

# The examples of the best practices of anti-corruption measures in Slovak municipalities

This document serves as a partial output of the project *Transparent, financially healthy and competitive municipalities in Ukraine* implemented by INEKO, Transparency International Slovakia and International Centre for Policy Studies (ICPS).

The examples of the best practices of anti-corruption measures in Slovak municipalities are described only in their basic structure as possible examples of inspiration for Ukrainian partners. In the case of deeper interest about individual examples, we are able to collect more data about impact of these measures in Slovak towns.

Firstly, there are described good practices in six areas which were chosen by ICPS as riskiest in the Ukrainian municipalities. Secondly, there are seven other ones based on [transparency ranking](#) of 100 biggest municipalities in Slovakia. The ranking is created by Transparency International Slovakia (TIS) every two years.

## 1. Public Management of administrative-territorial units' property

The Slovak municipalities are obliged to sale or lease public property under The Act of the municipal property. According to the Act, it is prohibited to sale public property to a Mayor, a member of the local parliament, a municipal employee, their close relatives or to the companies which are connected with them.

However, there still were "property cases" in Slovak municipalities, since July 2009 they have been obligated to sell or lease their property only via an [open competition or an auction](#). A transfer of property directly to a specific prospective buyer without an open competition or an auction is possible only in defined cases and upon expert's opinion. The municipalities are also obliged to inform the public about their intentions regarding property disposal.

These rules were adopted for the purpose of more transparent and effective treatment with public property. There are still some imperfections in this process caused by some exceptions from the rules. However, there are a couple of measures which help public to oversight property sales and lease policy.

We can see the good practice at this policy in [Banska Bystrica](#). It is a town in the central Slovakia with 80-thousand inhabitants. The Town Hall publishes on its website information about the results of open competition processes of municipality's asset sale or lease. According to our transparency ranking only 13 from 100 biggest

Slovak municipalities have published it. Hereby, Banska Bystrica is one of the two towns from the ranking which publish the whole official [reports](#) from this process.

However, Banska Bystrica reached only 68 percent in this area ranking, because they have used only classic open competitions instead of e-auctions when offering assets for sale or lease.

## **2. Public Procurement**

One of the most progressive Slovak towns in the sphere of transparency is [Sala](#). It is a town with 25 thousand people in south-western Slovakia. The representatives of the Local Parliament were leaders at couple of innovative transparency measures which were tested on municipal level and the National Government adopted some of them later.

One of the most effective measures with strong anticorruption effect which was launched in Sala (and in a couple of other towns in the similar time) was putting electronic auctions into practice.

Sala used e-auctions successfully on various items. It held tenders for goods (paper, a copy machine, computers, working uniforms), services (a waste disposal, cutting grass, security services) and also for construction works (roads, an artificial grass surface at a football stadium, a library reconstruction). On average, they attracted four competing bidders.

The town first rented the e-auction software for 5000 euros annually in 2008. A year later they bought the full license for 20 thousand euros. The operating costs came to 900 euros per year for software updates and consulting help when needed.

In the period of 2008 to 2010 Sala conducted 28 electronic auctions for the total of 8.3 million euros. While in 2008 only 15% of tenders made use of an e-auction, two years later all of them did.

The savings in Sala were estimated at 30% of original prices or 2.3 million euros in first three years. For instance, one of the first auctions concerned the waste disposal. Up to 2008, the town paid 900 thousand euros per year. After the e-auction with three bidders which was won by the company providing the service for years, the price came down to 600 thousand per year.

In addition, this measure didn't have impact only on effectiveness, but even on transparency, because the influence of the results of a tender is more complicated at e-auctions than at a classical tender.

The good practice from Sala and other Slovak towns was an inspiration for the national government of Prime Minister Iveta Radicova which approved the obligatory e-auctions in the whole public sector in 2011. The obligation was replaced in 2013 by [Slovak Electronic contracting system](#) (which included e-auctions). The Slovak municipalities are obligated to use the system for widely available goods, services and works.

### **3. Local public services**

In November 2015 Slovak police officers arrested The Mayor of Marianka. It is a small village with a plenty of new and luxurious houses, because of its location – near the capital city Bratislava. The Mayor was charged with corruption, because he requested financial donations for the municipality from the applicants of building permissions in the village. The case started a discussion about similar practice in Slovak municipalities.

It is very difficult to disclose these practices without close citizen cooperation. But majority of the people are reluctant to speak about them, because they need fast and easy permission from their municipal authorities. However, it is more probable to disclose potentially harmful behavior in municipalities with the high level of transparency.

There is a couple of municipalities which publish online all applications of building permission and also the decisions of municipalities about them (for example [Bratislava-Stare Mesto](#), [Nitra](#), [Bratislava-Dubravka](#), etc.). In the same time, it is compulsory for Slovak municipalities to publish on their website all public contracts (see no.7 Budgeting), including contracts regarding financial donations. This implies, that the citizens, journalists or police officers are able to compare applicants of building permission list with the list of municipal donors and search for their mutual relations.

The online publishing of information about building permits has also other advantages of course, it is more comfortable for applicants themselves and it could be useful for active citizens who want to oversight municipal construction policy.

### **4. Conflicts of interest in local government**

While in the first transparency ranking in 2010 there were only 6 from 100 biggest Slovak municipalities having the Code of Ethics for elected representatives, four years later the number went up to 22. In addition, in 2014 there were 45 towns with the Code of Ethics for its employees.

“However, the existence of the Code of Ethics doesn’t mean, that politicians and clerks will automatically be more honest. We passed a very good document in the capital town in previous period, but now it is only an empty declaration on the paper,” reminds the member of the Local Parliament in Bratislava Elena Patoprsta.

It is very important to have a good legislation, but it isn’t enough. The most important element in this area is an existence of honest and courageous people in a public sector who are ready to risk their careers and comfort for the right thing. And protecting these people is a very important task for the public sector, too.

In Slovakia, we have a couple of very remarkable experiences with this sort of brave people. Unfortunately, many of them had to face unpleasant consequences. Some of

these cases were widely publicized in the national media, and in 2014 the National Parliament passed a new whistleblowers protection act.

However, there are a few whistleblower's cases with a happy end. One of them is connected with a small village in eastern Slovakia Ruska with approximately 600 inhabitants.

In 2009 the accountant of the village Erika Lakatosova informed the Local Parliament in Ruska that the Mayor of the village had used a municipal credit card for personal purposes and she also filed a criminal complaint against him.

The revenge from the Mayor was very fast and Mrs. Lakatosova got an hour's notice. She was unemployed for two years and when she was elected to the Local Parliament in 2010, The Mayor illegally blocked her to take the office for nearly a year.

Her story was published in national media and in 2011 she won the award The White Crow which is aimed for a socially responsible and courageous civic action. "It is very important for us that noble people in our society who defend truth, justice and the public interest have experienced gratitude and support. Often it's the opposite – they face threats, criminal complaints, job loss or mockery by their surroundings. We try to find them and therefore thank them publicly at a gala event. We believe that applause, support and media coverage of their stories will give them strength and energy. Moreover, it can help to draw attention to important issues and encourage other White Crows," write organizers on the award's website.

Finally, courts and voters gave Mrs. Lakatosova the truth and in 2014 she became a new Mayor of Ruska village.

## **5. Access to the Public Information/Transparency of local government**

[According to 2014 TIS ranking](#) [Martin](#) is the most transparent Slovak municipality in general and in the area Access to Information Policy as well. It is a north-central town with 55-thousand inhabitants. This result was highly affected by a decision of Andrej Hrnčiar, the Mayor of Martin, who was elected in 2006 and who defined transparency as his top priority. In 2008 he and his colleagues in the Local Parliament started cooperating with TIS at an anticorruption strategy for the town. Details about the project in English are available on the website [transparenttown.eu](http://transparenttown.eu).

The project was launched in July 2008 and the general aim of the project was to increase openness and transparency of the local government and to eliminate potential areas for corruption in the town. The project consisted of 3 phases and concentrated on [17 key municipal policies](#) as an access to information, a property disposal, a recruitment policy or a public procurement.

The first phase of the project implementation was the audit of the current state in 17 policies. It consisted of gathering data about the particular policies from the Town Hall employees by questionnaires, meetings and consultations with the town

deputies. TIS experts also conducted assessment of the town rules and procedures, as well as analysis of the data and documents.

The second phase of the project implementation consisted of the [concrete policy recommendations](#) development and designing particular rules for each of the 17 policies. Many recommendations concerned an active disclosure of information through the town web page and an introduction of electronic register for various kinds of applications. TIS also developed the rules for strengthening potential whistleblowers as a protection for employees who report inappropriate behavior in their office.

Martin launched a specialized website [egov.martin.sk](http://egov.martin.sk) which serves for communication between the Town Hall and citizens. They can find a lot of information about the town, e.g. a list of contracts, receipts and orders, a list of tax defaulters, an evidence of dogs, some actual demographic information, etc. The portal has also a private section for communication between Town Hall and an individual.

The aim of the third phase was a discussion and an agreement on the final versions of the new regulations which were implemented by the Local Parliament in 2009. TIS experts also organized the training of the elected representatives and relevant employees of the Town Hall.

In 2010 Martin was given the [UN Public Service Award](#) in the category “Preventing and Combating Corruption in the Public Service” for its anti-corruption reforms.

Since then TIS has implemented an anticorruption strategy in [six towns](#), one [self-governing region](#) and one [state-owned company](#) (Slovak Post).

## **6. Involvement of citizens in activities of local government and the decision-making process**

The process of public participation in Slovak municipalities has slowly increased in last five years. In our first transparency ranking in 2010 municipalities reached in this area only 30% in average, while in 2014 it went up to 43%.

The best example of this progress is the municipality of **Bratislava – Nove Mesto**. It is one of the 17 Bratislava’s districts with its own Local Parliament and about 42 thousand inhabitants.

In 2010, Bratislava Nove Mesto reached [only 20 %](#) in the area of public participation. The district didn’t have the first-contact center; the public wasn’t able to react to any point at the sessions of the Local Parliament without prior approval of the councilors. There was a deep lack of information about decisions of the Local Parliament on the official website as well.

Since then the situation has significantly changed and in 2014 Bratislava - Nove Mesto reached [100%](#) in this area. They made all sessions of the Local Parliament and its bodies (Local Parliamentary Committees and the Municipal Council) open for general public and its reactions. All minutes from the sessions of the Local

Parliament and its bodies, as well as the archive of these minutes are available [on the website](#).

The [video records](#) of parliamentary sessions from past four years can be also found on the website.

They have an online instrument that allows the public to file and track their complaints or concerns inquiries on the website, too. The municipality is also involved in the project Odkaz pre starostu ([The Message for the Mayor](#)) which is run by non-governmental organization The Slovak Governance Institute (SGI). The message for the Mayor is the website that receives messages from citizens who report problems in their neighborhood and send them to municipalities that have the power to deal with them.

In addition, The District of Bratislava - Nove Mesto as one of the first municipalities in Slovakia started the project relating to [participatory budgeting](#) in 2013. The goal of the project is to involve inhabitants in improving the life in the district and deciding on how the money from the municipal budget should be distributed.

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## **7. Budgeting**

Another important innovation which was tested in [Sala](#) was connected with the public oversight at a budgeting area. Back in 2005, several local activists and politicians in Sala, a town of 25 thousand people in south-western Slovakia, started to publish the list of municipal contracts on their own website.

The group led by Jozef Meciár was frustrated with the Mayor's opaque dealings and decided to regularly use the information law to ask for contracts which they would immediately upload to their own website. A year later, they gained enough popularity to take majority in a town council, and the Mayor's position (Meciár became his deputy). In 2007, Sala's Town Hall started publishing contracts and receipts online as the first municipality in Slovakia.

In 2010 the national center-right government passed an amendment of The Freedom of Information Act which focused on publishing its contracts, receipts and orders automatically online, without asking for them. Moreover, no government contract would come into effect unless it was published online. The law says such a contract is not even valid after three months since it was signed if it was not published.

This sweeping amendment concerns any contract dealing with public money, from central and local government bodies to institutions or companies set up by them.

From 2011 to 2015 over one million contracts were published by the central authorities in the [Central contract register](#). We estimate that 2700 Slovak municipalities published over million contracts in total on their own websites within the 4-year period.



As much as 11% of adult Slovak population or 480-thousand people claim to have checked at least one public contract or receipt online since 2011, according to the representative opinion poll of Transparency International Slovakia in late January 2015.

Interviews with four experienced Slovak journalists working for the most influential daily, weekly and television news program underlined their belief that 2011 reforms were hugely beneficial for the ability of media to perform their watchdog role of public institutions.

The journalists and citizens at large discovered a lot of inefficient and sometimes outright corrupt payments only thanks to information being published online. You can find some examples in our [study](#) which is available in English.

"I think it is important to remind us that we are drawing inspiration from municipalities, which showed us that having contracts, orders and receipts published online does not cause any problems, on the contrary, it raises the trustworthiness of town leadership and also ensures effectiveness and accountability when dealing with municipality resources," said Lucia Zitnanská, the Minister of Justice in charge of the transparency reforms.

## **8. Grants Policy**

According to our ranking one of the most transparent Slovak municipality in the Grant Policy is a small north-western town [Bytca](#) with 11-thousand inhabitants. Around the year 2008 the Local Parliament passed a new system of grant allocation for subjects organizing sport, cultural, environmental or other civic activities in the town.

"For many years there was a practice that only one person – The Mayor decided about all donations for the subjects. We decided to change this process and made it more transparent with the aim that donations won't depend on arbitrariness of one person, but on a quality of the projects," said the representative of the Local Parliament in Bytca Michal Filek.

The Local Parliament established a new grant allocation committee which was headed by Mr. Filek. The representatives of municipality also passed the criteria to support the projects and [rules](#) guiding a potential conflict of interest among members of grant allocation committees. The rules have been published on the website.

All the sessions of grant allocation committee are open to the public. The Town Hall have also started to publish [decisions](#) about the granting or denying of a grant allocation and comments about decisions to grant or deny the projects. The archive of decisions about grant allocation is available on the website as well.

"Firstly, we had to persuade the organizations to participate in this open process, because they were used to lobby The Mayor for their projects. But now the process is widely acceptable and in 2015 we allocated more than 11-thousand euros among approximately 30 projects," said Mr. Filek.

## 9. Housing and Social Services

According to 2014 transparency ranking 11 from 100 biggest towns in Slovakia used a lottery as a prevailing method of the allocation of municipal accommodation. TIS considers this method fair and transparent, however there are a few objections. Some municipalities oppose that the lottery doesn't allow taking into account a difficult social situation of some housing applicants.

Hence, in [Povazska Bystrica](#), the western Slovak town with 40-thousand inhabitants, they abandoned the lottery method and have replaced it by a point system.

"We have created a complex point system which take into account many factors, for example the date of submitting an application, social and health condition of applicant, but also the fact, whether the applicant has paid his municipal taxes or the fact, whether the town police hasn't registered any delicts of the applicant," said the creator of the point system and the member of the Local Parliament Juraj Smatana.

He remembered that the proposal didn't meet a lot of understanding at the beginning. "Some clerks and politicians said, that it is immoral to score human suffering and that clerks are able to judge the situation of the applicants better than the point system. But after some discussion many of these incumbents realized that it is better to have an objective point system than a couple of applicants trying to touch the Town Hall clerk's emotions every day," Smatana said.

In Povazska Bystrica the [criteria](#) are published on the official municipal website, as well as the minutes from housing committee sessions deciding on housing allocation or the transfer of assets (a change of ownership). There is also published the list of successful applicants and the statistics about municipal housing (the total number of units, the number of rented, free flats etc.).

"I'm convicted that creating of this system was meaningful, at least it decreased the number of applicants who complain of non-objectivity," said Mr. Smatana.

The disclosure is the best tool to gain public trust in a fair decision process regarding an allocation of places in the social care facilities as well. We appreciate a good practice for example in south-western Slovak town [Malacky](#) with 17 thousand inhabitants.

Malacky provide on the website all important information about [social care facilities](#) founded by municipality. There is a tab with actual information about a number of clients in each social care facility, a number of vacancies and a number of applicants in a waiting list available as well.

Via links to the websites of social care facilities some information about provided services including prospective client possibilities and application guidance is available.



## 10. Human resources

The quality of executive apparatus is crucial for a good performance of municipal competencies in every town, and satisfaction of citizens with local government as well. Hereby, lots of citizens don't trust in a fair process of recruitment. Therefore, it is necessary to follow two key principles: to set exact rules for recruitment and publish all information about this process.

In our last transparency ranking only one municipality reached 100 percent in this area. It was an eastern Slovak town [Michalovce](#) with 40-thousand inhabitants.

The municipality hired 14 clerks from January 2013 to September 2014. All the clerks were recruited in selection competitions.

All the [notices](#) about selection procedures including the vacant job description and the date of publishing information about the position have been available on the website.

The Town Hall also publishes all [minutes](#) from selection procedures on the website including the names, surnames and titles of both the committee members and the applicants. The minutes also contain summary evaluations of the selection committee and the ranking of the applicants.

"Each applicant has to agree with an exposure of the selection procedure results. In addition, the committee members have to declare, whether they are on familiar terms with an applicant and whether they have spoken with him about the recruitment. This is the way how to make selection procedures more transparent and our citizens accept it," said Jan Bumbera who is responsible for the recruitment in Michalovce.

On the municipal website the archive of all minutes from selection procedures 2012 is available.

## 11. Professional Ethics and Conflict of Interests

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In Slovakia, we have a couple of very [remarkable experiences](#) with this sort of brave people. Unfortunately, many of them had to face unpleasant consequences. Some of these cases were widely publicized in the national media, and in 2014 the National Parliament passed a new [whistleblowers protection act](#).

However, there are a few whistleblower's cases with a happy end. One of them is connected with a small village in eastern Slovakia Ruska with approximately 600 inhabitants.

In 2009 the accountant of the village [Erika Lakatosova](#) informed the Local Parliament in Ruska that the Mayor of the village had used a municipal credit card for personal purposes and she also filed a criminal complaint against him.

The revenge from the Mayor was very fast and Mrs. Lakatosova got an hour's notice. She was unemployed for two years and when she was elected to the Local Parliament in 2010, The Mayor illegally blocked her to take the office for nearly a year.

Her story was published in national media and in 2011 she won the award [The White Crow](#) which is aimed for a socially responsible and courageous civic action. "It is very important for us that noble people in our society who defend truth, justice and the public interest have experienced gratitude and support. Often it's the opposite – they face threats, criminal complaints, job loss or mockery by their surroundings. We try to find them and therefore thank them publicly at a gala event. We believe that applause, support and media coverage of their stories will give them strength and energy. Moreover, it can help to draw attention to important issues and encourage other White Crows," write organizers on the award's website.

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## **12. Land Use Planning and Construction Policy**

In 2014 four fifths of 100 biggest Slovak towns had the town planning scheme available on the official website. In addition, since 2010 the civic organization Uzemne Plany has provided the portal [uzmneplany.sk](http://uzmneplany.sk), where a town planning scheme for 590 towns and villages is published.

The main purposes of the portal are to inform communities about plans of development in their localities, to help municipalities and state bodies with their services and to help the private sector with seeking proper areas for the investments to projects concerning housing, sport, industry or transport spheres.

However, the publishing of the town planning scheme is a basic prerequisite for information of citizens about life and development of a municipal territory. There are some towns in Slovakia which provide much more information online about the territory.

One of them is Presov, the eastern town with 90 thousand inhabitants which has provided an [interactive mapping portal](#) (webGIS). Citizen can find not only the town planning scheme on this portal, but also the cadastral map with a lot of information about the streets and addresses. This map is connected with lots of municipal databases and some information about criminality, education or sport issues in particular zones can be found there, too. There is also information about the development of demography, addresses with registered dogs, or movement of snow ploughs in the town available on the website.

On another [interactive mapping portal](#) there are also some layers connected with the municipal property, municipal investments or places of security cameras.

The other good practice in this area is **Banska Bystrica** which has also provided an online portal for [electronical arrangement of municipal services](#). There are three main modules – an interactive mapping portal with a lot of information about the town, for example planned building-up, historical landmarks, cycling paths, markets, etc. The second module is aimed to show transparency – citizens can find published contracts, receipts and orders there. The third module serves as an electronical form for such things as payment of local taxes, requests under Freedom of Information Act, an announcement of small constructions, authorizing the sale of products in the marketplace etc.

### 13. Municipal Businesses and Investments

In Slovakia there is a quite common practice that directors of town-owned companies are chosen by Mayor and representatives of majority in the Local Parliament. Therefore, the directors are often people close to the politicians.

TIS has criticized this practice for a long time and we strongly recommend to organize open selection procedures for occupation of the key positions in a public sector.

To achieve an anticipated outcome in town-owned companies, that means to improve the quality of services and administration, it would be necessary to stimulate two aspects of their management. On the one hand the managers of town-owned companies must be experts and professionals; on the other hand they must follow ethical principles in decision-making. A selection procedure aims to choose the candidates who meet the aforesaid criteria best.

In May 2015 the Mayor of the capital city Bratislava Mr. Ivo Nesrovnal asked representatives of TIS for help with the selection procedures aimed to choose the directors of four important town-owned companies. We [proposed](#) how to realize the process and The Mayor invited us as observers to the committee for selection procedures.

Unfortunately, the procedure was accompanied by several doubts about backstage agreements among politicians. But still, public knows about candidates much more than in the past, because they had to publish their professional CVs, their business

development plan for a company, they also passed a public hearing and their background was checked by forensic science agency.

For the experts of TIS it was a valuable experience and we used it for creating the manual for mayors and active citizens with our recommendations about [How to realize selection procedures in self-governments](#).

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