Mian, 2003; Berger et al., 2005; Lin and Zhang, 2009). Also direct government ownership of banking institutions is correlated with increased corruption (Barth, Caprio Jr. and Levine, 2004). Studies (e.g., La Porta et al., 2002) have concluded that poorly performing state-owned banks can hinder financial sector development, particularly in low-income countries, mainly as governance problems lead to failure of institutions and misallocation of resources. On the other hand, in high-income economies, as a study of German banks from 1995 to 2007 concluded, state-owned banks are more stable, although less profitable than commercial banks (Beck et al., 2009).

The majority of scholarly publications do not distinguish between the different types of state-owned financial institutions. Only a few studies articulate the consideration that development banks are not for-profit organizations and therefore comparisons with private sector institutions on purely financial terms might not be appropriate (Lazzarini, 2015; Sanderson, 2013; Griffith-Jones, 2016; Acharia et al., 2011). Development banks - which are practically present in all countries - have been an important instrument of governments to promote economic growth by providing credit and a wide range of advisory and capacity building programmes to households, small and medium enterprises, and even large private corporations, whose financial needs are not sufficiently served by private commercial banks or local capital markets. Development banks have successfully adhered to their mandates in a financially sustainable way (Thorne and Toit, 2009). During the crises, development banks appear to be more resilient when the economy slows down (Frigerio and Vandone, 2018) and most have assumed a counter-cyclical role by scaling up their lending operations precisely when private banks experienced temporary difficulties in granting credit to the private sector (De Luna-Martínez and Vicente, 2012; Farkas, 2018). Griffith-Jones et al. (2012) and Ocampo et al. (2012) provide empirical evidence for the counter-cyclical response of regional and multilateral development banks, whilst Luna Martinez and Vicente (2012) and Brei and Schlarek (2013) illustrate evidence for the counter-cyclical role national development banks play. Development banks can serve as focal points for regional and subregional cooperation (Józsa, 2016; Rácz 2019), thus promoting economic integration (Bloch, 1968). Wruuck (2015). It is worth noting that not only there were many European national development banks engaged in counter-cyclical activities, but they also launched financial activities additional to their original scope. In recent years, the valuable function that

² See, among others, art. 3.3 of the Treaty on the European Union (TEU) and the role of environmental and social issues in international cooperation (art. 21 TEU).

national, regional and multilateral development banks can and indeed frequently satisfy has received a growing recognition (Griffith-Jones and Cozzi, 2015). National promotional banks carry particular weight in peripheral countries (Feil and Feij, 2021). Furthermore, policy-makers have become aware of the increased potential of national promotional banks for providing counter-cyclical funding in times of financial and economic distress (Boitan, 2016).

The so-called pro-market activism model acknowledges that development banks could play a key role in developing specialized knowledge as well as offering tools to ease access to finance, whereas working closely with the private sector. When professionally managed and independent, development banks are well suited to detect un- or under-served market niches and fill the gaps. Understanding the goals and activities of development banks is the important approach associated to the theory of market failures (Stiglitz and Weiss, 1981; Stiglitz, 1990). It argues that market failures in financial markets are likely to be endemic as these markets are particularly information intensive; consequently information imperfections and asymmetries as well as incomplete contracts carry a more important and disruptive impact than in other economic sectors. Several commentators (e.g. Ferraz et al, op cit; Kregel, 1988; Wray, 2009) argue that the preference which both investors and banks give to liquidity occasion the limitations of credit supply in the economy. There may even persist a lack of credit for investments despite the operation of well-developed national and international financial systems. Market failure necessitates government intervention (Culpeper, 2012).

Bank credit could serve as an important driver of economic growth to the extent that banks owned by development banks are involved in the process of providing credit to the private sector. They could pursue multiple economic development activities, with diversified scope and focus, targeting a broad base of customers or specific types of clients, such as SMEs or start-ups (Nyikos et al., 2020a, 2020b). Moreover, they could be engaged with infrastructural projects that are regarded as growth-related (Béres et al., 2019).

Development banks also seek to generate positive development impacts, among others social and environmental benefits. Development banks are perceived to be by definition socially responsible institutions (Kundid Novokmet and Rogošić, 2017.) They have been instrumental in easing access to a range of flexible services and financing options including assistance to capacity building. In 2014, commitments of international development institutions amounted to 33% of the total climate finance flows (Buchner et al., 2015).

However, in the light of the European strategic plans (see especially the European Green Deal, Sustainable Europe Investment Plan, Renewed Strategy on Sustainable Finance) calculations of the European Commission³ reveal a significant financing gap to materialize in the near future. According to esti-

³ To achieve EU climate and energy targets by 2030, Europe has to close a yearly investment gap of almost EUR 180 billion. The estimate is an annual average investment gap for the period 2021 to 2030, based on PRIMES model projections used by the European Commission in the Impact Assessment of the Proposal of the Energy Efficiency Directive (2016), <<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1483696687107&uri=CELEX:52016SC0405>>.

mates from the European Investment Bank (EIB), the overall investment gap in transport, energy and resource management infrastructure is even greater, the sum reaches an astounding annual amount of EUR 270 billion⁴. The current regime of development banking in the EU is conditioned by constraints, guidance stemming from the integration process and the specific insertion of Member States in the European political economy (Mertens et al., 2021). However, it rests on a market-supporting, “promotional” understanding of development banking tasks and this approach has important consequences for the contemporary debates over public investment in the European Union, and in particularly the contribution of NDBs to the European Green Deal objectives.

3 Data and methods

Scientific literature underlines the need for applying an integrated approach when undertaking an assessment in the financial sector (Creane et al., 2004; Worrell, 2014), whereas giving adequate attention to institutional factors (Ang, 2008) has received growing recognition, too. This approach is particularly relevant to our assessment bearing in mind the complexity of the remit and operation of European NDBs. Our research questions and hypothesis aimed to evaluate how the practice and operation of the European NDBs are in line with the new sustainable approach and conditions prescribed by the new European Taxonomy law.

The first research question concerns the choice if the European NDBs should significantly change their strategic goals to harmonise with the above mentioned, recently adopted EU strategic documents on sustainable finance or their original setup and objectives do guarantee accordance with the new expectations. Our first hypothesis states that for the most part NDBs, by their function, have already been financing sustainable investments.

With the second question we focus on whether the European Taxonomy regulation implies a major challenge and more complex operational context for NDBs; if they need to significantly change the direction of their investments. Our second hypothesis assumes that NDBs invest mostly in the economic sectors which the new taxonomy system classifies as sustainable. However, their business models will need to be further adapted and refined.

We have confirmed these hypotheses through a combination of different research methodologies including data analysis and clustering.

The information collection and validation processes have relied on the results of two previously employed, comprehensive surveys and a variety of sources offering new data, including European regulations, policy documents, websites of supervisors and financial institutions as well as their annual reports. A strong emphasis has been placed on confirming if the results of the questionnaires are still relevant. Qualitative research tools have been strategically de-

⁴ See EIB, ‘Restoring EU competitiveness’, 2016. The estimate, until 2020, includes investments in modernising transportation and logistics, upgrading energy networks, increasing energy savings, renewables, improving resource management, including water and waste.

signed (Mason, 2017). The surveys have employed the standardized questioning approach (Groves et al., 2009) which is particularly useful for cross-country enquiries; research questions have been devised based on a pre-set, solid conceptual framework (Miles and Huberman, 2019). In line with scholarly observations (Bell, 1996) they have also eased generalizations. One survey was based on a questionnaire comprising 138 questions that the World Bank had prepared with input from the World Federation of Development Financing Institutions (WFDFI). This questionnaire was sent to the 230 members of the WFDFI in 2017, and 64 responses were received. The second survey was based on a questionnaire with 46 questions that the author had prepared, embracing scientific literature findings on the importance of question design (Converse, 1986; Fowler, 1995) and was sent to the 18 European Development Banks and Promotional Financial Institutions in 2016. All of them responded (Survey questions see in Appendix). The elaboration of this comprehensive survey originally served a different research project, aimed at mapping European financial instruments managed by NDBs (Nyikos, 2016, 2017). However, this unique, manually collected dataset has proven most useful for examining the extent to which the investment activities of national development banks are in line with EU taxonomy requirements and rules.

The research approach attempts to understand the environment applicable to European NDBs in terms of their objectives, activities, investments, products, and services with a special view to their involvement in sustainable finance. Partially based on the macro-framework⁵ for the successful functioning of development banks (Thorne and Toit, 2009) the paper evaluates the strategic goals and key functions of NDBs in order to learn whether there is a need for further initiatives to better harmonisation with the European strategic sustainable objectives and the EU taxonomy regulations.

The latter will have a decisive impact on the EU economy, dictating specific requirements for reaching the six environmental objectives⁶, and implying that economic activities are qualified based on the NACE⁷ system⁸.

As detailed information on the current investments of the NDBs for NACE categorization has not been available, the study analyses the investment-related information which was obtained via the survey with contributions from 18 European NDBs.

5 The framework sets out principles for six dimensions of development banking: enabling environment, mandate, regulation and supervision, governance and management, financial sustainability, and performance assessment.

6 Climate change mitigation, climate change adaptation, sustainable use and protection of water and marine resources, transition to a circular economy, pollution prevention and control, and protection and restoration of biodiversity and ecosystems.

7 Nomenclature des Activités Économiques dans la Communauté Européenne

8 NACE codes were used as a framework to capture all economic sectors, and hence almost all economic activities. In the qualification system the defined Macro-Sectors are as follows: Agriculture, Forestry and Fishing; Mining and Quarrying; Manufacturing; Electricity, Gas, Steam, and Air Conditioning Supply; Water Supply and Waste Management; Construction; Information and Communication. Within each NACE Macro-Sector, 72 economic activities are identified as eligible environmentally. However, certain economic activities are not directly covered by NACE codes although some of these are important for climate change mitigation and adaptation. Therefore, some topics are identified as a cross-cutting activity for both climate change mitigation and adaptation.

Table 1: Summarized research relevant data of European NDBs from the survey

	CMZRB	KFW	BPI France	AWS	ICO	BGK	SZRB	MFB	HBOR
Country	CZ	DE	FR	AT	ES	PL	SK	HU	HR
Real GDP per capita (2015)	16290	34130	31540	36140	23080	10920	14270	11130	10630
SDI	0.390	0.408	0.549	0.258	0.485	0.447	0.238	0.739	0.701
Public share	100%	100%	100%	100%	100%	100%	100%	100%	100%
Balance (Mio EUR 2015)	1150	502973	44600		62173	10188,678	570,38	3428	3345
Specialized legislation / act on financial institution (yes/no)	no	yes	yes	yes	yes	yes	no	yes	yes
Subject of CRR / CRD IV	yes	no	yes		yes	no	yes	no	no
Eurostat classification (government sector - S 13 or financial sector - S 12)	S 13 (government sector)	S 12 (financial sector)	S 12 (financial sector)		S 12 (financial sector)	S 12 (financial sector)	S 12 (financial sector)	S 12 (financial sector)	S 13 (government sector)
Support of entrepreneurship	yes	yes	yes	yes	yes	yes	yes	yes	yes
Support of energy savings and utilization of renewably energy sources	yes	yes	yes	yes	yes	yes	yes	yes	yes
Support of housing	no	yes	no	yes	No	yes	yes		no
Support / Development of transport / energy / municipal and other infrastructure	yes	yes	yes	no	yes	yes	yes	yes	yes
Support of research & development	no	yes	yes	no	yes	yes	no	yes	yes
Support of agriculture and forestry	no	no	yes	yes		no	yes	yes	yes
Support of export	no	yes	yes	yes	yes	yes	yes	no,	yes
Development assistance	no	yes		no	yes	no	no	no	no
Advisory services (yes / no)	no	yes	yes	no	no	no	no	no	no

Source: Nyikos' compilation based on data from websites and Survey on European Development Banks and Promotional Financial Institutions, 2016.

National Development Banks in Europe – A Contribution to Sustainable Finance

BDB	4SID	KREDEX	ALTUM	FINNVERA	ALMI	BBB	MCC	SBCI
BG	SL	EE	LV	FI	SE	GB	IT	EE
5790	17990	13330	10740	34460	42580	31700	25640	49510
0.757	0.438	0.209	0.567	0.227	0.328	0.399	0.550	0.432
100%	100%	100%	100%	100%	100%	100%	100%	100%
816,382	3199	177	407,1		862,5664	1002,621	2554	350
yes	yes	yes	yes	yes	yes			yes
yes	yes	No	No	no	no	No	yes	Do not hold bank license
S 12 (financial sector)	S 12 (financial sector)	S 13 (government sector)				S 13 (government sector)	S 12 (financial sector)	S 13 (government sector)
yes	yes	yes	yes	yes	yes	yes	yes	yes
yes	yes	yes	yes	yes	no	no	yes	No
no	no	yes	yes	no	no	no	no	No
yes	yes	yes	No	no	no	no	no	Not currently
no	yes	yes	yes	no	no	no	no	no
yes	no	no	yes	no	yes	no	yes	yes
yes	yes	yes	yes	yes	yes	No	no	no
no	no	no			no	No	no	No
no	yes	no	yes	yes	yes	No	yes	yes

These have been complemented by data, essentially gathered from the annual reports on activities of the NDBs (balance sheet, annual volume of loan, guarantee and equity) as well as relevant country-specific data (real GDP per capita, SDI collected for the research).

In addition to the prescriptive comparative analysis, the data were analyzed in an SPSS database, employing a cluster analysis that included the use of the method of K-means cluster. Different combinations of variables were tested with a set number of at least three clusters. Cluster analysis aids the capturing the associations with the dataset (Macia, 2015) and betters the understanding of the qualitative data set (Guest and McLellan, 2003). K means clustering is a widely employed data clustering tool and is entrenched in major statistical analysis software platforms (Mirkin, 2015).

Finally, the combination of SDI, GDP and the annual volume of loan variables allowed the drawing up of three well-separable clusters. This analysis had two iterations and Table 2 shows the final cluster centres.

Thus, this paper pursues a two-step analysis. First, it surveys governance and activities of European national development banks to establish their decisions/functions models and conducts a cluster analysis to examine how EU NDBs fulfill their role in addressing a market failure and improving access to finance. Second, it presents the broader regulatory shift towards sustainability in the EU and analyses whether the EU NDBs activities are in line with the EU taxonomy conditions.

Table 2: Final Cluster Centers

	Cluster		
	1	2	3
Total_volume_loans_SMEs_2015_euros	800987	245,48	305,33
SDI_index	,478	,498	,311
Real_GDP_per_capita_2015	29218,00	12343,33	40672,50

Source: Nyikos' compilation

3 Results and discussion

3.1 Organizational and functional specialities of national development banks

A salient feature rests with the fundamental focus of NDBs on long-term financing to projects that promote development. National development banks can be defined as “financial institutions set up to foster economic development, often considering objectives of social development and regional integration, mainly by providing long-term financing to, or facilitating the fi-

ancing of, projects generating positive externalities”⁹. Development banks constitute a prominent example of public financial institutions with promotional missions. The definition of the NDB mandate, namely to deliver sustainable development outcomes, prevents any vague or dual mandates. They target regions, sectors or clients that are most in need, or offer the highest development payout; and NDBs take the responsibility for the social and environmental outcomes of all their supported activities (Tab.3.).

Table 3: Rationales for public financial institutions

Promotional missions		General-interest missions		Geographically-focused missions	
Mitigate negative externalities	Overcome information asymmetries	Maximise positive externalities	Compensate for the private sector’s short-sightedness	Avoid capital drain from poorer to richer regions	Jump-start financial development and avoid dis-intermediation
<ul style="list-style-type: none"> Promote exports to overcome export-related risks Control the level of risk by incentivising low risk investments 	<ul style="list-style-type: none"> Invest in projects plagued by uncertainties due to large information asymmetries Centralise the financing needs of multiple, small, unknown public entities 	<ul style="list-style-type: none"> Invest in socially valuable but financially unprofitable projects Act as the ultimate provider of liquidity and transmitter of monetary policy 	<ul style="list-style-type: none"> Invest in highly illiquid, very long-term projects 	<ul style="list-style-type: none"> Establish public banks bound by a territoriality principle Invest in poorer regions 	<ul style="list-style-type: none"> Diffuse trust in the banking system and encourage savings by the population Provide financial services to the under-privileged and the rural population

Source: Mathias et al., 2011.

European development banks are public entities, i.e. (a substantial proportion of) their equity is owned by the state. Accordingly, NDBs align their activities with democratically determined national plans, to ensure that besides economic growth they help to improve the financial sector as a whole, as well. These banks should ensure that development outcomes take precedence over profitability, and they should reinvest any profits in reinforcing the development focus of the institution. Strong public accountability must be in place as in addition to initial capital injections, mandated operations of NDBs are frequently subsidised/paid by public funds.

NDBs contribute to solving several market failures. On the one hand, they can promote financial sector development by offering long-term loans and other financial products and by helping to create inclusive financial sectors. On the other hand, NDBs as public entities should intervene strictly in the case of a

⁹ Rethinking the Role of National Development Banks, UN Paper, Department of Economic and Social Affairs. Financing for Development Office, 2006.

proven market failure; their operation is governed by the principle that they will not compete with financial institutions in the private sector.

Figure 1: Core features of the European development banks

MANDATE AND ROLE	MANDATE AND ROLE	MANDATE AND ROLE	MANDATE AND ROLE
Sustainable development mandate	Proper mix of public and private funding	Prioritise development outcomes	Equal borrower representation at multilateral NDBs
Targeting finance where it is needed (market failure)		Reinvest any profits	Strong transparency, based on the right to information
Responsible social and environmental standards	Careful choice of investment methods	Prudent care of public funds	Insulation from political pressure
Stable, long-term perspective	Internal systems to focus, assess and monitoring		Incentivise staff to deliver for the public good
Support for national strategies			

Source: Nyikos' compilation based on "Public development banks: towards a better model; A Eurodad discussion paper".

The definition of the success relating to the NDB as an organization is linked to the transparency of its revenues and costs for each of its product/service, the existence of a crystalline agreement on who will pay for the eventual loss generated by the product/service; the impact on the society is a critical factor, as well. Successful development banks have a clearly defined mandate, and they are obliged to use the public sources in an efficient and effective way. As another aspect of transparency, NDBs ensure that companies they work with as clients or partners do not avoid or evade taxes (Fig.1.).

The European NDB-system has a vertical and a horizontal dimension. Vertically, there are development banks at European, national and subnational level. Rather than separate layers, the different levels and entities are often linked (e.g. KfW¹⁰). On the horizontal dimension the heterogeneity is high: differences rather relate to the mode of how these banks are organized and their promotional tasks are implemented.

From the "supervision regime and relevant regulation" point of view, some institutions are subject to European Central Bank (ECB) supervision (wholly or in part); others remain under the supervision of the respective national authorities. At an international level, there is a broad consensus that, wher-

¹⁰ The KfW, formerly KfW Bankengruppe (banking group), is a German state-owned development bank. Its name originally comes from Kreditanstalt für Wiederaufbau ("Credit Institute for Reconstruction"). As of 2018, it is Germany's third largest bank by balance sheet.

ever applicable, NDBs should be subject to regulatory and supervisory standards like private financial institutions. Due to increasing pressure on the banks across Europe, they must become more efficient in justifying the use of public money. This requirement translates into clear and transparent goals and key performance indicators, which are based on broad public consensus looking for the best deal for the taxpayer while fulfilling the economic policy goals defined in the institution's mandate.

The degree of government involvement in decision-making clearly differentiates independent institutions from government sector organizations. A high degree of government involvement in decision-making is observable where the government/ministry defines the strategy as well as the creation of new products or controls the Supervisory board (indirect influence) and determines framework conditions through the Supervisory board (e.g.: BGK¹¹, MFB¹², SZRB¹³, CMZRB¹⁴). A low degree of government involvement in decision-making is characteristic if the bank itself develops the business plan and sets the strategy, whereas the government only formally approves it (BBB¹⁵). In other instances, the Board of Directors defines the strategy and key focus areas, followed by a discussion with the government in the spirit of cooperation (FINNVERA¹⁶).

The degree of government involvement typically increases with the breadth of the mandate. A minimum government involvement in decision-making is typical in case of a dedicated and exclusive focus on SMEs. As regards large deals, these actions are often backed up politically, which results in a higher degree of overall dependence on the government, incl. profit orientation vs. subsidy role. Both the degree of government (shareholder) involvement and the for-profit/non-profit orientation need to be decided by the shareholder and deeply embedded into the institution's profile (Fig.2.). The role of government is generally higher in institutions operating in Eastern Europe. More recent institutions present a rather lower level of government involvement (BBB established in 2014, Finnvera in 1999, Bpifrance¹⁷ in 2013). These institutions are profit oriented and focus on finding the "best deal for the taxpayer. To systematise and model these features, see Figure 2 below. In cases where the government does not intervene beyond the setting of the mandate, the development bank typically attempts to operate in a "bank-like" manner with financially sustainable solutions ("earn money" model). When, in addition to the mandate, the government sets out the strategic initiatives and financing too, the development bank is in fact acting to channel resources to the identified investment targets ("spend money" model).

11 Bank Gospodarstwa Krajowego.

12 Magyar Fejlesztési Bank.

13 Slovenská záručná a rozvojová banka.

14 Czech-Moravian Guarantee and Development Bank.

15 British Business Bank.

16 Finnvera is a Finnish state-owned financing company. It is the official export credit agency for Finland

17 Banque Publique d'Investissement

Figure 2: Decisions/functions models of development banks

»Earn money« model		»Spend money« model
The owner of the strategic initiative is responsible for financing the operations!		
Government	Mandate	Government
Development bank	Strategic initiative	Government
Development bank	Execution	Development bank
Development bank	Financing	Government

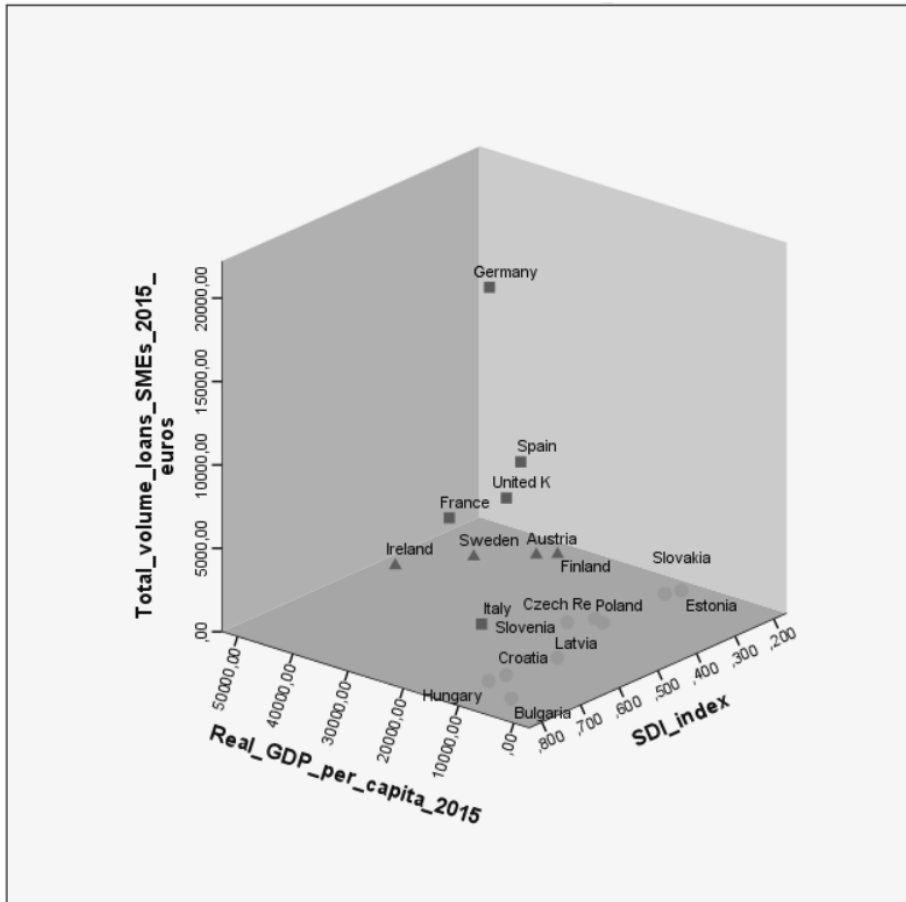
Source: Nyikos' compilation

Based on the above, if a national government is strongly committed to sustainable development, a higher degree of overall dependence on this government by the NDB will result in sustainable finance. Meanwhile, for the profit oriented, business-like NDBs sustainable finance will be more challenging. However, the strategic objectives of the owner-state play a key role. Additionally, the European taxonomy will be relevant for all the NDBs in terms of establishing financial development programmes and investments.

Development banks can lend directly to customers (1st tier/retail) or channel credit via other (private) banks (2nd tier/wholesale). Many development banks operate with a mix. Most of the banks hold a comprehensive portfolio, i.e. also offering other types of development activities than loans and guarantees, e.g. venture capital investments or advisory services.

An analysis of how the EU's national development banks play their role in addressing market failures in providing access to finance is framed by cluster analysis based on the data of the activities of the NDBs (balance sheet, annual volume of loan, guarantee and equity) and the country-specific data (real GDP per capita, SDI). This has resulted in clusters, as identified in the chapter "Data and Methods", illustrated by Fig. 3 in a 3D frame of reference.

Figure 3: Clusters of European NDBs



Source: Nyikos' compilation

Cluster 1 (marked with blue squares) comprises NDBs in countries (IT, FR, UK, ES, and DE) with a moderate SDI value and GDP, utilizing SME loans to a greater extent. In these countries, NDBs have a longer tradition and they also play a stronger role in the national economic development policies. Although financial markets are well developed and strong in these countries, their governments support SMEs through massive amounts of financial assistance and a broad range of business development instruments.

Cluster 2 (marked with green circles) contains NDBs in countries (HU, BG, HR, LV, SK, SL, CZ, PL, and EE) with different SDI values and a lower level of GDP, whereby these countries utilize SME loans to a smaller extent. These so-called cohesion policy countries implement significant amount of EU grant assistance for sustainable economic development. Nevertheless, the results of these efforts present variations (see SDI values). Also, they started to use repayable financial development instruments and they are characterized by a lower volume of the SME loans accordingly.

Cluster 3 (marked with red triangles) includes NDBs in countries (AT, SE, IE, and FI) with a higher development index and GDP which utilize SME loans to a smaller extent. In these countries there is a strong financial market in operation. Therefore, the provision of improved access to finance for SMEs does not form a key element of the country's economic development policy.

After examining the specificities of the NDBs in the different clusters and presenting the different groups, our results also confirm that despite the common goals, mandates and main specificities differences between the NDBs, even if the variations are linked to the economic situation and SDI of the country, can be captured.

3.2 Strategic goals and activities of the NDBs – the presence of sustainability finance

As prescribed in the previous chapter, in the case of financial gaps NDBs provide long-term financing solutions, a function complementary to commercial banks and private financial organisations. Sustainability and long-termism go hand in hand. Long-termism describes the practice of making decisions that have long-term objectives or consequences. Investments into environmental and social objectives require a long-term orientation, too.

National development banks have been set out to fulfil a wide variety of missions, such as promotional missions with general interest (addressing market insufficiencies) using different kinds of financial sources mainly public funds. Development banks can be 'sectoral' banks with a focus on specific sectors e.g. SME development or 'universal' development banks working on all aspects of development banking. Export-Import banks carry out traditional activities of export-import financing. Exim banks facilitate trade with foreign countries by providing financing or insurance for exports and imports¹⁸. Most of the development banks concentrate on providing services to both the public and private sector and for companies of any sizes. In some cases (e.g. BGK, CDC¹⁹, CDP²⁰), the broad focus is driven by the broader mandate covering export-import activities, as well. Via evaluating the strategic objectives of NDBs, it has become visible that several goals are linked to the sustainable environmental sectors and even the investment-objectives are pointing in the sustainable direction.

In 2019, the European Green Deal (EGD) was announced and presented the European Union's fundamental commitment to tackle climate and environ-

18 In line with the OECD's Arrangement on Guidelines for Officially Supported Export Credits. For the EU Member States, Article 132 of the Treaty Establishing the European Community formerly stipulated that "Member States shall progressively harmonise the systems whereby they grant aid for exports to third countries, to the extent necessary to ensure that competition between undertakings of the Community is not distorted. On a proposal from the Commission, the Council shall, acting by a qualified majority, issue any directives needed for this purpose." To this end, Council Directive 98/29/EC sets out provisions for the harmonisation of export credit insurance with medium and long-term cover.

19 Commonwealth Development Corporation.

20 Cassa Depositi e Prestiti.

mental-related challenges. However, for the same objectives a range of financial and economic reforms will be needed, too (Fig.4).

Figure 4: Finance and industry related reforms in the EU Green Deal

Finance reform	Economic reforms
<ul style="list-style-type: none"> • Sustainable Europe Investment Plan • Renewed Strategy on Sustainable Finance 	<ul style="list-style-type: none"> • Rapid decarbonisation of energy systems • Innovation in sustainable industry • Large-scale renovation of existing buildings • Development of cleaner public and private transport • Progress towards sustainable food systems

Source: Nyikos' compilation

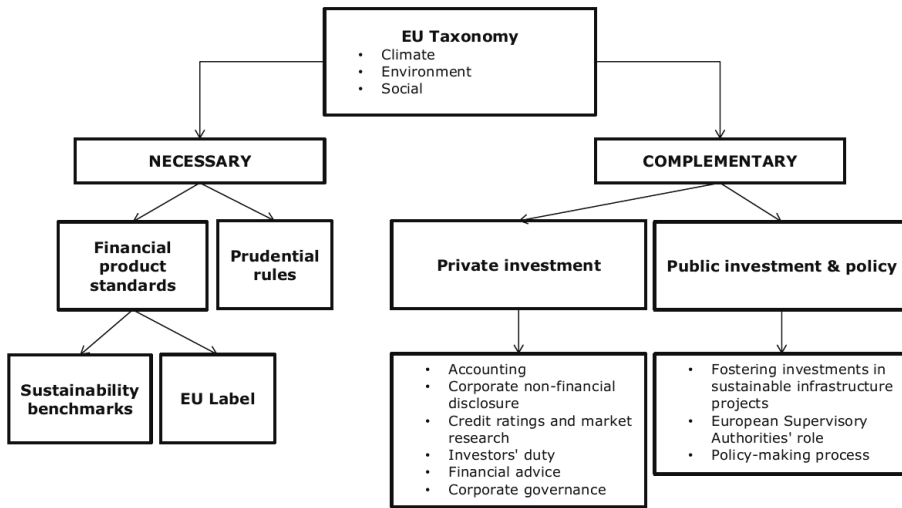
A shift of capital flows towards more sustainable economic activities must be underpinned by a shared understanding of what 'sustainable' means. In the sustainable finance area, a unified EU classification system provides clarity on which activities can be considered 'sustainable'. Accordingly, in the financial markets an additional challenge will be the implementation of a new regulation²¹. The rules governing the establishment of a framework to facilitate sustainable investment also referred to as the taxonomy regulation entered into force. This regulation prescribes specific rules for financial market participants, investors, large companies and national regulators.

The regulation states the specific requirements that companies need to fulfil. These norms are differently set (Vértesy 2018) by economic sectors²² in order to help reaching six environmental objectives: climate change mitigation, climate change adaptation, sustainable use and protection of water and marine resources, transition to a circular economy, pollution prevention and control, and protection and restoration of biodiversity and ecosystems. As a general rule guiding the performance criteria, an economic activity is qualified as environmentally sustainable when (i) it contributes substantially to at least one of the six environmental objectives; (ii) it follows the principle of "Do No Significant Harm" to any other environmental objectives; and (iii) it complies with minimal social safeguards. Indeed, when an economic activity meets the EU Taxonomy performance thresholds it is certified as "EU Taxonomy-aligned".

21 Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020.

22 By 1 June, 2021, the European Commission will also adopt a delegated act in order to specify how these obligations should be applied in practice. The delegated act will cover the differences between non-financial and financial companies.

Figure 5: Structure and effect of EU Taxonomy



Source: European Commission²³

The Taxonomy will be used in a range of financial products, both equity and debt based, and by private- and public-sector actors (Fig.5.). Financial market participants offering financial products in the EU are required to make Taxonomy disclosures. This is mandatory for certain types of products or offerings, and on a comply-or-explain basis for all others. Financial market participants will be required to state the following: how and to what extent they have used the Taxonomy in determining the sustainability of the underlying investments, to what environmental objective(s) the investments contribute; and the proportion of underlying investments that are Taxonomy-aligned, expressed as a percentage of the investment, fund, or portfolio. Accordingly, the Taxonomy screening criteria will first be of high level. Nevertheless, they will decrease over time, extending to the recognition of capital and operational expenditures that contribute to meeting the screening criteria over time, and the inclusion of improvement measures to reduce emissions and improve energy efficiency where the best available technologies and practices are presently used. While all economic activities have a role to play, not all economic activities will substantially contribute to environmental goals (Nyikos, 2022).

Infrastructure projects supported by NDBs range from transport networks (railways, highways, seaports, airports, and so forth) to energy networks (power grids, gas and oil pipelines, and so on) and generation (power plants, renewable energy, etc.) or in rent and price-controlled social housing and educational infrastructure. The capacity to develop and implement sustainable projects, however, varies widely across the EU and between sectors (Hoffman, 2018; Hajdu et al., 2016). A wider range of advisory services and technical assistance offered by the NDBs could advance a larger pipeline of sustainable projects. Beyond large-scale infrastructure projects (Béres et al., 2019), the

²³ COM(2018) 97 final.

clean energy transition also requires adequate finance to be made available for smaller-scale, distributed projects.

Examining the activity areas and investments of NDBs together with the NACE codes (see in Tab.5.) it has to be emphasised that besides the clearly sustainable sectors other economic activities could meaningfully promote sustainability as well: for example, an economic activity being performed in an environmentally sustainable manner such as the so called greening activities. Additionally, we should also recognize enabling activities. These extend to economic activities, which through the provision of their products or services enable the making of a substantial contribution in other activities (e.g. an economic activity manufacturing a component that improves the environmental performance of another activity).

The database of the Survey on European Development Banks and Promotional Financial Institutions 2016 reflects that European development banks provide a significant proportion of their funding to SMEs and medium-sized companies in economic sectors under EU Taxonomy rules such as Manufacturing, Electricity, gas, steam and air conditioning supply, Construction, Transporting and storage and ITC. In the Water supply, sewerage, waste management sectors they essentially finance medium- and large companies as well as public companies. Looking at the economic sectors financed by NDBs it is clear that their investments are represented with a higher weight in sustainable sectors per se. For more precise findings, a more in-depth analysis is needed in order to identify the actual project content and its taxonomy classification (in addition to the economic sector of the projects financed). Nevertheless, such public data are currently not available. However, based on the long-time financial mandate together with the climate objectives of the European countries in the strategic development plans (which have to be supported by NDBs) all the relevant factors are pushing NDBs in the direction of sustainable finance.

Accordingly, based on these results we conclude that there is no need for a significant restructuring of the activities of the European national development banks for complying with the EU taxonomy rules.

Table 4: Economic sectors and project owners financed by the NDBs

	Micro firms, entrepreneurs	Small companies	Medium-sized companies	Large companies	Public companies	Avg	NACE Sustainable Activity
Agriculture, forestry and fishing	30%	40%	40%	0%	0%	18%	Afforestation Rehabilitation, Reforestation Reforestation Existing Forest Management Conservation forest Growing of perennial crops Growing of non-perennial crops Livestock production
Mining and quarrying	0%	0%	10%	20%	10%	7%	
Manufacturing	60%	70%	80%	50%	30%	48%	Manufacture of low carbon technologies Manufacture of cement Manufacture of aluminium Manufacture of iron and steel Manufacture of hydrogen Manufacture of other inorganic basic chemicals Manufacture of carbon black; Manufacture of other inorganic basic chemicals Manufacture of disodium carbonate (soda ash); Manufacture of other inorganic basic chemicals Manufacture of chlorine; Manufacture of other organic basic chemicals Manufacture of fertilizers and nitrogen compounds Manufacture of plastics in primary form

	Micro firms, entrepreneurs	Small companies	Medium-sized companies	Large companies	Public companies	Avg	NACE Sustainable Activity
Electricity, gas, steam and air conditioning supply	60%	70%	80%	70%	50%	55%	Production of Electricity from Solar PV; from Concentrated Solar Power; from Wind Power; from Ocean Energy; from Hydropower; from Geothermal; from Gas (not exclusive to natural gas); from Bioenergy (Biomass, Biogas and Biofuels) Transmission and Distribution of Electricity Storage of Electricity; Storage of Thermal Energy; Storage of Hydrogen Manufacture of Biogas or Biofuels Retrofit of Gas Transmission and Distribution Networks District Heating/Cooling Distribution Installation and operation of Electric Heat Pumps Cogeneration of Heat/cool and Power from Concentrated Solar Power; from Geothermal Energy; from Gas (not exclusive to natural gas); from Bioenergy (Biomass, Biogas, Biofuels) Production of Heat/cool from Concentrated Solar Power; from Geothermal; Gas (not exclusive to natural gas); from Bioenergy (Biomass, Biogas, Biofuels); using Waste Heat
	40%	40%	70%	70%	60%	47%	Water collection, treatment and supply Centralized wastewater treatment Anaerobic Digestion of Sewage sludge Separate collection and transport of non-hazardous waste in source segregated fractions Anaerobic digestion of bio-waste Composting of bio-waste Material recovery from non-hazardous waste Landfill gas capture and utilization Direct Air Capture of CO2 Capture of anthropogenic emissions Transport of CO2 Permanent Sequestration of captured CO2
Water supply, sewerage, waste management							

	Micro firms, entrepreneurs	Small companies	Medium-sized companies	Large companies	Public companies	Avg	NACE Sustainable Activity
Construction	70%	80%	90%	60%	30%	55%	Construction of new buildings Building renovation Individual renovation measures, installation of renewables on-site and professional, scientific and technical activities Infrastructure for low carbon transport (water transport or land transport)
Wholesale and retail trade	70%	80%	90%	40%	20%	50%	
Transporting and storage	70%	80%	80%	50%	30%	52%	Passenger Rail Transport (Interurban) Freight Rail Transport Public transport Freight transport services by road Interurban scheduled road transport Inland passenger water transport; Inland freight water transport Passenger cars and commercial vehicles
Accommodation and food services activities	70%	80%	80%	30%	20%	47%	
Information and communication	60%	70%	70%	40%	30%	45%	Data-driven climate change monitoring solutions Data processing, hosting and related activities
Financial and insurance activities	10%	20%	30%	30%	10%	17%	
Real estate activities	30%	30%	50%	50%	40%	33%	Acquisition and ownership of buildings

	Micro firms, entrepreneurs	Small companies	Medium-sized companies	Large companies	Public companies	Avg	NACE Sustainable Activity
Professional, scientific and technical activities	50%	60%	70%	30%	30%	40%	
Administrative and support service activities	40%	50%	50%	30%	20%	32%	
Public administration and defence	20%	20%	20%	30%	20%	18%	
Education	20%	20%	30%	30%	30%	22%	
Human health and social work activities	40%	50%	50%	30%	40%	35%	
Arts and entertainment	40%	50%	60%	40%	40%	38%	
Other services activities	20%	30%	30%	0%	0%	13%	
Average	42%	49%	57%	37%	27%	35%	

Source: Njikos' compilation, websites and Survey on European Development Banks and Promotional Financial Institutions, 2016.

4 Conclusion

Europe's marked shift into the sustainable economy direction, compounded with the socio-economic impact of the coronavirus pandemic have created unprecedented investment finance needs. The research focuses on the role NDBs can play in addressing the apparent financing gap. First their governance and operational modes, as well as their specific activities have been analysed.

National development banks have a broad range of specific missions. They are addressing market insufficiencies, such as the SME-financing gap or long-term infrastructure finance, covering the hidden transaction costs of exports. They foster innovation, address general-interest missions from supporting the agricultural sector to developing infrastructure and promoting tourism. These missions all respond to market needs, which, for various reasons are underserved by the private banking sector. Successful development banks have evidenced a clearly defined mandate and an efficient split of roles and responsibilities with other institutions. Requirements on development banks do not differ from standard commercial banks in terms of a professional approach to risk management and banking operation in general. However, development banks are using public money to address market failures and financing gaps and therefore the level of government involvement to define the conditions of their activities is higher.

National development banks functioning in Europe could be categorized in accordance with the level of government influence, the financial market situation as well as the level of economic development and the sustainable development index of the country. According to the level of government influence, two models can be set up the "earn money" model and the "spend money" model. Based on the analyses of the relevant data three distinct clusters emerged which were clearly underpinned by the examined information and accorded with the operational experiences.

The research looked at the different management and investment areas of the European national development banks. It explored their interactions and implementation practices as well as how they adhere to the sustainable finance requirements and regulation of the European Taxonomy.

We concluded that there is no need for the European NDBs to significantly change their strategic goals to harmonise with the EU new green strategic goals on sustainable finance as their original setup and objectives are already in accordance with the new expectations (H1). Having analysed the investment-related information, which was obtained via the survey with contributions from 18 European NDBs compared with the NACE categorization we recognized that they do not need to change significantly the direction of their investments as NDBs invest mostly in the economic sectors, which the new taxonomy system classifies as sustainable (H2). However, further research efforts are still needed in order to identify the actual project content and its taxonomy classification.

The study offers an important contribution for these organizations when identifying new financing pathways, which permit to deliver timely and adequate flows of public investment to achieve Europe' sustainable development goals, set forth in the Green Deal.

A key challenge to analysing the European situation rests with mapping and evaluating all of the aspects and defining precise and workable solutions. In this respect, one of the major contributions of the present study is its construction of structured information presenting relevant conditions relating to sustainable finance for development banks/funding agencies in Europe. Although this is not a comprehensive overview — the scope of the total European financial markets and how they relate to sustainable development are too broad a theme to be captured within a single review — the article represents a starting point on which further investigations can be built upon. Additionally, the European Commission has recently adopted a new Digital Finance Package, including Digital Finance and Retail Payments Strategies, legislative proposals on crypto-assets and digital resilience that could further widen the agenda of this research direction.

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Appendix: Survey questions (Date of comparison: December 2016)

Basic information
Web link
Country
Year of establishment
Legal form (joint stock company / public entity / etc.)
Shareholder structure
Specialized legislation / act on financial institution (yes/ no)
Current number of employees
Regulation and statistical classification
Banking supervision or other regulation
Subject of CRR / CRD IV
Eurostat classification (government sector - S 13 or financial sector - S 12)
Other institutions in the country providing public aid through financial instruments to sectors/regions/ clients, not covered by activities of the institution being reviewed
Business model (on-lending / direct contact with client; both, etc.)
Branch network
Public procurement
Is the institution a Contracting Authority (EU Directive about public procurement)? (yes/no)
Public procurement (in-house, participation in public tender)
Status of a »special credit institution« (yes/no)
Types of supported activities pursuant to financial products (loan, refinancing loan, subordinated loan), guarantee to bank, guarantee to client (final beneficiary), venture capital - client, venture capital - fund, loan - fund
Support of entrepreneurship
Support of energy savings and utilization of renewably energy sources
Support of housing

Support / Development of transport / energy / municipal and other infrastructure
Support of research & development
Support of agriculture and forestry
Support of export
Development assistance
Current accounts and cash desks (yes / no)
Advisory services (yes / no)
Accepting deposits from individuals (natural persons) (yes / no)
Accepting deposits from corporates persons (yes / no)
Is the institution profit oriented (yes / no)
Sources of income (yes / no)
a) Grant of the founder / public budget on operational costs
b) Fees from clients
c) Fees from banks
d) Fee from state
e) Earnings from special long-term resources (deposits)
Loss coverage
Risk fund from state (yes / no)
First piece loss (yes / no)
Other
Bonds issuer (yes / no, issued volume)
EIAH (signed MoU yes / no)
Expectation of significant changes

Povzetki

(Summaries in Slovenian Language)

1. Družbeni vidiki demokratičnih varoval na področju zasebnosti: kvalitativna študija Evropske unije in Kitajske

Polonca Kovač, Grega Rudolf

Namen: Primarni cilj predmetne raziskave je identifikacija temeljnih orodij in omejitev pri varstvu zasebnosti in osebnih podatkov v Evropski uniji in na Kitajskem, tj. dveh bistveno različnih kulturnih sistemih. Prek družbeno-kulturne analize pravne regulacije, družbenih trendov in ekspertnih ocen je namen raziskave preučiti, ali so standardi varstva zasebnosti npr. po GDPR, ki velja v EU, dovolj trdni tudi v digitalni dobi. Predmet analize sta različni kulturni okolji, da se spozna njun vpliv na praktično delovanje v povezavi z demokratičnimi varovali pri uveljavljanju pravic zasebnosti v EU v primerjavi s Kitajsko. To se dosega s primerjavo družbenega nadzora in družbeno kreditnega sistema na Kitajskem.

Zasnova/Methodologija/Pristop: Glede na upravnopravni kontekst je uporabljen kombiniran kvalitativni pristop, ki vključuje normativno-dogmatično metodo, analizo literature, sociološko in zgodovinsko metodo, ekspertni intervju, primerjalno in aksiološko metodo.

Ugotovitve: Rezultati tako teoretičnega kot empiričnega dela raziskave kažejo, da je strožji pravni red v EU kot na Kitajskem, v smislu doslednejšega zagotavljanja zasebnosti in varstva osebnih podatkov ter transparentnosti, mogoče pripisati demokratičnemu varstvu človekovih pravic in določnejšim predpisom, zlasti GDPR. Te razlike bi lahko v prihodnje še povečale obstoječo vrzel, kar nedvomno spodbuja nadaljnje znanstveno in praktično preučevanje. Avtorja ugotavljata, da mora oblast aktivno zagotavljati pravice do zasebnosti in varstva osebnih podatkov, sicer učinkovitost vladanja vodi v družbo popolnega nadzora in propad posameznikove svobode kot civilizacijske pridobitve.

Akademski prispevek k znanstvenem področju: Raziskava pomeni prispevek k upravnopravni znanosti, saj obravnava enega ključnih konceptov sodobnega javnega upravljanja, to je trk načel učinkovitosti in transparentnosti ter zasebnosti. Prek uporabe znanstvenih metod se omogoča nadaljnje primerjave v prostoru in času.

Vpliv v praksi: Članek prinaša strnjen pregled relevantne literature in analizo predpisov, ki so temelj za izvajanje zakonodaje, njeno vrednotenje in izboljšave, zlasti ob razvoju IKT, npr. v obdobju pandemije covid-19.

Izvirnost/Vrednost: Članek premošča vrzel, ki nastaja zaradi razlik v pojmovanju zasebnosti in javnega upravljanja na tem področju v EU in na Kitajskem, ki

izhajajo iz kulturnih razlik. Običajne splošnejše ali le na pravo ali tehnologije oprte analize so nadgrajene s kombinacijo različnih metod raziskovanja.

Ključne besede: pravice zasebnosti, varstvo osebnih podatkov, EU, demokratična varovala, Kitajska, družba nadzora, družbeno-kulturna analiza

2. Upravljanje, nadzor in soustvarjanje: spodbudni dejavniki in ovire za soustvarjanje v slovenskem javnem sektorju

Sanja Vrbek, Marlot Kuiper

Akademski prispevek k znanstvenem področju je dvojen. Prvič, članek opredeljuje spodbudne dejavnike in ovire za soustvarjanje iz vidika javnih uslužbencev, ki je v področni literaturi največkrat spregledan. Drugič, z umestitvijo v slovensko upravno okolje članek dopolnjuje in bogati diskurz o soustvarjanju, ki ga oblikujejo predvsem izkušnje iz severne in zahodne Evrope.

Namen: S poudarkom na slovenskem javnem sektorju kot tradicionalno hierarhičnem upravnem okolju članek opredeljuje dejavnike, ki javne uslužbence spodbujajo k soustvarjanju v njihovem vsakdanjem delu, pa tudi tiste, ki njihove odločitve in postopanje v to smer ovirajo.

Zasnova/Methodologija/Pristop: Članek predstavlja študijo primerov, ki temeljita na izkušnjah slovenskih javnih uslužbencev, zaposlenih na Ministrstvu za javno upravo in Mestni občini Ljubljana. Podatki so bili zbrani s kvalitativnimi odprtimi intervjuji z zaposlenimi na vodilnih položajih in v okviru fokusne skupine uslužbencev, ki so v rednem stiku z uporabniki storitev in zunanjimi deležniki oz. imajo izkušnje na področju soustvarjanja.

Ugotovitve: Ugotovitve kažejo, da se soustvarjanje izvaja tudi v »neugodnih« hierarhičnih in centraliziranih okoljih. Ključen spodbudni dejavnik za soustvarjanje v takih okoljih je vsekakor močna politična podpora na najvišji ravni, vendar je globlja ponotranjenost soustvarjanja odvisna predvsem od redefinicije njihove poklicne identitete, pa tudi od (osebnega ali kolektivnega/organizacijskega) interesa za soustvarjanje.

Izvirnost/pomen: Članek ponuja inovativen in poglobljen vpogled v spodbudne dejavnike in ovire pri soustvarjanju v slovenskem javnem sektorju. Kot tak predstavlja dragocen prispevek za nadaljnje primerjalne analize spodbudnih dejavnikov in ovir za soustvarjanje v srednji in vzhodni Evropi.

Ključne besede: ovire, soustvarjanje, spodbudni dejavniki, javni uslužbenci, Slovenija

3. Vladni odzivi na covid-19: primerjalna analiza držav višegrajske skupine

Zafer Koca

Namen: Namen raziskave je ponuditi primerjavo vladnih odzivov in izzivov, s katerimi so se srečevale oblasti v državah Višegrajske skupine med izbruhom pandemije covid-19.

Zasnova/Methodologija/Pristop: Raziskava temelji na metodi primerjalne analize. Vladni odzivi so analizirani s pomočjo pregleda literature in podatkov, pridobljenih iz različnih virov, npr. ourworldindata.org, OECD, WHO, Svetovne banke, Eurostata, CoronaNET in spletnega orodja za spremljanje odzivov oblasti na novi koronavirus (Covid-19 Government Response Tracker).

Ugotovitve: Države Višegrajske skupine so se v začetni fazi uspešno soočile s pandemijo covid-19. V primerjavi s številnimi drugimi državami v Evropi ali po svetu so zabeležile manj obolelih in nižjo smrtnost. Uspešne so bile predvsem zahvaljujoč pravočasnemu in odločnemu odzivanju ter ostrim ukrepom za zajezitev bolezni. Povsod so se dosledno izvajali nefarmakološki ukrepi. K premagovanju covid-19 so v članicah Višegrajske skupine pomembno prispevali obvezno nošenje mask, zaupanje v vlado ter težnja prebivalstva k spoštovanju predpisov. Žal pa je v dveh državah skupine (Poljska in Madžarska) med pandemijo nazadovala demokracija.

Vpliv v praksi: Raziskava kaže, da se pandemije hitro širijo in v kratkem času prizadenejo številne države. Imajo pomemben vpliv na javno zdravje, gospodarstvo ter družbene in politične strukture držav. Da bi zmanjšale ali preprečile njihove učinke, se morajo vlade odzvati hitro. Prav čas je ključni dejavnik uspeha v boju proti pandemiji in pri omilitvi njenih posledic.

Izvirnost/Vrednost: Cilj raziskave je zagotoviti podrobno in primerjalno analizo vladnih odzivov in izzivov držav Višegrajske skupine v boju proti covidu-19 v začetni fazi pandemije.

Ključne besede: covid-19, vladni odzivi, države Višegrajske skupine, nefarmakološki ukrepi, politični odzivi

4. Lokalne politike v boju proti pandemiji covid-19: odločitve mestnih svetov Ankare in Rima

Hicran Hamza Çelikyay, Hulya Kucuk Bayraktar

Članek proučuje vključenost vprašanj, povezanih s pandemijo covid-19, v odločitve mestnih svetov in analizira lokalne politike, oblikovane na podlagi teh odločitev. Za primer sta bili izbrani občini Ankara in Rim. Turčija in Italija sta unitarni državi s podobnimi lokalnimi strukturami, saj sta njuna sistema lokalne uprave del Francove skupine, kot jo opredeljujeta Hesse in Sharpe. Obe mesti sta po predpisih, sprejetih v zadnjih letih, pridobili status metropolitanskih mest. Zaradi tega sta si Ankara in Rim podobna tako glede ob-

močij, ki jih pokrivata, kot tudi dejstva, da sta oba prestolnici. V raziskavo so bili zajeti sklepi mestnih svetov, sprejeti med marcem in decembrom 2020. Avtorja analizirata sklepe v okviru zadevnih odborov in področij uporabe ter predstavita lokalne politike, ki so se izvajale v boju proti covidu-19. Analize kažejo, da je mestni svet v Ankari sprejel več odločitev o gospodarski pomoči, socialni pomoči, čiščenju, javnem zdravju in lokalni diplomaciji, medtem ko se je politika mestne občine Rim osredotočila na varnost, izobraževanje, gospodarsko pomoč, socialno pomoč, čiščenje in prevozne storitve. Obe občini sta tako na dnevni red sveta uvrstili svoje predloge za boj proti covidu-19. Kot upravne enote, ki zagotavljajo pravno podlago za izvajanje lokalnih politik, so imele občinske skupščine ključno vlogo pri spopadanju svojih držav s pandemijo. Krepitev lokalnih skupščin ter razširitev njihovih pooblastil in odgovornosti v času krize sta prispevala tudi k uspehu vladne politike. Izsledki kažejo, da so pravočasne in učinkovite rešitve, ki so jih sprejemale lokalne oblasti, pripomogle k omejevanju pandemije. Uspešne lokalne politike so tako dopolnjevale vladne politike in lahko služijo kot vodilo za oblikovalce politik.

Ključne besede: lokalne politike, covid-19, Ankara, Rim, odločitve mestnega sveta

5. Opravljanje dela izven rednega delovnega časa vse bolj pogosto med uslužbenci javnega sektorja

Špela Mar, Danijela Sokolić, Jernej Buzeti

Na zaposlene in njihovo delo izven rednega delovnega časa vplivajo razvoj tehnologije, družbene spremembe in drugi dejavniki z neposrednim učinkom na odnos zaposlenih do dela izven rednega delovnega časa. Namen prispevka je podati pregled najnovejših raziskav med zaposlenimi, ki opravljajo delo izven rednega delovnega časa. Osnovni metodološki pristop temelji na sistematičnem pregledu 18 znanstvenih člankov, objavljenih v bazah podatkov WOS, Scopus itd. Zbrana literatura vključuje tako kvalitativne kot kvantitativne analize o delu izven rednega delovnega časa. Rezultati kažejo, da je tovrstno delo vse bolj pogosto tudi med zaposlenimi v javnem sektorju. Ugotovitve po družbeno-demografskih skupinah kažejo, da izven rednega delovnega časa zlasti delajo zaposleni na vodstvenih položajih ter zaposleni v šolstvu, zdravstvu in policiji, pa tudi vsi tisti, ki delajo na daljavo. Potrjujejo tudi, da delo izven rednega delovnega časa poteka ob različnih urah dneva, ob koncih tedna ter med dopustom in bolniško odsotnostjo. Članek je zaradi vse pogostejše uporabe informacijsko-komunikacijske tehnologije še posebej pomemben za zaposlene v javnem sektorju. Ti so tudi izpostavljeni intenzivnejšim pričakovanjem in pritiskom oz. zahtevam po fleksibilni organizaciji dela. Izvirnost tematike je odraz pomanjkljive razpoložljivosti znanstvenih raziskav o opravljanju dela izven rednega delovnega časa med zaposlenimi v javnem sektorju.

Ključne besede: zaposleni, delo izven rednega delovnega časa, javni sektor, organizacija dela, delovni čas

6. Nacionalne razvojne banke v Evropi – prispevek k trajnostnem financiranju

Prispevek pojasnjuje ključne spremembe financiranja naložb v Evropski uniji v zadnjih petnajstih letih in proučuje dodano vrednost nacionalnih razvojnih bank za trajnostno financiranje. Za izvajanje evropskega zelenega dogovora in okrevanje po pandemiji covid-19 so potrebna sredstva v doslej nepredstavljenem obsegu. Neizogibna je tudi potreba po sprejetju novega trajnostnega naložbenega pristopa in prilagoditvi delovanja finančnega sistema. Obstoječe raziskave poudarjajo vlogo nacionalnih razvojnih bank pri sprejemanju proticikličnih ukrepov in spodbujanju vladnih javnopolitičnih ciljev, vendar je bil njihov pomen za trajnostno financiranje doslej prezrt. Prispevek zato preučuje razvoj pristojnosti bank ter ocenjuje njihov napredek in nadaljnje potrebe v zvezi s spodbujanjem trajnostnega financiranja.

Raziskava je potekala v dveh fazah. Prva faza je vključevala preučitev operativnega okolja nacionalnih razvojnih bank in njihovega vpliva na premagovanje tržnih pomanjkljivosti in izboljšanje dostopa do financiranja. Druga faza se je osredotočila na primerjavo med novimi regulativnimi zahtevami, zlasti evropskim zelenim dogovorom, uredbo EU o taksonomiji in delovanjem nacionalnih razvojnih bank. Uporabljena metodologija je vključevala podroben pregled literature, teoretične raziskave, zbiranje podatkov in pregled obstoječih raziskav, kar je bilo podlaga za primerjalno analizo in analizo po skupinah.

Prispevek ugotavlja, da nacionalne razvojne banke kljub skupnim ciljem in pooblastilom izkazujejo pomembne razlike glede vključenosti vlade v strateško usmerjanje in odločanje ter dejanskega prispevka bank k ciljem nacionalne politike. Rezultat potrjuje hipotezo, da nedavne spremembe strateškega in regulativnega okvira EU zahtevajo le manjše spremembe pri usmerjanju naložb nacionalnih razvojnih bank. Njihova prvotna zasnova in cilji so že v skladu z novimi pričakovanji, vlagajo pa predvsem v gospodarske sektorje, ki jih nova taksonomija uvršča med trajnostne.

Navedeno je pomembno za znanstveni diskurz o bistvenih pogojih za trajnostno financiranje, obenem pa rezultati zagotavljajo uporabne smernice za razvojne banke/finančne agencije v Evropi. Prispevek ponuja konkretno podlago za nadaljnje proučevanje evropskega finančnega sektorja, medtem ko bi lahko nedavno sprejeti sveženj o digitalnih financah raziskave še dodatno razširil.

Ključne besede: razvojne banke, javne finance, trajnostno financiranje, taksonomija EU

AUTHOR GUIDELINES

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In March 2020, CEPAR started to cooperate in the pilot project organised by Research Data Alliance Node Slovenia (RDA Node). The project aims to support scientific publishers and journals based in Slovenia in introducing research data citations in scientific publications and the open access to primary data in their policies. In this context, RDA Node has developed draft Guidelines for the implementation of scientific publishing policies, based on existing international frameworks and recommendations.¹

Consequently, the guidelines for CEPAR authors have been extended in order to comply to FAIR Guiding Principles for scientific data management and stewardship (2016), in force since May 2020. FAIR data are data that fulfills principles of *findability*, *accessibility*, *interoperability*, and *reusability*. Data that articles use as the base of their findings should be easy to find for both humans and computers. Once the user finds the required data, she needs to know how they can be accessed, possibly including authentication and authorisation. The data usually need to be integrated with other data; in addition, the data need to interoperate with applications or workflows for analysis, storage, and processing. The ultimate goal of FAIR is to optimise the reuse of data; to achieve this, data should be well-described so that they can be replicated and/or combined in different settings. The principles refer to three types of entities: data, metadata (information about the digital object), and data repository infrastructure.

Access to research data meets interests of various stakeholders in scientific publishing. Among others, such an approach enhances sound research in submitted manuscripts since data are transparent and can be reviewed and further referred to. In addition, it increases citations of published articles, and enables easier and broader knowledge dissemination, particularly when research is publicly co-financed. Hence, European Union and national research agencies enforce these principles through Open Science initiatives and assessments; however, also taking into account necessary exceptions.

¹ <https://zenodo.org/record/3757282#.XrLHLGj7SM8>

The main improvements in CEPAR guidelines are therefore the following:

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