



**VEREJNÁ SPRÁVA**

**A**

**SPOLOČNOSŤ**

**PUBLIC ADMINISTRATION**

**AND SOCIETY**

**Open Access:**



**Indexovaný v:/Indexed in:**



**1/2024**

**ročník XXV.**

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<https://doi.org/10.33542/VSS2024-1-0>

ISSN 2453-9236 (online)

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Vydanie periodickej tlače: júl 2024

ISSN 2453-9236 (online)

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**VEDECKÉ PRÁCE**

# Understanding urban vulnerability, resilience and adaptation: a conceptual framework

Veronika Tóth, Miriam Šebová

<https://doi.org/10.33542/VSS2024-1-1>

## Abstract

Adaptation in cities is not an isolated process, but rather it is embedded in the broader debate on sustainable development, commons and public goods. Through examining adaptation, we touch upon the concepts of urban vulnerability and resilience and try to view cities as complex adaptive systems. Only through this wide optics we can understand climate change adaptation in its complexity. Our paper tries to review recent literature on resilience and adaptation using bibliometric metadata analysis on academic papers.

**Keywords:** urban resilience, bibliometric analysis, vulnerability, urban adaptation

## Introduction

Research on vulnerability and resilience in cities has been gaining momentum in recent years. Despite its popularity both in academic research and in policy - making, a comprehensive theory is yet to be developed. Studying resilience in cities and its practical applications are of utmost importance in current circumstances. Gradually approaching climate change, migration, worsening socioeconomic inequalities, or even shocks such as global pandemic or war – these challenges will most likely become more salient or frequent in future. As more than half of the world population resides in cities, local authorities need to prepare a strategy for coping with chronic stresses as well as acute shocks.

Although the notion of resilience is widely used in policy and urban planning, its exact meaning still remains ambiguous. Stemming from ecological science, the concept of resilience has come a long way since it was launched to describe functioning of ecosystems. The discourse has moved from the deterministic engineering resilience towards the resilience in complex adaptive systems. This is specifically urgent in the context of adaptation on climate change.

Our conceptual paper tries to navigate through the most important concepts related to vulnerability, resilience and adaptation in cities, and to comment on their weak spots as well as their strengths. It also offers examples of urban resilience and adaptation initiatives and their frameworks for assessment.

## 1. Vulnerability and resilience – evolution of definition

Vulnerability assessment has become an important step in strategic urban planning and for coping with climate change (Amirzadeh et al., 2022), (Salas & Yepes, 2018). In general, vulnerability can be thought of as *“the degree to which a system or unit is likely to experience harm due to exposure to perturbations or stresses”* (De Sherbinin et al., 2007). In social sciences, it mostly consists of the three dimensions – system exposure to crises, stresses and shocks; inadequate system capacity to cope; and consequences and attendant risks of slow (or poor) system recovery (De Sherbinin et al., 2007). Putting it into the context of climate change, International Panel on Climate Change (IPCC) Assessment Report (McCarthy et al., 2001) defines vulnerability as *“the degree to which a system is susceptible to, or unable to cope with, adverse effects of climate change, including climate variability and extremes”*. It is a function of the character, magnitude, and the rate of climate change, and the variation to which a system is exposed, its sensitivity, and its adaptive capacity. Vulnerability might stem also from inability to anticipate hazards and avoid them, not only from inability to cope with and recover from shocks after they occur (Hardoy & Pandiella, 2009).

Further IPCC report (Revi et al., 2014) adds that the notion is also applied to sectors, including food processing, tourism, water, energy, and mobility infrastructure and their cross-linkages, for instance, the dependency of perishable commodities on efficient transport. Vulnerability to climate change in urban areas is viewed as *“an outcome (physical vulnerability) determined by exposure to climate hazards, sensitivity of urban infrastructures, populations or activities, and the resulting or potential impacts”* (Romero Lankao & Qin, 2011).

When stresses or adversities originating in environment happen simultaneously with perturbations emanating from society, the severity of impact might be more significant (De Sherbinin et al., 2007). Such as when economic crisis is followed by a natural disaster, capacity of the subject community to recover might be decreased. Lack of resources to implement pre-emptive coping measures to reduce expected losses can prolong the effect of economic crisis and enlarge the vulnerability of the system.

In academic literature, there have been attempts to gauge vulnerability – e. g. De Sherbinin et al. (2007) employ a comprehensive framework, which consists of evaluation of stresses and perturbations (climate-related and socioeconomic) on one side, and system characteristics (physical environment, infrastructure, socioeconomic conditions) on the other.

Vulnerability is often, but not always put into contrast with resilience. Matyas and Pelling (2015) consider the debate on the conceptual relationship between resilience and vulnerability as solved – resilience and vulnerability are, according to them, discrete categories. In fact, there are examples when these two terms do not exclude each other – for example and older person might be vulnerable, but also resilient in terms of their experience, learning and reflexivity. Martin-Breen and Anderies (2011) claim that vulnerability is the opposite of



resilience, but admit that these terms have different meanings in different contexts, and thus something can be perceived as either vulnerable and resilient when looking from different perspectives (especially when specifying “resilience to what”, which is most important in disaster management). Revi et al. (2014) clarify that vulnerability is often mentioned in relation to particular population groups, while resilience is a term more used when systemic capacity to protect them is being discussed.

The etymological origin of resilience is related to Latin word “resilio”, which means to jump or bounce back (Klein et al., 2004). According to the bibliometric analysis by Meerow et al. (2016), the discourse on resilience started by the seminal paper Resilience and Stability of Ecological Systems by Holling published in 1973. He stipulates that *„resilience determines the persistence of relationships within a system and is a measure of the ability of these systems to absorb changes of state variables, driving variables, and parameters, and still persist.”* Although he emphasizes persistence as a key concept – the result of resilience, he notes that systems can have low stability and still be highly resilient at the same time. Further work in the field published since late 1980s developed an “extended ecological resilience”, which was defined as *“the capacity of a system to absorb disturbance and reorganize while undergoing change so as to still retain essentially the same function, structure, identity and feedbacks”* (Martin & Sunley, 2015; Walker et al., 2006). Apart from ecology, resilience has been used also in psychology, as a measure of capability of individuals to deal with traumas and adversities (Martin & Sunley, 2015; Martin-Breen & Anderies, 2011).

Robustness can be a synonym to resilience in cases when short time scale is considered. While robustness ideas are typically used in the context where the system and the set of external shocks are fixed over studied short period, resilience is considered in situations when time scale is more stretched and the focus is on learning and transformation (Martin-Breen & Anderies, 2011).

Resilience is usefully understood as both a process and an outcome (Matyas & Pelling, 2015). Posing resilience only as an outcome can lead actors to focus of reactive, rather than proactive action. On the other hand, reducing the view of resilience as a process only can result in ambiguous formulation of goals.

Despite or maybe because of relatively long presence in multiple disciplines, the definition of resilience varies across academic literature. Based on bibliometric analysis, Meerow et al. (2016) conclude that *“existing definitions are inconsistent and underdeveloped with respect to incorporation of crucial concepts found in both resilience theory and urban theory”*. As a result, this “conceptual fuzziness” allows more actors to agree on common terminology, but on the flipside, hinders the effort to identify the right indicators and metrics. Matyas and Pelling (2015) find that resilience discourse is not settled on the question whether resilience is a normative concept or not. In social-ecological perspective, the term is purely

descriptive and does not propose normative judgements about stability of studied systems. Looking from another perspective, as ecosystems provide outcomes that are desirable or undesirable for certain actors within the system, resilience is not only normative, but implicated by the political and power structures (Matyas & Pelling, 2015). Brand and Jax (2007, cited in (Martin & Sunley, 2015)) criticize the rising ambiguousness connected to the term resilience, because there is no clear consensus on whether it is a positive or normative concept, rendering it difficult to operationalize and use in research. This subsequently hinders further development of resilience theory. On the other hand, Martin and Sunley (2015) think that use of resilience as a term in different fields and contexts might actually enrich the resilience discourse. Martin and Sunley (2015) warn that eagerness with which the concept is applied in policy is larger than our understanding of resilience, which threatens its meaningful application in practice.

Academic literature has traditionally adopted two main approaches to resilience – engineering and ecological. The engineering resilience is more rigorous and takes assumptions such as existence of a unique equilibrium or a normal state, the object's tendency to return to this state after a disturbance it can handle, and that the type of disturbances that are expected (Holling, 1996). Making these assumptions leads us to realization that we can grasp the aspects of resilience by relatively straightforward mathematical modelling and use it in practice to generate simple management strategies (Martin-Breen & Anderies, 2011). The engineering view is very close to the standard perception of equilibrium in mainstream economics, where shock pushes the economy from its path, and self-correcting forces then guide it back on its initial trajectory (Simmie & Martin, 2010). However, the idea of systems returning to normal might seem problematic to some researchers, as they find this implies returning to capitalist status quo (Hassink, 2009; MacKinnon & Derickson, 2013). This essentially neoliberal worldview prioritizes competitiveness, flexibility, self-help and market forces, where the self-correcting forces guide the system towards equilibrium (Martin & Sunley, 2015).

In reality, trying to keep everything stable might even threaten the resilience of the system, make returning to normal impossible and potentially leads to collapse of the system (Martin-Breen & Anderies, 2011). In some cases, status quo might be undesirable, e. g. as it exacerbates social inequalities or harms ecological systems. Martin and Sunley (2015) call this resistance to change and the subsequent preservation of dysfunctional or inefficient structures or systems a 'perverse resilience'. From this perspective, bouncing back to normal is not something society should strive for. In contrast, desirability of resilience is the point where Meerow et al. (2016) find no cleavage in academic literature - all authors in the studied sample perceive it as positive trait.

The idea of bouncing back is not the only problem of the engineering approach. The equilibrium models are analytically more comprehensible but suffer from inability to describe

behaviour of systems distant from equilibrium (Holling, 1973). Multiple-state equilibrium is envisioned in the strand called 'ecological resilience', and postulates that systems can shift from one equilibrium to another after encountering a disturbance (Meerow et al., 2016).

A relatively novel idea which challenges the one or multiple equilibria theories offers a model in which systems have no equilibrium and undergo constant changes (Meerow et al., 2016). 'Bouncing back' is therefore in this perspective rendered obsolete, as there is no initial state to jump back to (Meerow et al., 2016). The structures might be the same, but individuals or organizations change, which emphasizes the importance of reflexivity as crucial element of resilience (Matyas & Pelling, 2015). The problem with theoretical framework of resilience from ecological and complexity sciences point of view is the fact that it lacks human agency and is depoliticized, while the reality of urban planning is guided by political processes to a significant degree (Martin & Sunley, 2015).

Recently published study by Amirzadeh et al. (2022) contributed to the definition of resilience by shifting definitely from a static, equilibrium-based understanding of resilience to a more dynamic, non-equilibrium model. The paper introduces a comprehensive conceptual framework that includes systems, agents, and institutions, and it categorizes resilience into three main approaches: recovery, adaptation, and transformation. This framework aims to provide a clearer and more actionable understanding of resilience for urban planning and policy-making.

## **2. Complex adaptive systems (CAS)**

Cities have been often framed as complex adaptive systems (Meerow et al., 2016), although in resilience discourse, many influential studies use the framework of non-linear dynamical systems (Martin-Breen & Anderies, 2011). These allow for complex behaviour, such as multiple stable attractors, but are not adaptive in their nature. As researchers are often interested in mechanisms of adaptation and novelty, they turn to frameworks in which these concepts are incorporated (Martin-Breen & Anderies, 2011).

In these studies, cities are no longer perceived as disordered, but rather, as Batty (2008) puts it, as prime examples of complex systems: emergent and far from equilibrium, necessitating substantial energy to sustain themselves. They exhibit patterns of inequality generated by agglomeration and fierce competition for space, and feature saturated flow systems that utilize capacity in ways that seem barely sustainable yet paradoxically resilient.

The main ideas related to complexity in economics are summarized e. g. in Beinhocker (2006) (reviewed by Gintis (2006)). This work constitutes "a frontal attack on Neoclassical economic theory", which has been useful tool for many years, but should, according to Beinhocker, be replaced by more up-to-date view of economy. Inspired by biology, economy is assumed to follow evolutionary dynamic. It differs from the typical Walrasian economy in

several aspects – such as being nonlinear, generally far from equilibrium, and therefore Pareto suboptimal. Traditional view of rational homo oeconomicus is replaced by agents with incomplete (and costly) information trying to come up with non-optimal but still effective heuristics for coping with the challenges posed by complex environments. To compensate these shortcomings, agents have opportunities to participate in sophisticated overlapping networks. Whereas in Walrasian economy, macroeconomic properties can be derived from micro-level, in complex systems, this is not so straightforward. Instead, agent-based modelling can serve as an analytical tool which can help describe economic behaviour within the system. Evolutionary principles, such as differentiation, selection and amplification guide the processes towards growth and higher complexity. The role of imitation and learning is paramount in complex adaptive systems, where frequent interactions take place and elements influence each other through the mechanism of feedback loops.

As Martin-Breen and Anderies (2011) point out, there is also a conceptual distinction between systems resilience and complex adaptive systems resilience – they differ in adaptive capacity or adaptability. Adaptation is not a mere change following shift in conditions, it is rather the ability of systems to transform or build new systemic relationships and generate innovative ways of functioning. They further explain, that in resilient systems view, we would strive to maintain all its subsystems and their interactions. Whereas in complex adaptive systems, we ask which subsystems are no longer viable, and which we can allow to fail in order to focus on those we want to keep operating. In other words, in systems approach, we try to preserve the system itself, while in CAS, we focus on system outcomes, whether or not it means changing its structure (Spaans & Waterhout, 2017).

### **3. Regional, local and urban resilience**

Resilience as a notion emerged in urban planning context in the 1990s, as a response to environmental threats resulting to changing social and institutional frameworks (Mileti (1999), cited in Lu and Stead (2013)). Gradually approaching challenge of climate change made planners and decision-makers realize that mitigation will not be achieved easily, and therefore favoured measures were those that were more adaptive and flexible on their path towards resilient strategies (Lu & Stead, 2013). The view of urban resilience differs across cultures – after 9/11, the US and UK tend to be more focused on shocks such as terrorist attacks, European mainland countries consider the main challenge to be the climate change (Coaffee, 2013). Measuring regional (or local or city) economic resilience has been treated in various ways – in case studies, resilience indices, statistical time series models or causal structural models (Martin & Sunley, 2015). The ideas of resilience in the framework of cities as complex adaptive systems have been put into practice by Rockefeller Foundation in their project 100 Resilient Cities Programme launched in 2013.

From theoretical point of view, urban resilience is mostly thought of as either multiple-equilibrium or non-equilibrium concept in scholarly literature, but still there are some who incline towards the more traditional equilibrium view (Meerow et al., 2016). Based on the reasoning that urban resilience is framed into specific context, and Meerow et al. (2016) attempt to synthesise the definitions used in scholarly literature into the following “*Urban resilience refers to the ability of an urban system - and all its constituent socio-ecological and socio-technical networks across temporal and spatial scales - to maintain or rapidly return to desired functions in the face of a disturbance, to adapt to change, and to quickly transform systems that limit current or future adaptive capacity.*” Here, the nature of “disturbance” is not specified. Other authors and practitioners elaborate on that – for example Spaans & Waterhout (2017) describe how the program 100 Resilient Cities considers not only the acute shocks (such as earthquakes, fires, and floods), but also take into account stresses that damage the fabric of a city on a continuous basis.

(Xu Zeng et al., 2022) presented three major components of urban resilience: adaptive, absorptive, and transformative capacity.

(Shamsuddin, 2020) introduced the concept of the adaptive cycle, which describes the phases of urban resilience, including exploitation, conservation, collapse, and reorganization. This cyclical process underscores the dynamic nature of resilience and the ongoing evolution of urban systems

As for the elements of the urban system, the Rockefeller Foundation’s definition asserts that resilience concerns individuals, communities, institutions, businesses and systems within a city (ARUP, 2014). Interestingly, their vision of resilient city is the city in which the actors facing adversities are able not only to survive and adapt, but also to grow.

ARUP (2014) makes further contribution to the debate by proposing seven qualities of resilient systems:

1. Reflective
2. Flexible
3. Integrated
4. Robust
5. Resourceful
6. Redundant
7. Inclusive

Reflexiveness and flexibility refers to the ability to learn and adapt based on past experience and current circumstances to better adjust to future challenges. In practice, this means systemic examination of evidence, adoption of new technologies, or even greater decentralization. The need for integrated solution reflects the view of city as complex system, in which actors interact and therefore consistency should be achieved across different levels.

Robustness of systems is linked to diversification and is manifested by ability to withstand shocks without significant damage or loss of function. Resourcefulness means that actors are capable to find solutions even in constrained circumstances. Redundancy here is understood as creating reserves in sensible manner, so that system is prepared to accommodate the disruptions and use the spare resources in times of need. Including all communities, and especially those most vulnerable, is crucial in the process towards resilience.

In ARUP's framework, these seven qualities are to be fulfilled across four main dimensions: *health and wellbeing, economy and society, infrastructure and environment, and leadership and strategy.*

#### **4. Community resilience and economic resilience**

While in natural world, adversity and change are often considered as disruptors, in human systems, change and uncertainty is a constant – they are inevitable. Community resilience can be defined as “*the existence, development, and engagement of community resources by community members to thrive in an environment characterized by change, uncertainty, unpredictability, and surprise*” (Magis, 2010). Community members deliberately cultivate individual and collective capacity in order to be able to respond to and influence change, to preserve and renew the community, and to develop new strategies for the future of the given community (Magis, 2010). Community resilience is not a static property, it changes with internal conditions and external stimuli, and the community's ability to respond and adapt. Communities are thus considered as dynamic human systems, that continue to be viable in the context of changing environment. Engagement of community resources can become a self-reinforcing cycle, when the responses towards adversities actually strengthen the community fabric and its resilience (Adger et al., 2005).

Household and family relationships have traditionally held an important role especially in poor communities, as they act as critical safety nets functioning before an outside assistance is available (Moser, 1998). If institutions are designed in an inappropriate way, they can, despite good intentions, erode these structures (Martin-Breen & Anderies, 2011).

Magis (2010) summarizes five main drivers which can facilitate resilience building in communities:

1. learning to live with change and uncertainty, and deliberately adopting measures to function in this context
2. strategic planning, collective action, innovation, and learning
3. diversification of resources
4. active participation of community members
5. engagement of community's resources

Community resources that are strategically invested in order to achieve community objectives are also called community capitals. These resources have not only economic character – they can be related to social phenomena – social, cultural, spiritual, and political resources (Magis, 2010).

Overall, communities' resources consist of natural capital, such as natural resources and ecosystem services, human capital of every individual, cultural capital referring to values and assumptions of the given community. These are complemented by financial capital, built capital consisting of community's physical assets and built infrastructure, or political capital, which is connected to power and ability to use resources and influence formal institutions concerning given community.

Magis conceives social capital as „*the ability and willingness of community members to participate in actions directed to community objectives, and the processes of engagement, that is, individuals acting alone and collectively in community organizations, groups, and networks*”. Literature also offers the concept of community capacity, which is closely related to community resilience, but is more general, because it applies to various contexts, not only those when community system faces adversities and undergoes changes.

Magis (2010) proposes the following eight dimensions of community resilience: *community resources, their development and engagement, active agents, collective and strategic action, equity and impact*. This allows to formalize the concept and its components, and to identify corresponding metrics for assessment.

Successfully identifying resilient communities can be useful for policy – in those less resilient, activities aiming at increasing resilience can be organized. On the other hand, in resilient communities, special products or techniques for resilience building can be tested (Magis, 2010).

Resilient communities enhance the prosperity of the local economy. Martin and Sunley (2015) acknowledge the absence of a comprehensive theory on regional economic resilience, yet they define it as the ability of a regional or local economy to endure or bounce back from market, competitive, and environmental disruptions to its developmental trajectory. This may involve adapting its economic structures and social and institutional frameworks to either maintain or restore its previous growth path or shift to a new, sustainable path characterized by efficient utilization of its physical, human, and environmental resources.

They stress that resilience is a dynamic process comprising several components:

- *vulnerability* (the susceptibility of a region's businesses and workforce to various shocks),
- *shocks* (the source, nature, and impact of a disturbance, including its scale, nature, and duration),
- *resistance* (the initial effect of the shock on the region's economy),

- *robustness* (the capacity of a region's businesses, workforce, and institutions to adjust and adapt to shocks, including the influence of external mechanisms and public interventions and support systems),
- *recoverability* (the extent and nature of the region's economic recovery from shocks and the characteristics of the recovery path).

The above-mentioned definition of regional economic resilience tries to incorporate the crucial aspects of the concept within the theoretical framework of complex adaptive systems. Yet it still assumes existence of a 'developmental growth path', the idea that is being challenged in the contemporary economic discourse (Raworth, 2017). The definition also allows a transition to a new sustainable path, which is to be achieved by increasing productivity. The authors purposely omit the notion of long-term stresses to complement the representation of possible adversities besides acute shocks. They recognize the existence of slowly approaching pressures, but they prefer the term resilience to be only related to unexpected events.

## **5. Adaptation in Cities**

Dealing with climate change can be approached through either mitigation, which aims at reducing the magnitude of changes, or adaptation, which focuses on making adjustments to minimize harmful impacts. Adaptation is defined as "the set of organization, localization and technical changes that societies will have to implement to limit the negative effects of climate change and to maximize the beneficial ones" (Hallegatte et al., 2011). Reactive adaptation occurs *ex post*, addressing impacts after they manifest. Proactive adaptation is prepared *ex ante*, aiming to reduce vulnerability or capitalize on forthcoming changes (Smit et al., 2000).

For greater efficiency, focusing on mitigation is optimal, as the uncertainty associated with climate change makes the costs of proactive adaptation higher, and reactive measures inherently do not prevent damage (Shalizi and Lecocq, 2010). However, since mitigation is most effective at a global level, it is crucial to emphasize adaptation on a regional scale. While the costs of adaptation measures are immediate, their benefits may take longer to materialize.

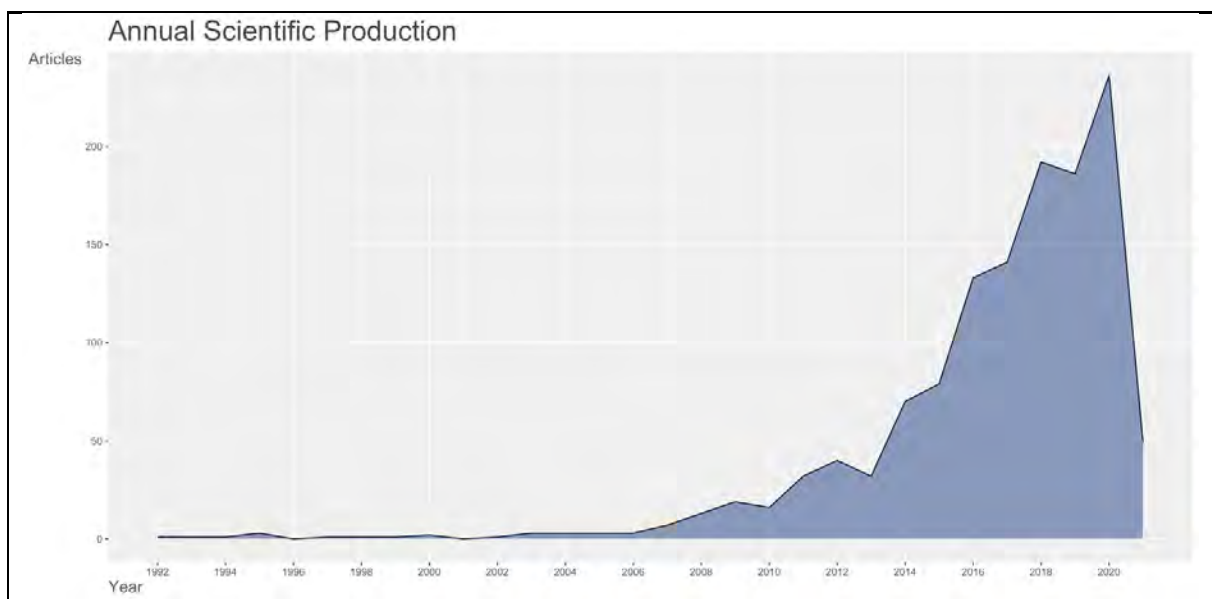
## **6. Bibliometric Analysis**

In order to identify the crucial research papers dedicated to urban adaptation, and also to see the wider perspective on where this research is mostly produced, and how the field has evolved, we conducted a bibliometric analysis. The first step was to run a search in the Web of Science database with the following keywords: "vulnerability, resilience, cities". This search



yielded 5481 results, which we decided to narrow down by specifying we were only interested in articles from the selected disciplines<sup>1</sup>.

Areas with less than 20 published articles or not related to the topic of this thesis were omitted. Finally, we narrowed the dataset to the following publishers: Elsevier, Springer Nature, Taylor and Francis, Sage, Wiley, Routledge and English language. Thus we obtained 2352 observations, which were analysed using Bibliometrix package in R. These observations include all the available information on published papers, as well as abstracts and references. Figure 1 shows that scientific knowledge on climate change adaptation in urban context has been proliferating. We can also see that the topic was virtually nonexistent in the academic discourse before 2006.

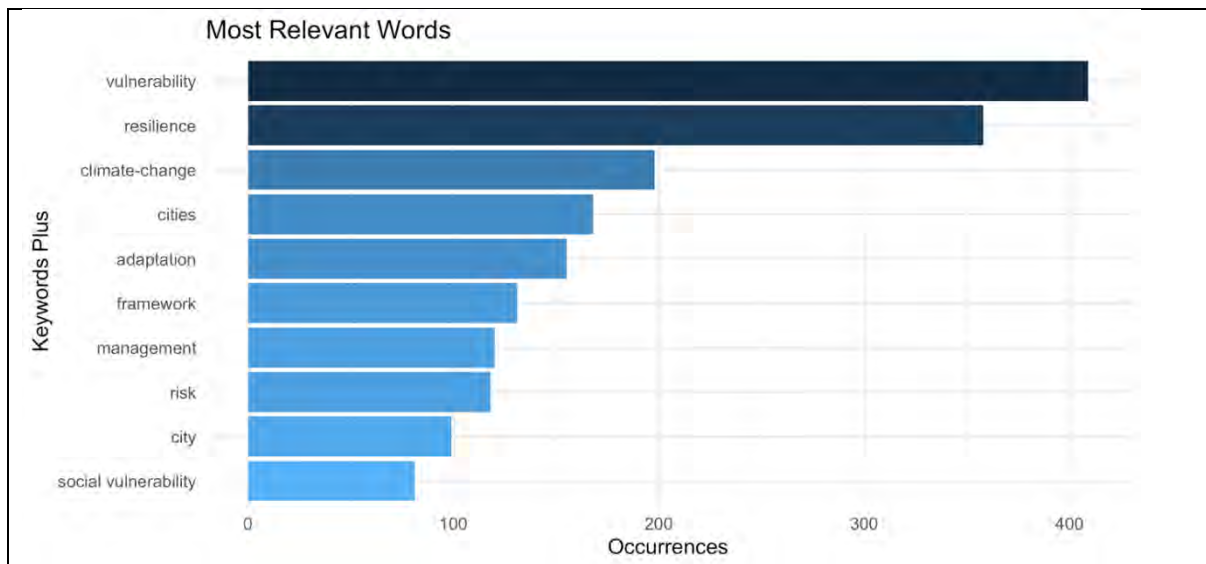


**Figure 1: Annual Scientific Production – keywords: vulnerability, resilience, cities**  
Source: own bibliometric analysis using Bibliometrix package (in R) and metadata from WoS database

Figure 2 shows which keywords are the most frequent in the bibliometric metadata. We can see that the concepts of vulnerability and resilience are closely related to climate change adaptation. Moreover, researchers are often interested in management, policy and governance, and also frequently discuss impacts and risks.

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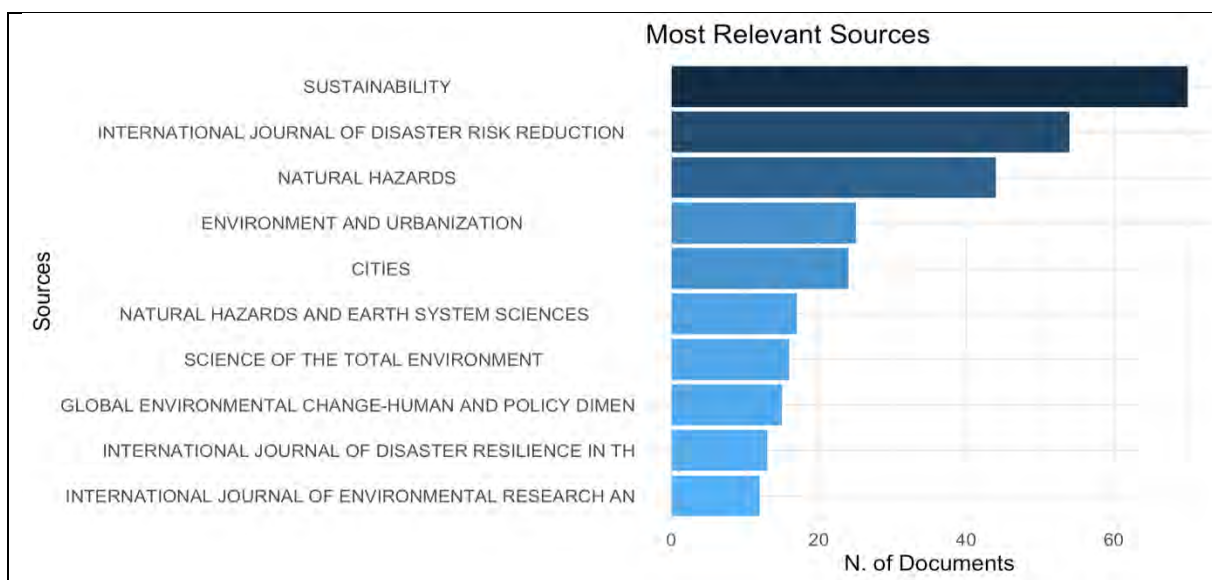
<sup>1</sup> Environmental Sciences, Environmental Studies, Urban Studies, Green Sustainable Science Technology, Geography, Regional Urban Planning, Public Environmental Occupational Health, Development Studies, Economics, Public Administration, Social Sciences Interdisciplinary, Area Studies, Management, Sociology



**Figure 2: Most frequent keywords (based on search: vulnerability, resilience, cities)**  
 Source: own bibliometric analysis using Bibliometrix package (in R) and metadata from WoS database

As for the most relevant sources, these are shown in the Figure 3.

Most research papers in the topic are published in the journal Sustainability from MDPI. The other two journals are linked to risk - International Journal of Disaster Risk Reduction and Natural Hazards. The importance of the topic is validated by the fact that the fourth most common journal is Cities, which is leading journal in urban policy and development.



**Figure 3: Most relevant sources (based on search: vulnerability, resilience, cities)**  
 Source: own bibliometric analysis using Bibliometrix package (in R) and metadata from WoS database

## Discussion and conclusion

The paper presents a comprehensive examination of the concepts of vulnerability, resilience, and adaptation within urban settings, addressing their importance in the face of escalating climate change impacts and other urban stresses. Their review synthesizes a range of perspectives from the literature, providing a detailed account of the theoretical frameworks and practical applications of these concepts.

The concept of resilience has been present in academic literature for several decades, starting in the fields of ecology and psychology, and gradually making its way to regional sciences and economics. However, the discourse in these disciplines is not mature enough, which can be illustrated by the absence of a clear definition and consensus on suitable methodology and assessment. This ambiguousness might be favourable for those who wish to use the currently popular term as a catch-all phrase for any seemingly related endeavours. While some authors do not applaud the widespread popularity of the concept and claim that prolific use will actually hamper academic efforts, others, on the other hand, welcome the debate.

Even those who attempted to synthesize a comprehensive definition of resilience, deliberately or maybe unintentionally omit certain aspects which could potentially be beneficial. Many authors do not elaborate on the idea of gradually aggravating stresses, which seems not to be particularly useful in the context of climate change. Moreover, very few authors mention the possibility to anticipate the adversities and the importance of proactive adaptation. There are two main approaches towards resilience – engineering resilience and ecological resilience. Both of them have their advantages and disadvantages, but some researchers have also turned to a third novel approach – complex adaptive systems. Such trend only mimics the thought from Zolli and Healy (2013) (cited in (Martin & Sunley, 2015)): „it often feels as if disruption itself has become ‘the new normal’“. Indeed, complex adaptive systems’ view seems to be more representative of what happens in cities, as they are constantly subject to change and have to face new challenges. The downside of the approach is that its analytical tools are not merely as comprehensive as those in other frameworks.

As for the implications for policy, it is clear that local authorities might not have sufficient capacities to address the challenge of building resilience in all its aspects and some areas might have to be prioritized. This is where theory of resilience will have to meet reality. Cities will have to define which functions they are to perform, and which outcomes they will focus on. This process should ideally be a part of broader debate across all actors and levels, and it should be inclusive and aiming towards socially just outcomes. In sum, they need to find the answer to the ‘five Ws of urban resilience’ - resilience for whom, what, when, where, and why.

## Acknowledgements

This paper was supported by the Slovak Research and Development Agency project No. APVV-19-0263 and by the Ministry of Education, Research, Development and Youth of the Slovak Republic Grant VEGA No. 1/0681/22.

## References

- ADGER, W. N., HUGHES, T. P., FOLKE, C., CARPENTER, S. R., & ROCKSTRÖM, J. 2005. Social-ecological resilience to coastal disasters. *Science (New York, N.Y.)*, 309(5737), 1036–1039. <https://doi.org/10.1126/science.1112122>
- AMIRZADEH, M., SOBHANINIA, S., & SHARIFI, A. 2022. Urban resilience: A vague or an evolutionary concept? *Sustainable Cities and Society*, Volume 81, 2022, 103853, ISSN 2210-6707. <https://doi.org/10.1016/j.scs.2022.103853>.
- ARUP. 2014. *City Resilience Index—Understanding and Measuring City Resilience*. ARUP. <https://www.arup.com/perspectives/publications/research/section/city-resilience-index>
- BATTY, M. 2008. The Size, Scale, and Shape of Cities. *Science*, 319(5864), 769–771. <https://doi.org/10.1126/science.1151419>
- BEINHOCKER, E. D. 2006. *The Origin of Wealth: Evolution, Complexity, and the Radical Remaking of Economics*. Harvard Business Press.
- COAFFEE, J. 2013. Towards Next-Generation Urban Resilience in Planning Practice: From Securitization to Integrated Place Making. *Planning Practice & Research*, 28(3), 323–339. <https://doi.org/10.1080/02697459.2013.787693>
- DE SHERBININ, A., SCHILLER, A., & PULSIPHER, A. 2007. The vulnerability of global cities to climate hazards. *Environment and Urbanization*, 19(1), 39–64. <https://doi.org/10.1177/0956247807076725>
- GINTIS, H. 2006. Complexity Economics. *Journal of Economic Literature*, 54, 1018–1031.
- Hardoy, J., & Pandiella, G. (2009). Urban poverty and vulnerability to climate change in Latin America. *Environment and Urbanization - ENVIRON URBAN*, 21, 203–224. <https://doi.org/10.1177/0956247809103019>
- HASSINK, R. 2009. Regional Resilience: A Promising Concept to Explain Differences in Regional Economic Adaptability? *Cambridge Journal of Regions, Economy and Society*, 3, 45–58. <https://doi.org/10.1093/cjres/rsp033>
- HOLLING, C. S. 1973. Resilience and Stability of Ecological Systems. *Annual Review of Ecology and Systematics*, 4(1), 1–23. <https://doi.org/10.1146/annurev.es.04.110173.000245>
- HOLLING, C. S. 1996. Engineering Resilience versus Ecological Resilience. *Engineering Within Ecological Constraints*. <https://doi.org/10.17226/4919>

- KLEIN, R., NICHOLLS, R., & THOMALLA, F. 2004. Resilience to natural hazards: How useful is this concept? *Environmental Hazards*, 5, 35–45. <https://doi.org/10.1016/j.hazards.2004.02.001>
- LU, P., & STEAD, D. 2013. Understanding the notion of resilience in spatial planning: A case study of Rotterdam, The Netherlands. *Cities*, 35, 200–212. <https://doi.org/10.1016/j.cities.2013.06.001>
- MACKINNON, D., & DERICKSON, K. D. 2013. From resilience to resourcefulness: A critique of resilience policy and activism. *Progress in Human Geography*, 37(2), 253–270. <https://doi.org/10.1177/0309132512454775>
- MAGIS, K. 2010. Community Resilience: An Indicator of Social Sustainability. *Society & Natural Resources*, 23(5), 401–416. <https://doi.org/10.1080/08941920903305674>
- MARTIN, R., & SUNLEY, P. 2015. On the notion of regional economic resilience: Conceptualization and explanation. *Journal of Economic Geography*, 15(1), 1–42. <https://doi.org/10.1093/jeg/lbu015>
- MARTIN-BREEN, P., & ANDERIES, J. M. 2011. *Resilience: A Literature Review*. <https://opendocs.ids.ac.uk/opendocs/handle/20.500.12413/3692>
- MATYAS, D., & PELLING, M. 2015. Positioning resilience for 2015: The role of resistance, incremental adjustment and transformation in disaster risk management policy. *Disasters*, 39, 1–18. <https://doi.org/10.1111/disa.12107>
- MCCARTHY, J. J., CANZIANI, O. F., LEARY, N. A., DOKKEN, D. J., & WHITE, K. S. (Eds.). 2001. *Climate change 2001: Impacts, adaptation, and vulnerability: contribution of Working Group II to the third assessment report of the Intergovernmental Panel on Climate Change*. Cambridge University Press.
- MEEROW, S., NEWELL, J. P., & STULTS, M. 2016. Defining urban resilience: A review. *Landscape and Urban Planning*, 147, 38–49. <https://doi.org/10.1016/j.landurbplan.2015.11.011>
- MEHRYAR, S., SASSON, I., & SURMINSKI, S. 2022. Supporting urban adaptation to climate change: What role can resilience measurement tools play? *Urban Climate*, Volume 41, 2022, 101047. ISSN 2212-0955. <https://doi.org/10.1016/j.uclim.2021.101047>.
- MILETI, D. 1999. *Disasters by Design: A Reassessment of Natural Hazards in the United States*. Joseph Henry Press.
- MOSER, C. O. N. 1998. The asset vulnerability framework: Reassessing urban poverty reduction strategies. *World Development*, 26(1), 1–19. [https://doi.org/10.1016/S0305-750X\(97\)10015-8](https://doi.org/10.1016/S0305-750X(97)10015-8)
- RAWORTH, K. 2017. *Doughnut Economics: Seven Ways to Think Like a 21st-Century Economist*. Chelsea Green Publishing.
- REVI, A., SATTERTHWAITE, D., ARAGÓN-DURAND, F., CORFEE-MORLOT, J., KIUNSI, R., PELLING, M., ROBERTS, D., & SOLECKI, W. 2014. *Urban Areas in Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A: Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*. 535–612.

ROMERO LANKAO, P., & QIN, H. 2011. Conceptualizing urban vulnerability to global climate and environmental change. *Current Opinion in Environmental Sustainability*, 3(3), 142–149. <https://doi.org/10.1016/j.cosust.2010.12.016>

SALAS, J., & YEPES, V. 2018. Urban vulnerability assessment: Advances from the strategic planning outlook. *Journal of Cleaner Production*, 179, 544–558. <https://doi.org/10.1016/j.jclepro.2018.01.088>

SHAMSUDDIN, S. 2020. Resilience resistance: The challenges and implications of urban resilience implementation. *Cities*, Volume 103, 2020, 102763, ISSN 0264-2751, <https://doi.org/10.1016/j.cities.2020.102763>.

SIMMIE, J., & MARTIN, R. 2010. The economic resilience of regions: Towards an evolutionary approach. *Cambridge Journal of Regions, Economy and Society*, 3(1), 27–43. <https://doi.org/10.1093/cjres/rsp029>

SPAANS, M., & WATERHOUT, B. 2017. Building up resilience in cities worldwide – Rotterdam as participant in the 100 Resilient Cities Programme. *Cities*, 61, 109–116. <https://doi.org/10.1016/j.cities.2016.05.011>

WALKER, B., GUNDERSON, L., KINZIG, A., FOLKE, C., CARPENTER, S., & SCHULTZ, L. 2006. A Handful of Heuristics and Some Propositions for Understanding Resilience in Social-Ecological Systems. *Ecology and Society*, 11(1). <https://doi.org/10.5751/ES-01530-110113>

ZENG, X.; YU, Y.; YANG, S.; LV, Y.; SARKER, M.N.I. Urban Resilience for Urban Sustainability: Concepts, Dimensions, and Perspectives. *Sustainability* 2022, 14, 2481. <https://doi.org/10.3390/su14052481>

ZOLLI, A., & HEALY, A. M. 2013. *Resilience: Why Things Bounce Back* (Reprint edition). Simon & Schuster.

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# Revenues from Environmental Taxes, with Emphasis on Pollution Taxes during the Corona Crisis

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<https://doi.org/10.33542/VSS2024-1-2>

## Abstract

Improving the quality of the environment and reducing its pollution should be a global priority. Many countries are developing their environmental policies and trying to achieve their objectives through a variety of instruments. This paper highlights the application of economic instruments of environmental policy. It focuses on the analysis of environmental tax revenues in the European Union and in Slovakia, with a focus on the period of the Covid-19 pandemic. It then focuses on the analysis of a specific pollution tax in Slovakia, highlighting the factors that influenced its level.

**Keywords:** environment taxes, stimulating effect, fiscal effect, pollution taxes, European Union, Slovakia, pandemic Covid-19

## Introduction

The environment is the basis for the existence of life, it is the space in which we live, which surrounds us and from which we get everything essential for our lives. Its quality affects not only entire ecosystems but also our health and well-being, which is why it is important to pay adequate attention to the quality of the environment.

Environmental policy and protection of the environment targeting the reduction of environmental burdens is therefore part of both national and transnational economic policies. European environmental economics aims to protect, preserve and enhance the EU's natural capital, to move towards a low-carbon, green and competitive resource-efficient economy, and to protect EU citizens from environmental impacts and risks to their health and well-being.

Economic instruments play an important role in its application. They serve to address the restoration and maintenance of a quality environment and are instrumental in addressing environmental problems. Their environmental effectiveness lies primarily in the reduction of negative environmental impacts and environmental damage. They can take the form of environmental payments, contributions, deposit refund schemes or coercive measures. The presented paper focuses on the analysis of environmental taxes that are part of environmental payments.

## 1. Environmental taxes and their effects

Environmental taxes are intended to influence the behaviour of individual actors in favour of the environment protection. According to Regulation (EU) No 691/2011, an environmental tax is a tax based on a physical unit (or a substitute for a physical unit) of something that has a proven negative impact on the environment.

According to Romančíková (2011, p. 55), environmental taxes are taxes related to the environment, which she divides into two categories: taxes with an embedded eco-regulator, which in their nature correspond to consumption taxes (they limit production and consumption, which is associated with a negative impact on the environment), and secondly, emission taxes, which tax emissions that arise as a by-product of the production process and worsen the quality of the air, water, soil.

To impose environmental tax, the objectives are (Al-Saadi, Rabia Attallah, 2011):

1. Ensure a healthy environment for every person in the community, being stipulated in various laws.
2. Motivate producers and consumers not to deal with pollutants or their pollutants.
3. Obtain financial resources that help in achieving development and reducing the public budget deficit.
4. Apply the principle of polluter paying to protect people from the manifestations of pollution.
5. Lead the taxpayer to work on decontamination, as legal procedures alone are not sufficient to deter violators.

The application of environmental taxes implements one of the basic principles of environmental policy "Polluter pays" and, as stated by Cech (2015), is charged for each unit of pollution. These taxes are applied with the intention to incentivise polluters to reduce environmental pollution, for example to reduce emissions, waste or wastewater. In order to act, in the sense of economic theory, as an incentive to polluters, their optimal level should be derived from the amount of marginal cost needed to reduce a unit of pollution (Floreková, Čuchranová, 2001).

Besides, as stated by (Tchórzewska et al., 2022) low levels of environmental taxation are not sufficient to incentivise the adoption of green technologies or the diffusion of green investments. Also, Csikosová et al. (2019) states that environmental taxes should primarily influence the behaviour of polluters in the direction of introducing eco-innovative activities and towards the implementation of eco-innovative practices that have a positive impact on the environment.

It is important to realize that if taxes are low, they will not be able to sufficiently influence the decision-making of economic subjects to reduce pollution and will rather become a source of public revenue (Pavel, Slavíková, Jílková, 2009). Ayes, Mohsen (2019) states that they



generate a "double dividend", on the one hand they absorb pollution externalities and improve environmental quality and on the other hand they increase budget revenues. This reflects their fiscal function. Environmental taxes are mostly in the nature of excise duties and their positive feature is also that they limit unwanted production and consumption, by making goods more expensive, which leads consumers to buy another product (substitute) that is more environmentally friendly (Hranaiova, 2004).

The term 'environmental taxes' can be interpreted as referring to taxes with an environmental rather than a fiscal motivation and therefore it is also appropriate to use the term 'environment-related taxes' (European Commission, 2013).

There is evidence of a positive effect of environmental taxes in terms of reducing environment pollution in economically developed countries; on the other hand, environmental taxes have been confirmed to reduce the performance of economic activity due to distorting effects on production and consumption (Miceikiene et al., 2018). Increasing environmental taxes must not exceed a certain economically feasible level that could mean stopping economic growth (Cech, 2015).

Environmental taxes are seen as a key tool to promote sustainable development and among their main benefits are that they internalise negative externalities, support energy conservation and the use of renewable resources, discourage non-environmental behaviour, motivate companies to innovate in sustainability, generate revenue for governments and help protect the environment.

An environmental tax is said to be effective if it has the effect of improving the quality of the environment. In economic terms, this is the case if, at the same time as the polluter's production costs are reduced, emissions are also reduced. Also, Cech (2015) states that the effect of environmental charging is that entities then treat pollution as another input they use in production or consumption in order to achieve minimum costs. This leads to emission reductions by changing technology, materials, installing eco-technology, recycling and so on.

## **2. Objective and methods**

The objective of the paper is to analyse the evolution of environmental tax revenues in the EU and Slovakia, with the intention of drawing attention to their status during the Covid 19 pandemic. The paper focuses on the assessment of total environmental taxes and then on the individual types of environmental taxes, with the most attention being paid to pollution taxes.

For the purpose of the analysis, data from Eurostat and the Statistical Office of the Slovak Republic were summarised and subsequently analysed. In the statistics on environmental taxes, the ESA2010 definition of taxes is applied, i.e. that it is a tax based on a physical unit (or a substitute for a physical unit) of something that has a proven negative impact on the environment. For statistical purposes, the following groups of taxes are tracked and

evaluated (as defined in EU Regulation 691/2011) - energy taxes, transportation taxes, pollution taxes and resource taxes, which have also been the subject of the analysis in this paper.

The Statistical Office of the Slovak Republic provides the following definition in accordance with the European Commission Regulation:

*Energy taxes* include taxes on energy products used for transport purposes (petrol and diesel) and also used in stationary sources (fuel oils, natural gas, coal and electricity). It also includes taxes on biofuels and other forms of renewable energy and taxes on CO<sub>2</sub>. In Slovakia, these taxes include taxes on mineral oils, electricity, coal, natural gas, a green energy tax, a tax on electricity consumption intended for the decommissioning of nuclear installations, a tax on the location of nuclear installations, a tax on payments for the storage of gases and liquids, and emission allowances.

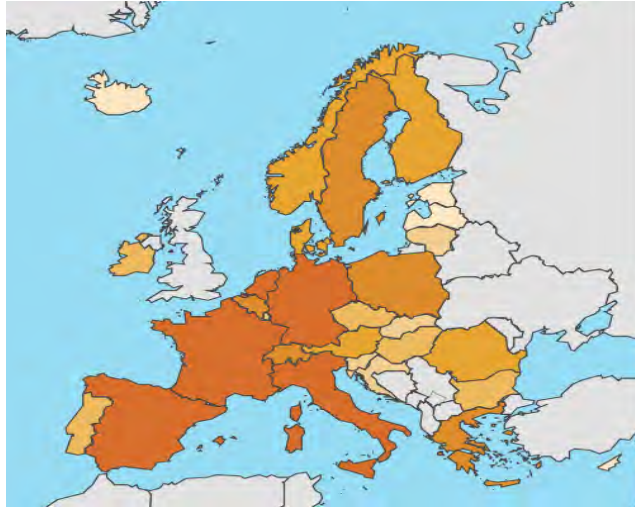
*Transport taxes* include taxes related to the ownership and use of motor vehicles, including taxes on other means of transport such as aircraft. In Slovakia, this includes road tax, motor vehicle registration fee and tax on the entry and stay of a motor vehicle in a historic district.

*Pollution taxes* include taxes on water and air emissions, waste management and noise. In Slovakia, this includes charges for the discharge of wastewater into surface waters, air pollution charges and a tax on the payment for quarrying space.

There is also a category of resource taxes, which include taxes related to the extraction or use of natural resources, but in Slovakia we do not include any taxes in this category.

### **3. Analysis of environmental tax revenues in the EU and Slovakia**

The analysis starts by showing the current situation of the level of environmental tax revenues in the individual countries of the European Union (Figure 1). Subsequently, attention is paid to the analysis of the development of total environmental tax revenues as well as the development of revenues from individual types of environmental taxes over the last 10 years in the European Union and in Slovakia.



**Figure 1: EU environmental taxes in 2022**  
Source : Eurostat

The map shows environmental tax revenues in 2022 in EU Member States. The darker the colour of the country, the higher the environmental tax revenue. Germany, Italy and France are also in the top three positions for the previous period. In contrast, the last positions have long been occupied by Liechtenstein, Malta and Iceland. If we look at the different types of taxes, the results of the comparison are shown in the following table.

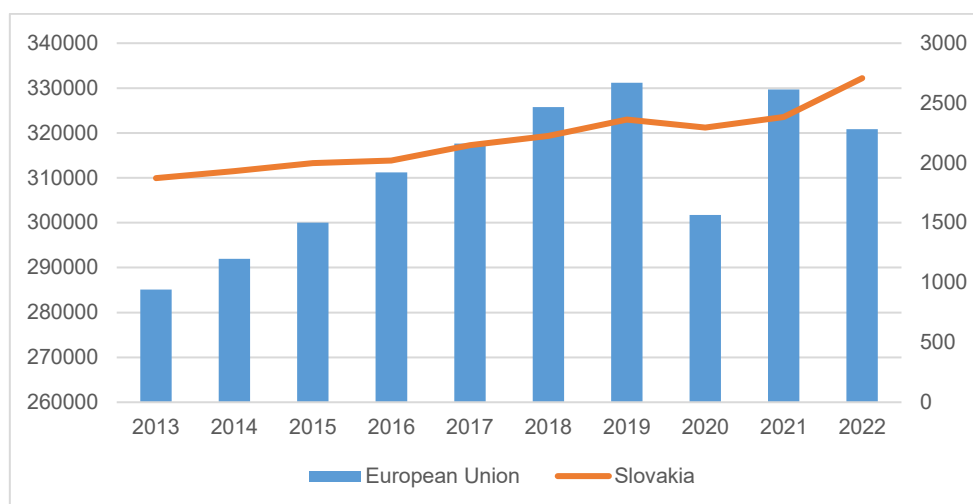
**Table 1: EU countries with the highest and lowest environmental tax revenues**

Data type	Countries with the highest environmental tax revenues	Countries with the lowest environmental tax revenues
Energy taxes	Germany Italy France	Iceland Malta Liechtenstein
Transport taxes	Italy Germany Netherlands	Czech Republic Estonia Liechtenstein
Pollution taxes	Netherlands France Spain	Luxembourg Germany Liechtenstein

Source: based on Eurostat data

In the last ten years, Slovakia has been ranked 20th in total environmental tax revenues (only in 2022 it dropped to 21st place). Looking at individual tax types, for energy taxes the ranking is the same as for total environmental taxes, for transport taxes Slovakia is mostly in 21st place, with the exception of the so-called covid years, where there was a drop to 22nd place. Most changes can be observed in pollution taxes. In 2013 we were ranked 20 and in the last assessed year 2022 we were ranked 21. The years in between have been variable, mostly were 23rd ranked, except for the covid years where we dropped to 24th rank.

The following figure shows the evolution of environmental tax revenues over the last ten years in the European Union and Slovakia.



**Figure 2: Evolution of total environmental tax revenue in the EU and the SR**  
Source: based on Eurostat data

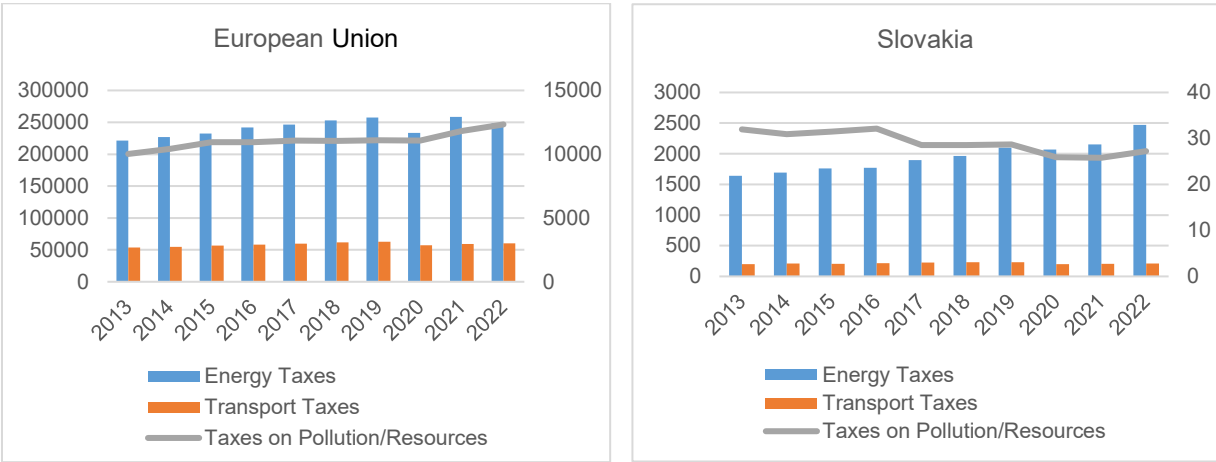
The figure shows that environmental taxes have been rising steadily in the EU, and at a much faster rate than in Slovakia. The change was recorded in the first year of the coronacrisis. In 2020, there was a decline of less than 9 per cent in the EU, and in Slovakia these revenues fell by less than 3 per cent. The following table provides a data overview of revenues from different types of environmental taxes. The data representing the highest values for each tax are highlighted and the first year of the corona crisis is marked in red.

**Table 2: Revenue from environmental taxes (Million euro)**

EUROPEAN UNION	2013	2015	2016	2017	2018	2019	2020	2021	2022
Energy Taxes	221 477.2	232 330.51	241 869.13	246 626.77	252 784.04	257 571.26	233 255.12	258 670.64	248 386.16
Transport Taxes	53 622.4	56 740.08	58 429.41	59 936.27	61 954.09	62 543.49	57 419	59 231.81	60 104.29
Taxes on Pollution / Resources	10 020.85	10 949.37	10 936.37	11 080.71	11 052.36	11 092.44	11 060.2	11 818.56	12 333.38
Environment Taxes	285 120.45	300 019.96	311 234.91	317 643.75	325 790.48	331 207.19	301 734.32	329 721.01	320 823.83
SLOVAKIA	2013	2015	2016	2017	2018	2019	2020	2021	2022
Energy Taxes	1 642.28	1 762.18	1 773.7	1 897.15	1 965.02	2 099.75	2 068.22	2 153.4	2 472.86
Transport Taxes	198.49	203.9	213.51	223.29	232.57	233.09	200.16	203.5	207.68
Taxes on Pollution / Resources	31.94	31.47	32.14	28.59	28.59	28.69	25.91	25.8	27.22
Environment Taxes	1 872.7	1 997.55	2 019.35	2 149.02	2 226.18	2 361.53	2 294.29	2 382.69	2 707.77

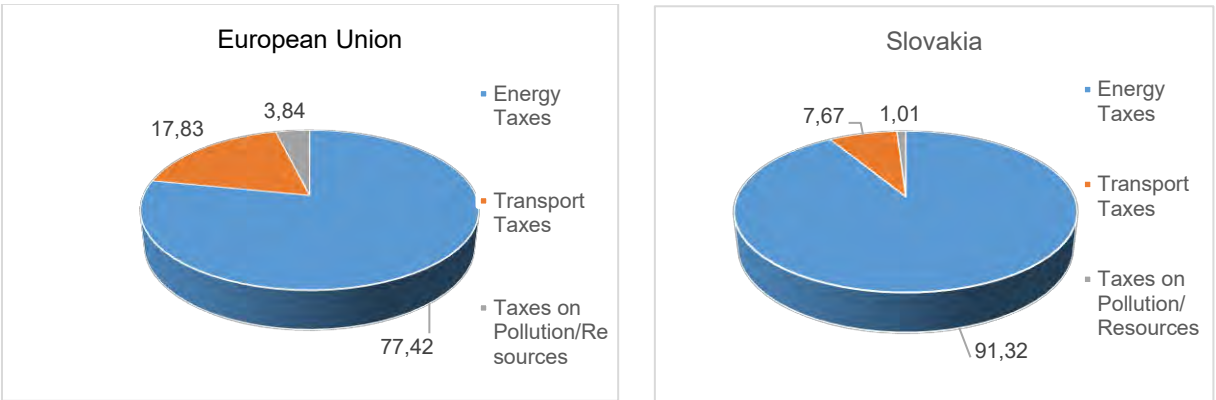
Source: based on Eurostat data

In 2020, all environmental tax revenues fell. In the EU, energy taxes dropped the most by 9.44%, while in the SR the highest drop was in transport taxes, by 14.13%. In the second covid year, 2021, these revenues were already increasing again, except for one type of tax in Slovakia. Pollution taxes showed a further decrease of 0.42%. This type of tax is the only one in Slovakia that has decreased by 14.78% since the base year. The following figures also illustrate how revenues from different types of environmental taxes have evolved over the ten-year period in the European Union and in Slovakia.



**Figure 3: EU and national environmental tax revenue trends**  
Source: based on Eurostat data

The following graphs show the structure of these types of environmental taxes and are shown for the year 2022. It is clear from the graphs that the percentage of each type of tax varies. If we compare this structure with the base year 2013, we would see that there are only small changes in decimal numbers for the EU. In Slovakia, the change in the structure is larger. In 2013, energy taxes accounted for 87.7%, transport taxes for 10.6% and pollution taxes for 1.7% of total environmental taxes.



**Figure 4: Structure of revenues from individual environmental taxes in the EU and the SR in 2022**  
Source: based on Eurostat data

The information presented so far indicates that revenues from pollution taxes in Slovakia have been declining over the years and their share in total environmental tax revenues is the lowest, at only 1%. At the same time, these are taxes where Slovakia ranks lower than in other Member States, as in the case of energy or transport taxes. Therefore, further attention is paid to pollution taxes.

#### 4. Analysis of pollution taxes in Slovakia

Pollution taxes in Slovakia consist of three types of environmental payments: fees for the discharge of wastewater into surface waters, fees for air pollution, and payments for quarrying space. The following table shows the values of these taxes in Slovakia over the last five years.

**Table 3: Taxes on Pollution/Resources (Million euro)**

	2018	2019	2020	2021	2022
Fees connected with water pollution	15.86	17.11	16.97	17.04	17.22
Fees connected with air pollution	12.19	11	8.56	8.49	9.7
Tax on excavation areas	0.5	0.6	0.4	0.3	0.3
Pollution taxes	28.59	28.69	25.91	25.8	27.22

Source: based on Eurostat data

The highest proportion of these taxes is for the discharge of wastewater into surface waters. However, the changes from year to year are not significant. Attention is therefore next turned to air pollution charges, which have fallen significantly in the covid years.

The quantity of emissions, the basic emission rate and other coefficients (the compensation coefficient and, before 2023, the emission limit coefficients) enter into the calculation of this charge. This charge is currently regulated by Act No 190/2023 Coll. on air pollution charges. However, in the period analysed, the calculation of this charge was regulated by Act No 401/1998 on air pollution charges. The Act states that the air pollution charge is payable by legal entities and natural persons authorised to conduct business who operate large, medium and small sources of air pollution. The pollutants to be charged for are indicated in the table below.

**Table 4: Basic Charges for Emissions from Large and Medium-sized Pollution Sources**

Issue (fee in EUR/t)	Basic fee according to Act No 401/1998	asic fee according to Act No 190/2023
Particulate pollutants	165. 9595	330
Sulphur oxides expressed as sulphur dioxide	66. 3878	130
Nitrogen oxides expressed as nitrogen dioxide	49. 7908	100
Carbon monoxide	33. 1939	60
Organic substances in the gas phase expressed as total organic carbon	132. 7756	260
Ammonia	-	60

Source: based on the Air Pollution Charges Act

The method of calculation is different for large and medium pollution sources than for small pollution sources, which fall under the delegated competences of municipalities. Since the data showed a decrease in the air pollution charge (Table 3) and the charging rates for individual pollutants were not changed at that time, the following table gives an overview of what the emissions for each pollutant were in the years analysed.

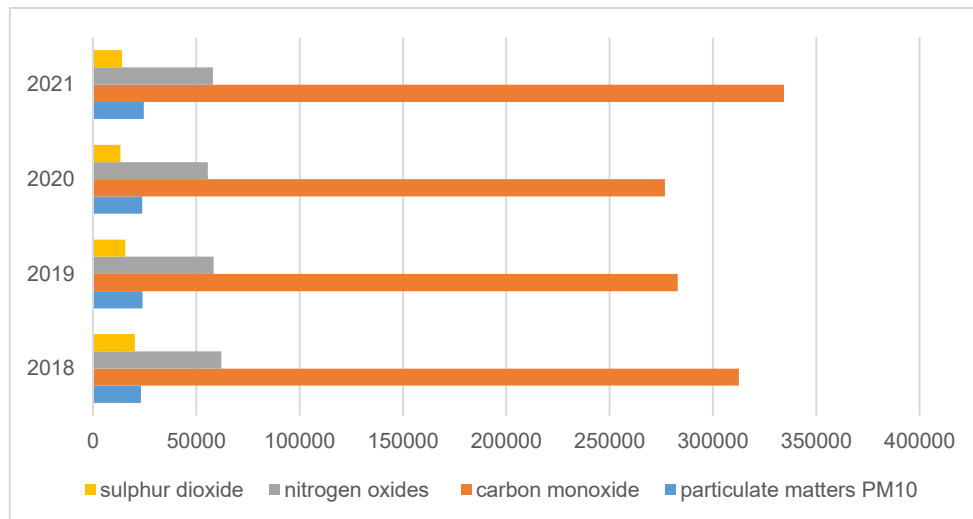
**Table 5: Amount of Selected Air Pollutants (Tonne)**

Emissions of pollutants	2018	2019	2020	2021	2022
Particulate matters PM10	23 213.7	23 904.3	23 818.5	24 554.6	No datas
Carbon monoxide	312 589.9	282 952.5	276 770.2	334 393.8	
Nitrogen oxides	62 140.8	58 382.8	55 617.3	58 035.6	
Sulphur dioxide	20 264.71	15 613	13 211.9	14 127.9	

Source: based on data from the Statistical Office of the Slovak Republic

The data show a decrease in air emissions for each pollutant. The largest decrease was for sulphur oxides, by 15.37 %, while the lowest decrease was for PM10, by only 0.35 %. The data are illustrated in Figure 5.

The lowest emission values were found in the first year of the pandemic Covid 19. This was a period in which there was a significant restriction of movement and a slowdown in economic growth, which had a negative impact on economic indicators. However, from an environmental perspective, the downturn in economic activity has yielded positive results. This can be seen in the decrease in all the air pollutants presented.



**Figure 5: Emissions of Pollutants in Slovakia**  
 Source: based on data from the Statistical Office of the Slovak Republic

Air emissions are the result of both industries and households and come from both stationary and mobile sources of pollution. Looking separately at total industrial emissions, they have fallen in 2020. Industrial production, mainly focusing on metals and metal structures, was the largest contributor, with transport also contributing in the case of nitrogen oxides. If we consider emissions from the household sector, the main contributor was heating, with a difference only for nitrogen oxides, where transport emissions accounted for the highest share.

## Conclusion

The paper was oriented towards the analysis of revenues from total environmental taxes as well as from individual types of environmental taxes. The results show that revenues from environmental taxes are increasing year by year, both in the European Union and in Slovakia. However, Slovakia is one of the countries at the bottom of the European ranking in terms of the level of environmental taxes. This is due to relatively low charging.

The exception to the annual increase in environmental tax revenues was the period of the covid, when there was a decline. This was due to a reduction in the movement of people and a slowdown in economic activity, but this can be seen as positive for the environment. Covid measures have led to improvements in many environmental quality indicators. The paper has shown this in the case of pollution taxes, where we have shown, using Slovakia as an example, that the state of the air improved during the pandemic, with a reduction in all the pollutants mentioned.

The paper is part of the solution of the VEGA grant No.1/0055/22 The importance of smart technologies in the process of mitigating the economic and socio-psychological impacts of the Covid 19 pandemic on the quality of life of citizens.



## References

Act No. 401/1998 Coll. on air pollution charges  
Act No. 190/2023 Coll. on air pollution charges

AL-SAAD, Rabia Attallah. 2011. Environmental Tax and its Role in Reducing Environmental Pollution. In: ALHUSSEINAWI, L. et al. Role the environment tax to support budget in Iraq. *International Journal of Economics, Business and Management Research*. 4 (10), 2020. ISSN: 2456-7760.

AYESH, A. M. & MOHSEN, F. F. H. 2019. The Green Tax and its Role in Financing the General Budget in Iraq. *Journal of University of Babylon for Pure and Applied Sciences*, 27(2), 286-294.

CSIKÓSOVÁ A. a kol. 2019. Postavenie a význam zavedenia environmentálnych daní v regióne V4. *Verejná správa a spoločnosť*. XX (2), 24-35. ISSN1335-7182.

ČECH, J. 2015. Nástroje súčasnej environmentálnej politiky. *Životné prostredie*, 49 (2), 111-115. [online]. Available from:  
[http://publikacie.uke.sav.sk/sites/default/files/2015\\_2\\_111\\_115\\_cek.pdf](http://publikacie.uke.sav.sk/sites/default/files/2015_2_111_115_cek.pdf)

Environmental taxes make way to protect the environment. [online]. Available from: <https://www.iberdrola.com/environment/green-and-environmental-taxes>

EUROPEAN COMMISSION. 2013. *Environmental taxes — A statistical guide Luxembourg*: Publications Office of the European Union, 2013. ISBN 978-92-79-33230-2. doi:10.2785/47492. [online]. Available from:  
<https://ec.europa.eu/eurostat/web/products-manuals-and-guidelines/-/KS-GQ-13-005>

EUROSTAT. Environmental tax revenues. [online]. Available from:  
[https://ec.europa.eu/eurostat/databrowser/view/env\\_ac\\_tax/default/table?lang=en&category=env.env\\_eta](https://ec.europa.eu/eurostat/databrowser/view/env_ac_tax/default/table?lang=en&category=env.env_eta)

FLOREKOVÁ, Ľ. & ČUCHRANOVÁ, K. 2001. Uplatňovanie ekonomických nástrojov v systéme environmentálneho manažérstva. *Acta Montanistica Slovaca*, 6 (3), 225-230.

HRANAIOVÁ, M. 2004. Energetické dane. *Životné prostredie*, 38 (5), 262-264. [online]. Available from: [http://publikacie.uke.sav.sk/sites/default/files/2004\\_5\\_262\\_264\\_hranaiova.pdf](http://publikacie.uke.sav.sk/sites/default/files/2004_5_262_264_hranaiova.pdf)

MICEIKIENE, D. et al. 2018. Assessment of the Effect of Environmental Taxes on Environmental Protection. *Ekonomický časopis*, 66 (3), 286-308.

Regulation (EU) No 691/2011 of the European Parliament and of the Council of 6 July 2011 on European environmental economic accounts. [online]. Available from: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:192:0001:0016:SK:PDF>

PAVEL, J., SLÁVIKOVÁ L. & JÍLKOVÁ, J. 2009. Ekonomické nástroje v politice životního prostředí. *Ekonomický časopis*, 57 (2), 132-144.

ROMANČÍKOVÁ E., 2011. *Ekonomía a životné prostredie*. Bratislava: Iura Edition. ISBN 978-80-8078-426-3.

STATISTICAL OFFICE OF THE SLOVAK REPUBLIC. Selected indicators on the Environment in 2018 - 2022. [online]. Available from: <http://statdat.statistics.sk/>

STATISTICAL OFFICE OF THE SLOVAK REPUBLIC. Environmentally related taxes in 2018 - 2022. [online]. Available from: <http://statdat.statistics.sk/>

TCHÓRZEWSKA, K. B., GARCIA-QUEVEDO, J. & MARTINEZ-ROS, E. 2022. The heterogeneous effects of environmental taxation on green technologies. *Research Policy* 2022, 51(7), 104541.

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# Slovakia's Public Debt - the Greek Path?

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<https://doi.org/10.33542/VSS2024-1-3>

## Abstract

The article focuses on the analysis of public finances of Slovakia in the context of public debt. The article covers the overview of empirical literature on indebtedness and debt management framework of Slovakia and the EU. It describes the current status of public debt, deficit, and long-term sustainability of Slovakia. The views of different economists on whether public finances are evolving according to the "Greek" scenario are also discussed. The main objective is to provide an empirical basis for assessing the veracity of these narratives by comparing the evolution of indicators of the long-term sustainability of public finances in Slovakia and Greece.

**Keywords:** public finances, public debt, long-term sustainability, consolidation

## Introduction

During the parliamentary term of Iveta Radičová (2010-2012), after the Great Recession (which caused the Greek government-debt crisis of 2009) and the increase of Slovakia's public debt in the media, narratives began to spread that Slovak public finances were going by the "Greek" path (scenario), which means a continuous and significant surplus of public spending and an increase in public indebtedness, which would cause an increase in interest rates on the financial markets for Slovakia.

Following the recent crisis caused by the COVID-19 pandemic and the Russian invasion of Ukraine, public spending in Slovakia has increased, leading to an increase in public debt. Based on the assessment and projections of public finances in 2023 and 2024, the Council for Budget Responsibility concludes that public finances need to introduce consolidation measures, otherwise public debt will exceed the Maastricht criteria of 60 % of GDP already in 2025. These warnings from the Council for Budget Responsibility have reignited the debate in the media that Slovakia's public finances are going by the "Greek" path. Some economists point out that these narratives are realistic, while others argue that such a scenario is unlikely. It is important to note that we cannot prove these statements stand on the empirical research of crucial indicators as these data are not presented in media. Because of this missing information, we decided to verify it.

The aim of this article is to empirically verify the narratives about the "Greek" scenario of the development of public finances of Slovakia based on a comparison of the development of long-term sustainability indicators of Greece and Slovakia. The work will be a useful material

that can be used to compare the long-term sustainability indicators S1 and S2 of Greece and Slovakia. For the objectives defined in this article, we will use analytical methods, such as analysis, synthesis, induction, deduction and, most importantly, comparison (extrapolation of trends). In the comparison paragraph we will compare the S1 and S2 indicators of Greece at the beginning of the Greek government-debt crisis (2006 to 2009) with the same S1 and S2 indicators of Slovakia at present (2019 to 2022). The aim of the comparison is to find in the current trends of Slovakia's public finances according to S1 and S2 whether their evolution is like that of Greece when Greece was in crisis. The article will also define the concept of the "Greek" path (scenario) and the key indicators by which it is measured. The data obtained will be the basis for assessing whether Slovak public finances are developing according to such a scenario.

The article will explain the different definitions of public debt according to different authors. It is also important to define the public debt ceilings in Slovakia according to the Constitutional Act on Fiscal Responsibility, which sets the level of public debt (the so-called debt brake) to maintain the long-term sustainability of public finances. Within the European Union, this is the Stability and Growth Pact, which sets limits for Member States on the percentage of public deficit and public debt (Maastricht debt).

We will focus on explaining fiscal consolidation as a tool for alleviating public debt. We will highlight the indicators by which consolidation is measured as well as the lack of broad definitions that are often misused by politicians. We will also discuss long-term indicators, which include the long-term sustainability indicator (according to the Council for Budget Responsibility methodology) and indicators S1 and S2 (according to the European Commission methodology). The chapter will also define public expenditure limits, which are the main instrument to ensure long-term sustainability.

We have also included actual indicator data. Finally, we also describe the Budget Responsibility Council's assessment of the Government's consolidation measures.

## **1. Literature Overview**

The Great Recession of 2007-2009 has focused attention on the issue of debt sustainability (Farkasovský, Lawson, Zimková, 2015). Therefore, we observe an increase in discussions in the Slovak and international literature and media regarding the long-term sustainability and its impact on public debt.

In 2012, the Council for Budget Responsibility (CBR) was established in Slovakia to evaluate fiscal performance of Slovakia, including long-term sustainability, which is considered key in assessing the state's consolidation measures which therefore reduces public debt (Council for Budget Responsibility, Kotian, 2024).

Most of these discussions in the literature have focused on long-term sustainability, in particular, on the causes of its deterioration and forecasts. For example, in 2015 Farkasovský, Lawson and Zimková analysed debt to GDP ratio and primary balance of Slovakia in different scenarios and assessed their value for public debt's sustainability from 2015 to 2022. In 2016 Raisová, Pavliková and Semančíková discussed the impact of social expenditures on long-term sustainability and show that negative demographic trends coupled with a strong wave of immigrants arriving in Europe raises questions about the sustainability of public finances combined with growing indebtedness of economies and other consequences of the economic crisis, as in the case of Slovakia.

Referring to the above-mentioned scientific articles and papers, consolidation of public finances, along with the enhancement of constitutional legislation, is considered as crucial for reducing public debt in literature. This can primarily be accomplished through pension system reform, the abolition of certain social packages, and improved tax collection efficiency (Raisová, Pavliková and Semančíková, 2016). Unsustainable public finances undermine investor confidence, increase the cost of debt refinancing, endanger the country's credit rating, and constrain investment in future growth and public service enhancement.

Based on this information, we have identified the following logical connection. A key instrument for the government to reduce public debt is consolidation. When we talk about consolidation, the most important measure of consolidation is the long-term sustainability indicator, by which we can assess whether the government is taking good measures and whether the public finances are improving. Consequently, to improve the long-term sustainability indicator, the government uses various measures, among which limits on public spending are the most crucial.

### **1.1. Debt Ceilings Under the Stability and Growth Pact and Slovak Legislation**

For the purposes of the EU (or Slovakia), in accordance with the Treaty on European Union, Eurostat monitors the so-called Maastricht debt. Ministry of Finance of the Slovak Republic defines the Maastricht debt as "the consolidated sum of all outstanding liabilities of

the general government sector at the end of the year at nominal (face) value arising from deposits received, securities other than shares issued (excluding financial derivatives) and loans taken but excluding in principle outstanding interest liabilities" (Ministry of Finance of the Slovak Republic, 2024a).

The Stability and Growth Pact (SGP) was introduced as part of the third stage of economic and monetary union. Its aim was to ensure that EU Member States maintain sound public finances after the introduction of the single currency.

According to the Ministry of Finance of the Slovak Republic (Ministry of Finance of the Slovak Republic, 2024b), Articles 121 and 126 of the Treaty on the Functioning of the European Union provide the legal basis for the Stability and Growth Pact. Article 121 provides the legal basis for the preventive arm of the SGP, Article 126 forms the basis for the corrective arm of the SGP. Protocol 12 of the Treaty defines ceilings for Member States of 3 % of GDP for government deficit and 60 % of GDP for government debt (Maastricht debt). The European Union suspended the Pact in 2020 due to the economic impact of the COVID-19 pandemic. Its emergency relaxation was then extended, due to the energy crisis caused by the Russian invasion of Ukraine (European Commission, 2022a).

In Slovakia, Constitutional Act No. 493/2011 on Fiscal Responsibility has been in force since March 2012, which sets a limit on the amount of public debt (the so-called debt brake). Its aim is to prevent Slovakia's debt from rising to a critical level by means of sanction and correction mechanisms. According to Article 5 of the Constitutional Act on Fiscal Responsibility, "The upper limit of the general government debt shall be set at 50 % of the share of gross domestic product (GDP)" (Council for Budget Responsibility, 2024a). Determining a debt limit that separates safe levels of debt from critical levels is a debated issue. The safe level of debt can vary from country to country and can also vary depending on the situation in Slovakia.

Although the Stability and Growth Pact sets the debt ceiling at 60 % of GDP, given the analysis of the size and relative output of the economy, the 60 % threshold may already be problematic for the Slovak economy. For this reason, an upper limit of 50 % of GDP has been proposed for Slovakia (Council for Budget Responsibility, 2024a).

## **2. Consolidation of Public Finances**

Consolidation does not have a specific definition but is defined by the indicators that calculate it. Consolidation is understood by economists and institutions as a permanent reduction of the deficit and for this purpose they refer to the change in the structural deficit, which is the permanent part of the deficit (deficit net of one-off measures and the impact of the economic cycle on government revenue and expenditure). According to Kotian (2024), the most intuitive interpretation of consolidation (and the most abused) is the year-on-year

reduction in the government deficit. In this case, it is the most superficial and simplest expression of consolidation, which gives a very distorted view of whether public finances are improving or deteriorating.

The aim of consolidating public finances is to ensure the long-term sustainability of public finances and improve the country's economic stability. A deterioration in the state of public finances is reflected in an increase in the long-term sustainability indicator, while a recovery (consolidation) of public finances is reflected in a decrease in the indicator.

To understand the concept of consolidation, it is necessary to depend on what indicators it is measured by, and which ones play a greater role. Therefore, we understand consolidation as a process where the objective is to achieve positive states of a certain set of indicators in the public finances of a country.

These are the short, medium, and long-term indicators in the consolidation calculation. The short and medium-term indicators include the *size of the measures, the change in the structural balance and the consolidation effort of the government*, according to a study by the Council for Budget Responsibility (Novysedlák and Bugyi, 2014).

When assessing the budget or consolidation, it is preferable to use medium- and short-term indicators because of the availability of data and the speed of calculation, which provide immediate information on the budgetary performance over a given period.

*The change in the structural deficit* is the deficit net of one-off measures and the impact of the business cycle on government revenue and expenditure. In simplistic terms, consolidation is the year-on-year improvement in the structural deficit, and this notion, although already a better illustration of consolidation, does not give a complete picture of the situation.

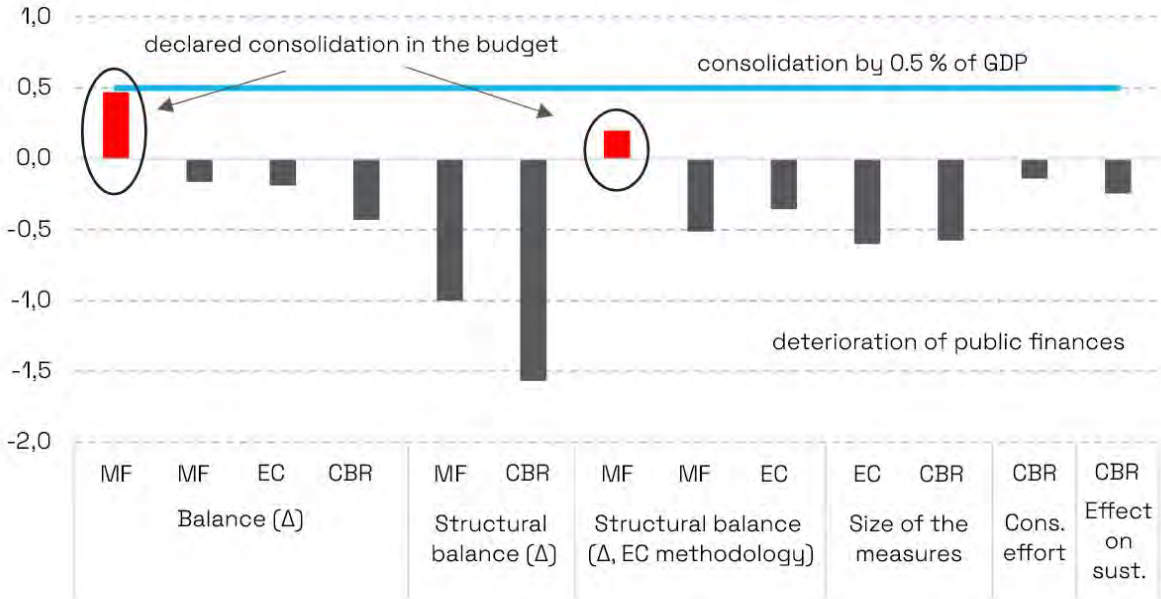
*The size of the measures* reflects the overall impact of the government's budgeted measures on the resulting government balance. No distinction is made between whether measures are one-off or permanent. It does not only include deficit-improving measures, which are referred to as consolidation measures or consolidation packages, but also deficit-worsening measures. Due to the reasons mentioned above, this indicator also does not give a sufficient overview of the consolidation situation.

*The consolidation effort* of the government is an indicator that can quantify the government's contribution to the change in the structural balance and, according to Kotian (2024), is the best measure for sustained fiscal adjustment. The indicator considers the no policy change (NPC) scenario — the development if no action were taken - and thus better reflects the government's actual effort. Depending on the evolution of public finances under a no-policy-change assumption, the consolidation effort can be the opposite of the change in the structural balance.

Because of the high share of temporary measures in the process of consolidation, combined with the expansion of permanent expenditure measures, the overall budgetary

impact on sustainability has been assessed by the CBR in as -0,2 % of GDP in the best scenario. The budget has not consolidated by any metric by at least 0,5 % which is the minimum plan for the government (Kotian, 2024).

The figure 1 shows assessments of budget consolidation of 2024 by different institutions, such as Ministry of Finance of the Slovak Republic (MF), European Commission (EC) and Council for Budget Responsibility (CBR). It shows declared consolidation in the budget and comparison to assessments of other institutions which shows the difference between declared and real consolidation.



**Figure 1: Budget Consolidation Assessment for 2024**  
 Source: Council for Budget Responsibility, 2024

To assess the impact of measures on the long-term sustainability of public finances, it is important to monitor the impact of measures beyond the next few years, in addition to the government's consolidation efforts. If the government's consolidation effort is positive, the government contributes to a comparable extent to improving the sustainability of public finances.

As far as possible, it is necessary to ensure that these indicators (medium- and short-term) do not create the wrong incentives for politicians, i.e. that they do not favour short-term over long-term measures and vice versa.

**2.1 Long-Term Indicators**

Long-term indicators capture the evolution of public finances over the long term. They can thus provide a comprehensive estimate of the long-term effects of fiscal policy and should therefore play a key role in formulating an assessment of the evolution of public finances.



In general, the long-term indicators (or long-term sustainability indicator) are more complex than the short- and medium-term ones because of the input data requirements and the long-term assumptions used. Their main drawback is that they are based on long-term projections, which have a higher degree of uncertainty associated with them. Increasing attention needs to be paid to long-term indicators for the effective implementation of long-term consolidation measures. Long-term measures are key in the consolidation.

In the scope of this paper, we consider the long-term sustainability indicators S1 and S2 (according to the European Commission method) as one of the most relevant tools for assessing the long-term dynamics of public finance development in the context of our problem.

### **2.1.1 Long-term Sustainability Indicator**

To assess the level of long-term sustainability of public finances, the Council for Budgetary Responsibility (CBR) primarily uses the *long-term sustainability indicator* (GAP), which expresses how much public revenue needs to be immediately and permanently increased and/or public expenditure reduced to keep gross public debt below 50 % of GDP over a 50-year horizon. The CBR calculates this indicator based on the European Commission's monitors and its own information provided by the authorities and institutions of Slovakia.

The calculation of this indicator is based on the balance of government revenue and expenditure assuming unchanged policies for the next 50 years (the 'baseline scenario'), with expected changes in macroeconomic and demographic parameters. Indicators S1 and S2 are quantified on the projection of the baseline scenario, considering the current demographic (population ageing) and macroeconomic assumptions and the legislative status (Novyisedlák and Bugyi, 2014).

Looking at Constitutional Act No. 493/2011 on Fiscal Responsibility, the Council considers the following when determining the long-term sustainability indicator:

- the value of the structural primary balance,
- demographic projections published by Eurostat,
- the macroeconomic forecasts of the Committee on Macroeconomic Forecasts and the long-term macroeconomic forecasts of the European Commission,
- long-term projections of age-sensitive expenditure calculated by the European Commission,
- long-term capital revenue forecasts calculated by the European Commission,
- implicit commitments and contingent liabilities,
- other indicators affecting long-term sustainability.

Unlike the European Commission, which only considers the projection of selected expenditure policies in the long term, the Council considers long-term projections of all revenue and expenditure items of the general government budget in its baseline scenario (Council for Budget Responsibility, 2023a). The methodology for calculating long-term sustainability according to the Council for Budget Responsibility is therefore more representative in terms of being able to update information more frequently and to include more information in the calculation of long-term sustainability. Therefore, we consider the long-term sustainability indicator according to the CBR to be more representative compared to the European Commission methodology.

Public expenditure limits are the main budgetary instrument to ensure long-term sustainability and are a necessary operational tool for budget management, complementing the existing debt limit rules anchored in the Constitutional Act No. 493/2011 on Fiscal Responsibility. The CBR will calculate the limits on public expenditure and submit them to the National Council within 60 days after the approval of the government's programme statement and the vote of confidence in the government (Council for Budgetary Responsibility, 2023b).

### **2.1.2 Indicators S1 and S2**

For the European Union, the Debt Sustainability Monitor and the Fiscal Sustainability Report are published through the European Commission, providing an updated assessment of the risks to the fiscal sustainability of EU countries in the short, medium, and long term. It is based on a methodology agreed with the Economic Policy Committee (EPC).

S1 measures the consolidation effort needed to reduce debt to 60 % of GDP within 15 years. S2 measures the consolidation effort needed to stabilise debt in perpetuity (European Commission, 2023). Hence, the higher the S1 or S2, the more money the government must compensate through consolidation to alleviate public debt. The higher the percentage of indicators S1 and S2, the worse the long-term sustainability of the public finances of a given state.

Indicators S1 and S2 are improvements to the methodology in the fiscal sustainability analysis that were proposed in 2021 and are now the most sophisticated way of measuring long-term sustainability in the European Union (European Commission, 2022b). "In fact, the revised S1 indicator suggests a return to the approach used in the 2006 and 2009 fiscal sustainability reports, when 60 % of GDP was to be achieved in the long run" (European Commission, 2023).

Indicator S1 includes only selected general government expenditure policies and, of the long-term projections, only projections related to population ageing. S2 shows the necessary fiscal adjustment to stabilise the debt-to-GDP ratio over an infinite horizon. These

indicators are used for monitoring and coordinating the fiscal policies of EU member states and are important in EU economic governance (European Commission, 2023).

### 3. Methodology

For the objectives defined in this article, we used the following analytical methods: analysis, synthesis, induction, deduction and, most importantly, comparison.

The comparative method of our research was extrapolation of trends. The aim is to compare the growth rates of selected indicators, such as S1 and S2 which, according to our research, we consider key and representative in terms of assessing the evolution of public debt. Therefore, we will compare S1 and S2 of Greece right before and at the beginning of the crisis and to try to find a similar trend in contemporary Slovakia.

Primarily, we conducted a secondary analysis and used secondary data from Council for Budget Responsibility, European Commission and Statistical Office of the Slovak Republic. The objects of study are Slovakia and Greece.

### 4. Current State of Public Finances of Slovakia and Greece

According to the table 1, in 2019 we can observe a slight surplus in deficit. In 2020, the collapse was caused by bigger expenditures and recession due to the pandemic of COVID-19 and it still seen in 2021. In 2022 Slovakia's economy began to recover from the collapse but faced other difficulties caused by the (as much as other EU countries) faced other difficulties caused by the Russian invasion in Ukraine.

In 2023, the deficit of the general government of the Slovak Republic significantly increased year-on-year, exceeding 6 billion €. As a share of GDP, it rose from 1,7 % in 2022 to 4,9 % in 2023. General government debt in 2023 reached 68,83 billion €, which corresponded to 56 % of GDP. It increased by 5,45 billion € in 2023 compared to 2022, but the debt-to-GDP ratio decreased by 1,7 % due to increased GDP (Statistical Office of The Slovak Republic, 2024).

**Table 1: Deficit and Debt of Public Finances of Slovakia (2019-2023)**

INDICATOR	2019	2020	2021	2022	2023
Deficit (in million €)	1 269	-4 999	-5 195	-1 836	-6 010
<b>Deficit as % of GDP</b>	<b>1,4%</b>	<b>-5,3%</b>	<b>-5,2%</b>	<b>-1,7%</b>	<b>-4,9%</b>
Debt (in million €)	45 486	54 993	61 238	63 379	68 830
<b>Debt as % of GDP</b>	<b>48,5%</b>	<b>58,8%</b>	<b>61,1%</b>	<b>57,7%</b>	<b>56,0%</b>
GDP (in million €)	93 865	93 450	100 245	109 762	122 813

Source: Statistical Office of The Slovak Republic

Similarly to situation in Slovakia and the rest of EU countries (by a bigger or smaller margin), Greece's economy suffered from COVID-19 which is seen by more than 10 times higher deficit of public finances (+8,9 % deterioration of deficit from 2019 to 2020). The situation with public debt worsened as well with debt to GDP ratio raising by 26,4 % (10,5 billion €).

According to the table 2, after year 2020, Greece's economy began to recover rapidly with improving of deficit to GDP ratio by 2,8 % in 2021, 4,5 % in 2022 and 0,9 % in 2023 compared to previous years. The debt to GDP ratio has been also improving by 10,4 % in 2021, 23,9 % in 2022, 10,8 % in 2023 (Hellenic Statistical Authority, 2023 & 2024).

**Table 2: Deficit and Debt of Public Finances of Greece (2019-2023)**

<b>INDICATOR</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Deficit (in million €)	1 575	-16 128	-12 676	-5 143	-3 508
<b>Deficit as % of GDP</b>	<b>0,9%</b>	<b>-9,8%</b>	<b>-7,0%</b>	<b>-2,5%</b>	<b>-1,6%</b>
Debt (in million €)	331 144	341 588	356 910	356 796	356 695
<b>Debt as % of GDP</b>	<b>180,6%</b>	<b>207,0%</b>	<b>196,6%</b>	<b>172,7%</b>	<b>161,9%</b>
GDP (in million €)	183 347	165 016	181 500	206 620	220 303

Source: Hellenic Statistical Authority

These data on the state of the deficit and public debt can broaden the understanding of the economic situation in both countries in terms of this paper. Although, we do not recommend making predictions based only on these macroeconomic indicators as we assume that these numbers alone can become misleading. Greece's public debt is almost three times larger than Slovakia's due to Greece 2009 government-debt crisis and its consequences and we assume that comparing such metrics for both countries could be unrepresentative. We believe that more attention should be paid to the assessment of more complex economic indicators, which indicate the long-term development of the economy and provide more representative information that is important to achieve the aim of our scientific paper.

The 2024-2026 general government budget of Slovakia approved on 21 December 2023 is the first budget presented by the government that emerged from the parliamentary elections held in September 2023. The Council for Budget Responsibility estimates that the current poor state of public finances of Slovakia has been influenced by the security and economic crisis and pandemic, the initial high structural deficit, as well as due to the lack of implementation of expenditure limits (Council for Budget Responsibility, 2024b).

"Objectively, it must be stated that the current government has taken over public finances after two crises [the COVID-19 pandemic, the economic and energy crisis caused by Russian invasion of Ukraine] in a complicated state, which means that without the

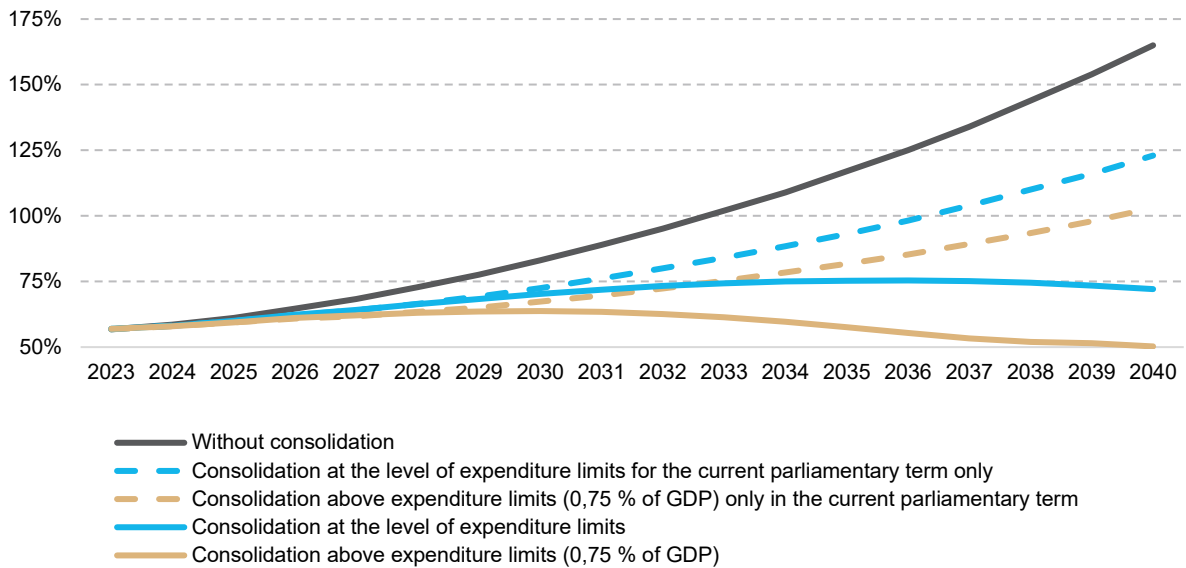
government's measures, the deficit would be at 6 % of GDP between 2024 and 2027 and the debt of Slovakia would gradually increase to almost 70 % of GDP" (Council for Budget Responsibility, 2024b).

According to the result of the assessment of submitted by the National Council of the Slovak Republic budget of the public administration by the Council for Budget Responsibility, they note that the budget was not prepared in accordance with the expenditure limits and this budget was anyway approved by the National Council of Slovakia (Council for Budget Responsibility, 2024b).

On 9 May 2024, the National Council of the Slovak Republic approved an amendment to the Act on Budget Rules of Public Administration. Between 2020 and 2023, due to the COVID-19 pandemic and the energy crisis affected by Russian invasion of Ukraine, the spending limits have been cancelled in the EU. Under the new EU fiscal rules, public spending limits are again mandatory. The limit on public expenditure is set at 57 694 232 457 € (Ministry of Finance of the Slovak Republic, 2024c).

#### **4.1 Development of Slovakia's Public Debt**

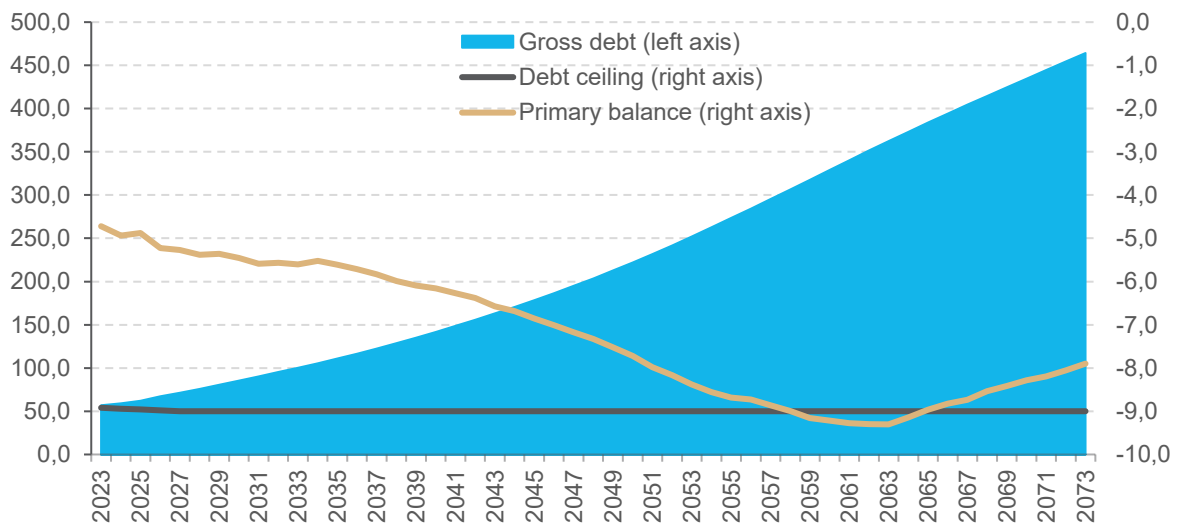
Slovakia's gross debt is heading towards 58 % of GDP and, without a total adjustment (consolidation) of public finances, it will more than triple by 2040, approaching 170 % of GDP (Figure 2). This is the no-policy-change (NPC) scenario. Considering current policies, this means that neither domestic nor European fiscal rules for consolidation would be respected, nor are there any positive developments in that case (Můčka, 2024).



**Figure 2: Evolution of Public Debt on Long-Term Liabilities Depending on the Consolidation Strategy (% of GDP)**

Source: Council for Budget Responsibility, 2024

Similarly, government debt would rise unstoppably over the entire horizon. In no single year would it fall below the debt brake's highest sanction band and would already exceed the Maastricht criterion of 60 % of GDP in 2025 and, assuming unchanged policies, debt would reach 464,3 % of GDP at the end of 2073 (Figure 3) (Council for Budget Responsibility, 2023b).

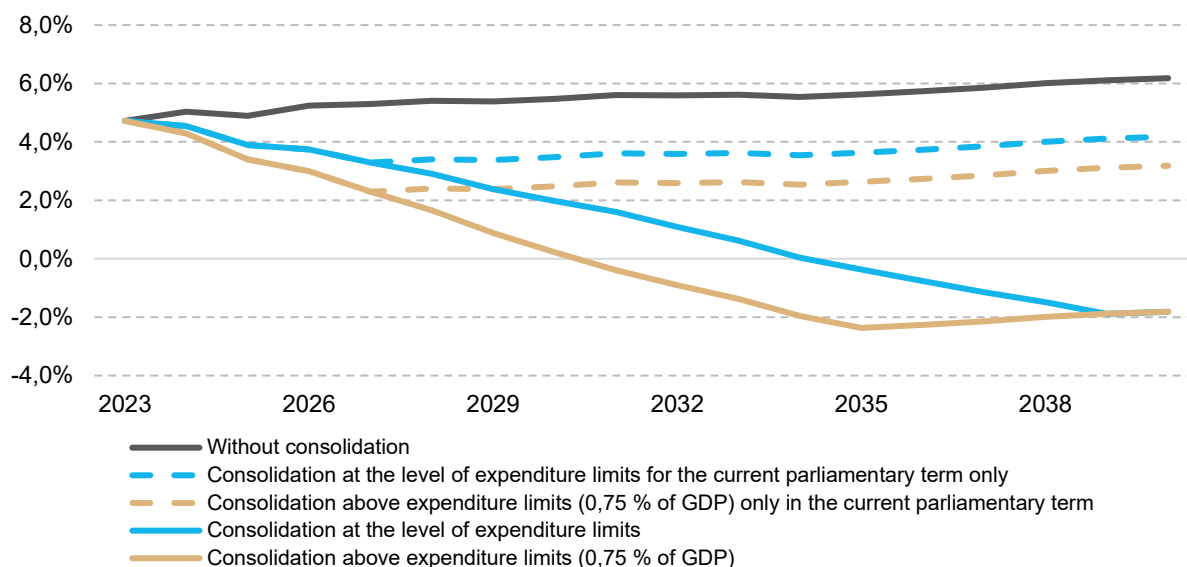


**Figure 3: Projection of Debt and Primary Balance in the Baseline Scenario (% GDP)**

Source: Council for Budget Responsibility, 2023

The figure 4 shows different scenario in the long term with the consolidation on various levels of expenditures, where we can compare how the primary deficit could develop by different consolidation strategies.

"If the current and future governments were able to [consolidate] at a rate slightly higher than required by the expenditure limits, for example, at 0,75 % per year, the stated time needed to consolidate public finances (3 terms) in order to make them sustainable in the long run in terms of the expenditure limits would be able to be halved" (Figure 4) (Múčka, 2024).



**Figure 4: Evolution of the Primary Deficit Depending on the Consolidation Strategy**  
Source: Council for Budget Responsibility, 2024

#### 4.2 Consolidation Measures and Level of Long-Term Sustainability

To assess the impact of government measures on long-term sustainability, it is important to distinguish between measures with short-term and long-term effects on the structural balance. It is true that the impact of short-term measures is minimal in terms of sustainability (Kotian, 2024). On the contrary, measures with a permanent impact on the structural deficit have a direct impact on the change in sustainability.

The general government budget is not in line with the expenditure limits and the overall impact of the budget on sustainability has been assessed by the Council for Budget Responsibility as negative at -0,2 % of GDP. Without this inclusion of local government savings, the government deconsolidates by 0,5 % of GDP in the budget precisely because of the high proportion of temporary measures in the consolidation measures combined with the expansion of permanent expenditure measures (Kotian, 2024). Hence, the budget presented by the Slovak Government does not offer an improvement in Slovakia's public finances and does not fully consider the suggestions of the Council for Budget Responsibility.

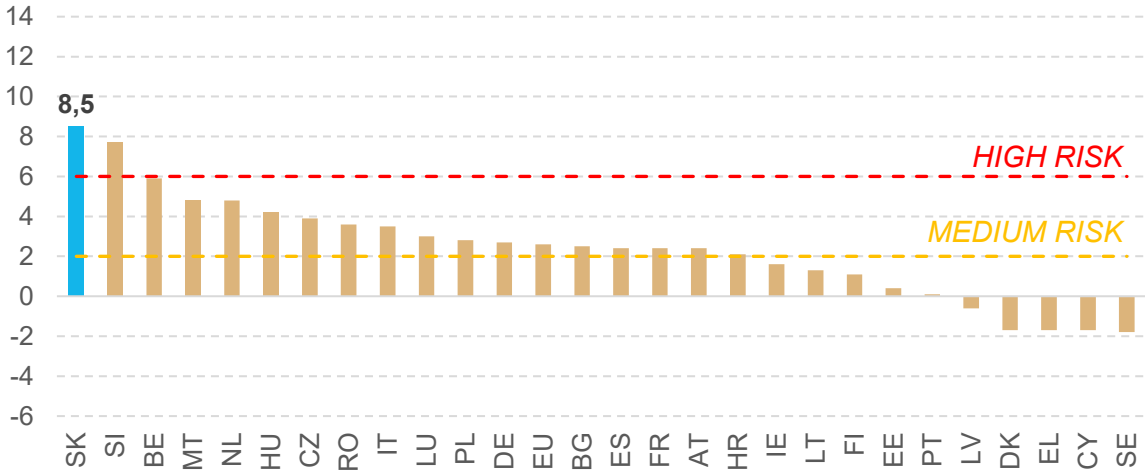
According to the assessment of the public administration budget for the years 2024 to 2026, the approved public administration budget exceeds the expenditure limits by 1,7 billion in 2024 and subsequently by 2,2 billion € in 2025 and 2 billion € in 2026.

As the public expenditure limit is the main budgetary instrument for achieving long-term sustainability of public finances, its omission from the budget may violate Article 55a of the Slovak Constitution, which commits Slovakia to protect the long-term sustainability of its economy (Council for Budget Responsibility, 2024b).

In the approved budget for 2024, the government declared that it plans to consolidate by 0,5 % of GDP compared to the previous year by reducing the deficit from an expected 6,5 % of GDP in 2023 to 6 % of GDP in 2024. Considering the data, the approved budget itself will not lead to a reduction but instead to an increase in the deficit from 6,2 % to 6,3 %. In its assessment of the budget, the Council for Budget Responsibility expects the deficit to worsen by 0,4 % of GDP, as it estimates a lower deficit for 2023 (5,7 % of GDP) than the government's approved target of 6 % of GDP for 2024 (Kotian, 2024).

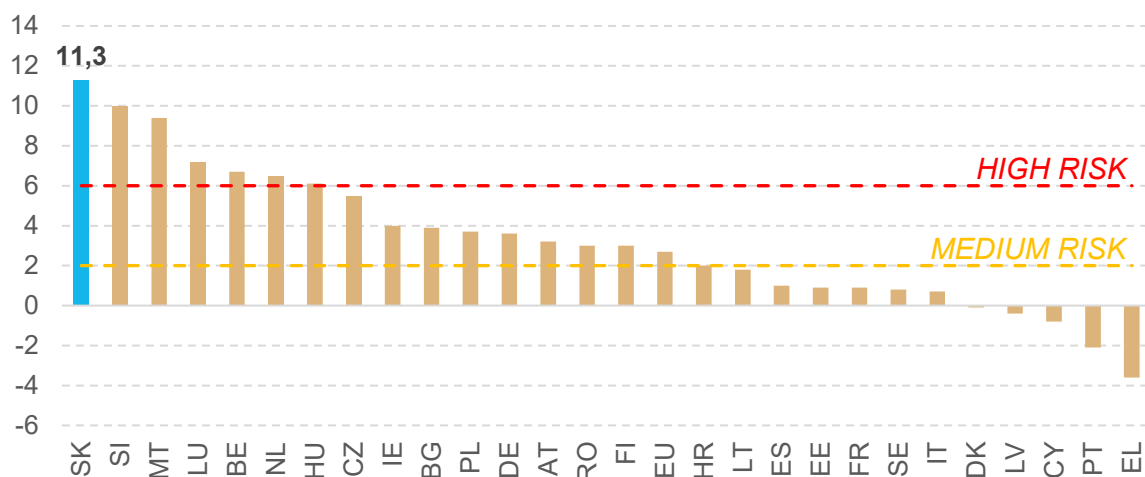
Slovakia will face increased costs arising from demographic developments over the next decades, which will put public finances under increasing pressure, especially based on data on the European Commission's S1 indicators (European Commission, 2023).

Regarding the key long-term sustainability indicators S1 and S2 based on data from the Debt Sustainability Report of European Commission, the latest published estimate (European Commission, 2023) places Slovakia in the worst position in the EU (Figure 5 and 6).



**Figure 5: Comparison of S1 Indicator of EU Member States in 2022**  
 Source: European Commission, 2022





**Figure 6: Comparison of S2 Indicator of EU Member States in 2022**

Source: European Commission, 2022

"Unlike the European Commission, which only takes into account the projection of selected expenditure policies in the long term, the Council's baseline scenario takes into account long-term projections of all revenue and expenditure items in the general government budget. The blue part of the graph for the SK is comparable (in terms of not including the impact of the second pillar on revenues) to the European Commission's results" (European Commission, 2023).

## 5. Slovakia's "Greek" Path — a Plausible Scenario

The main objective is to assess, by comparing the evolution of the public finances of Slovakia and Greece, the claims that the public finances of Slovakia are evolving in a scenario like that of Greece during the debt crisis. In the following analysis, we compare the long-term sustainability position of Greece right before and during the crisis and the current situation and long-term sustainability position of Slovakia.

### 5.1 The Emergence of Narratives About Slovakia's "Greek" Path

The period of the beginning of the spread of narratives that Slovak public finances are following the "Greek" path of increasing public debt refers to the parliamentary term of Iveta Radičová between 2010 and 2012 (Tódová, Fila, 2010). Based on the studied materials, the narrative of the "Greek" path is understood as a set of negative states of the basic economic indicators of the state (respectively public debt and long-term sustainability) that trigger an increase in interest rates on the financial markets for the state in question. High interest rates are triggered by creditors' lack of confidence that the state will be able to pay for its liabilities in the long term.

Some economists warn that this scenario is possible if the right policies and consolidation measures are not implemented (or in line with the recommendations of the CBR). "Slovakia still has a decent credit rating and average debt. However, financial markets do not see our future well. Our debt servicing costs are rising sharply", says Vladimír Baláž, an economist at the Slovak Academy of Sciences (Onuferová, 2023). "Greece had the same debt-to-GDP ratio in 1989 as Slovakia has now. It took 5 years to get to 100 %. It survived with that level of debt for two decades until the debt skyrocketed during the last financial crisis. [...] At the moment, the second phase of Greek debt development seems to me the most likely. A decades-long inability to push the debt down to sufficiently small numbers", says Radovan Ďurana, an analyst at INESS (Onuferová, 2023). However, other economists have positive views on the state of public finances and their future development. "We are not facing the Greek scenario because the facts are different: our debt is below the Maastricht threshold, the Greek debt is almost triple", says former finance minister Schmögnerová (Onuferová, 2023).

"The scare of the Greek scenario, as it has become widespread, is total stupidity. [...] we are far from the Greek scenario", says Igor Daniš. He also points out that Slovakia has a debt of over 55 % of GDP, Greece had around 140 % 12 years ago, now it has less than 200 %, Japan has 250 %, Italy about 150 % and the US, France, Spain, and the UK have also jumped the 100 % mark, Germany has at least 10 % more than [Slovakia]". "[Slovakia has] a constitutional act on the debt brake (fiscal responsibility) and every government with a public debt of 57 % must start saving and prepare a balanced budget", says Igor Daniš (2023).

"I don't think Slovakia is on its way to a Greek scenario, and I see the probability as very small. We have a much lower level of public debt, Greece has a debt ratio of around 200 percent of GDP", says Mária Valachyová, chief economist at "Slovenská sporiteľňa" (Onuferová, 2023).

On the basis of these data, we conclude that these comments do not consider the most crucial indicators of long-term sustainability and forecasts of the European Commission and the Council for Budget Responsibility as these data are not presented in economic news in media. Therefore, we cannot prove that statements about the falsity of Slovakia's so-called "Greek" path stand on the empirical research and analysis of crucial indicators.

## **5.2 Comparison of the Long-Term Sustainability of Slovakia and Greece**

We consider long-term sustainability indicators as a key measure for assessing the evolution of Greece's public finances during the crisis. To compare the evolution of the long-term sustainability indicators of Greece, based on the knowledge gained, we consider indicators S1 and S2 to be the most relevant. However, to make the comparison as representative as possible, we use the methodology of the European Commission when comparing indicators S1 and S2. Although the article states that the long-term sustainability

indicator according to the CBR includes more aspects compared to S1 and S2 according to the European Commission's methodology, in our comparison S1 and S2 are more appropriate, as the methodology for their calculation is the same for Slovakia and Greece, which suggests better comparability.

The results of the European Commission's monitors and reports assessing long-term sustainability do not apply to countries implementing the Economic Adjustment Programme (or in the case of Greece in the period 2010-2018). For countries under the Economic Adjustment Programme, macroeconomic and budgetary prospects are assessed more frequently than for other Member States in the annual reports on long-term (fiscal) sustainability (European Commission, 2012).

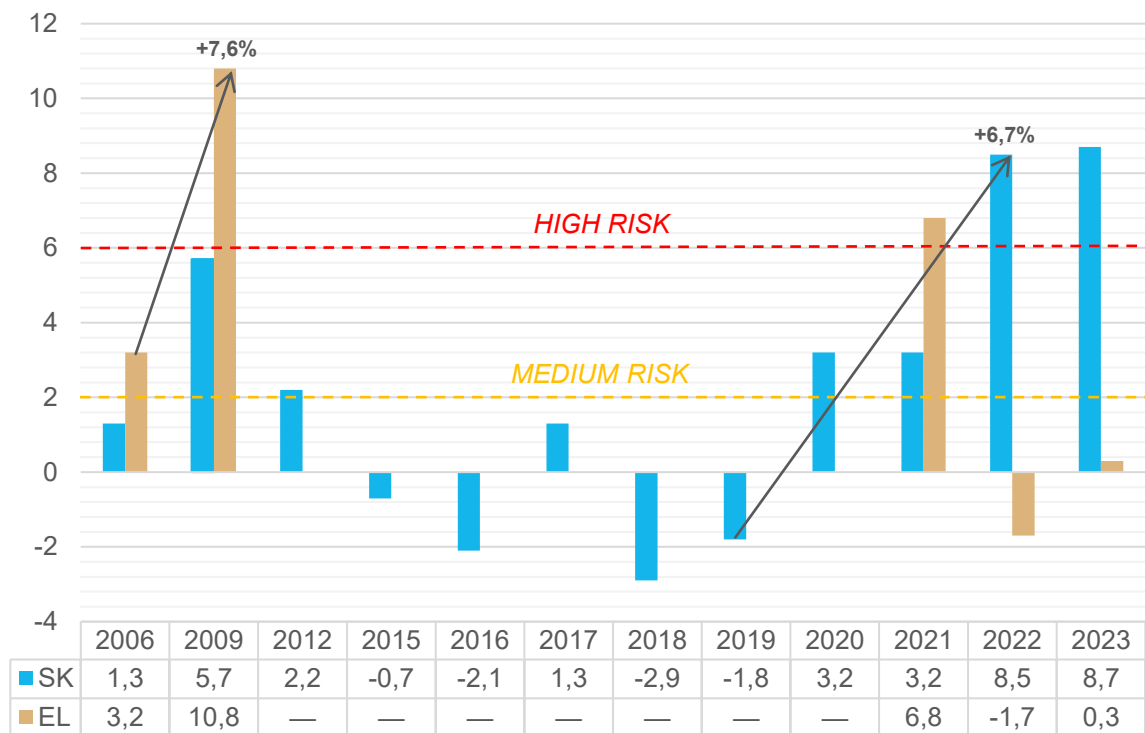
Based on the above, data on indicators S1 and S2 of Greece during the implementation period of the first, second and third Economic Adjustment Programmes (2010-2018), which aim to lead the country out of the debt crisis, are not available. In 2019 and 2020, the S1 and S2 indicators are still not available due to the transition from the programme implementation period to the standard calculations of the long-term sustainability of EU countries (European Commission, 2021). It is true that the higher the S1 or S2 indicator, the more money the state must compensate through consolidation. The higher the percentage of the S1 and S2 indicators, the worse the long-term sustainability of the public finances of the country. The lower the S1 and S2 indicator, the better the sustainability of public finances.

In assessing the time frame, we conclude that the most relevant is to examine the state of long-term sustainability over the period from 2006 to the present data from 2023 (according to the most recent data at the time of conducting a comparison). For the comparison of the long-term sustainability of Greece and Slovakia according to indicators S1 and S2, comparisons at the beginning and end of the four-year periods are used. For Greece, the years are 2006 to 2009, which is the period before the debt crisis, and the beginning of the debt crisis (2009), where a rapid increase (deterioration) of the S1 and S2 indicators is visible. For Slovakia, the years are 2019 to 2022, which is also a four-year period and is the most recent data available. The aim is to compare the growth rates of the S1 and S2 indicators of Greece right before and at the beginning of the crisis and to try to find a similar trend in contemporary Slovakia (extrapolation of trends).

Looking at the trends in the graphs (Figures 7 and 8), we see similarities in the growth of the S1 indicators of Greece (2006 to 2009, at the beginning of the crisis) and S1 of Slovakia (2019 to 2022). The changes are linked to demographic developments (ageing population).

Over the 4-year period (2006 to 2009), Greece's S1 indicator changed from 3,2 % to 10,8 %, an increase of 7,6 % of GDP. Over the 4-year period 2019 to 2022, Slovakia's S1 indicator changed from -1,8 % to 8,5 % of GDP, an increase of 6,7 % of GDP. Over the period

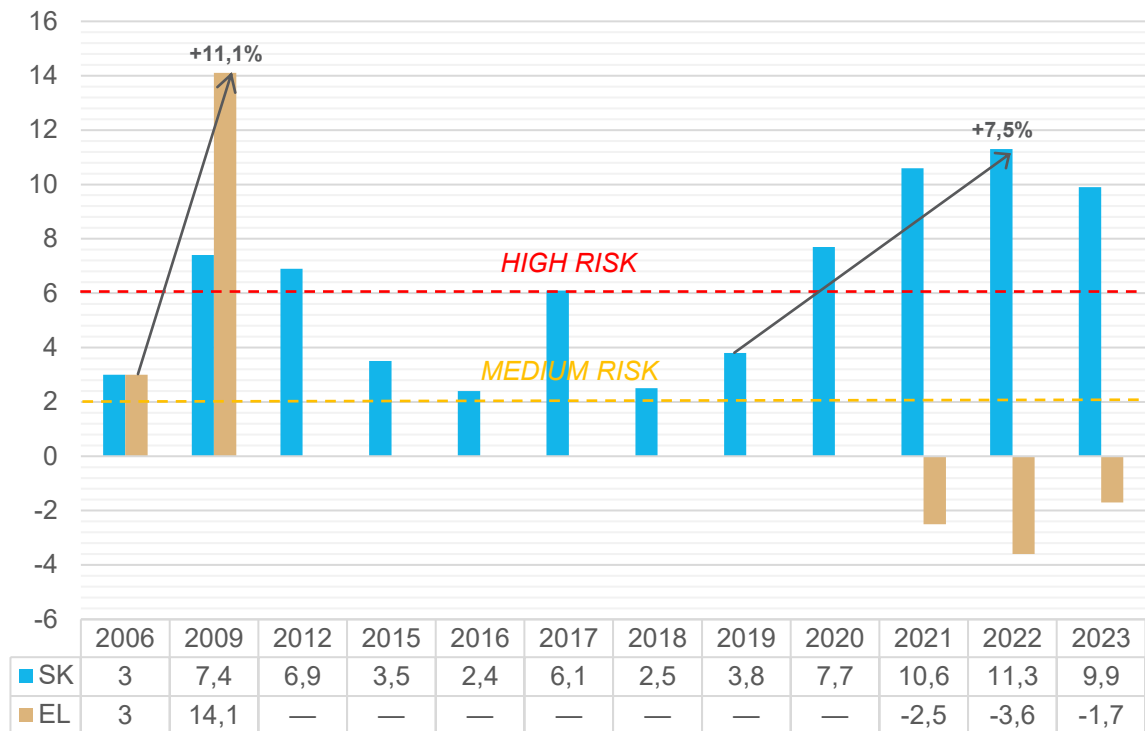
2006 to 2009, Greece's S1 indicator increased by 0,9 % of GDP more than Slovakia's same indicator over the period 2019 to 2022 (Figure 7).



**Figure 7: S1 Indicator of Slovakia and Greece 2006-2023 (% of GDP)**

Source: own elaboration based on data of the European Commission

As for indicator S2, we used the same time frame. Over the four-year period 2006 to 2009, the S2 indicator of Greece changed from 3 % to 14,1 % of GDP, an increase of 11,1 % of GDP. Over the four-year period (2019 to 2022), the S2 indicator of Slovakia changed from 3,8 % to 11,3 % of GDP, an increase of 7,5 % of GDP. Over the period 2006 to 2009, the S2 indicator of Greece increased by 3,6 % of GDP more than the same indicator of Slovakia over the period 2019 to 2022 (Figure 8).



**Figure 8: S2 Indicator of Slovakia and Greece 2006-2023 (% of GDP)**

Source: own elaboration based on data of the European Commission

Based on the obtained results, we conclude that the trends of the S1 and S2 indicators of Greece during the crisis period were more pessimistic than the current S1 and S2 indicators of Slovakia. However, there is a visible trend towards a deterioration of Slovakia's S1 and S2 indicators, although they do not have such bad tendencies in 2019-2022 as it was the case for Greece in 2006-2009.

If the trend of increasing S1 and S2 indicators (and overall long-term sustainability) continues, and only if consolidation measures are insufficient and their duration is not long-lasting, Slovakia's public debt could theoretically more than triple by 2040 and approach 170 % of GDP (Múčka, 2024). Unless spending limits are implemented, achieving long-term sustainability will not be possible and we can assume that unsustainable finances in the long term would cause uncertainties in financial markets, which would already resemble a "Greek" scenario.

## Conclusion

The aim of this article was to empirically verify the narratives about the "Greek" path (scenario) of the development of public finances of Slovakia based on a comparison of the development of indicators of long-term sustainability of Greece and Slovakia. In the process, material was developed that can be used to compare the S1 and S2 long-term sustainability indicators of Greece and Slovakia.

The article explained the different definitions of public debt according to different authors. The public debt ceilings in Slovakia according to the Constitutional Act on Fiscal Responsibility, which sets the level of public debt (the so-called debt brake) for maintaining the long-term sustainability of public finances, were presented. Within the European Union, this is the Stability and Growth Pact, which sets limits for Member States on the percentage of public deficit and public debt (Maastricht debt).

Based on the topic we have examined; we have identified the following objectives and instruments in the process of public debt reduction. The government's instrument to reduce public debt is consolidation of public finances. The most important measure within its framework is the long-term sustainability indicator, by which we can assess whether the government is taking good measures and whether the state of public finances is improving. To improve the long-term sustainability indicator, the government uses various measures, key among them limits on public spending.

An important part of this thesis was an overview of the concept of fiscal consolidation as a tool for public debt relief. The different indicators by which consolidation is measured were described. We defined what indicators can be properly counted (and thus defined). These were also long-term indicators, among which are the long-term sustainability indicator (according to the Council for Budget Responsibility methodology) and indicators S1 and S2 (according to the European Commission methodology). The chapter highlighted the main instrument to ensure long-term sustainability — public expenditure limits.

In the paper, we also present actual data on gross debt indicators with projections for the future based on the Council for Budget Responsibility materials, which show that in the absence of consolidation measures amounting to 0,75 % of GDP (i.e. above the expenditure limits), public debt would approach 170 % of GDP by 2040 under a no-policy-change scenario and would theoretically reach 464,3 % of GDP in 2073.

The key analysis was to compare the S1 and S2 indicators of Greece at the beginning of the Greek government-debt crisis (2006 to 2009) with the same S1 and S2 indicators of Slovakia at present (2019 to 2022). The aim of the given comparison was to find in the current trends of Slovakia's public finances according to S1 and S2 whether their development is like the Greek development at the beginning of the Greek government-debt crisis (extrapolation of trends).

Based on the obtained results, we conclude that the trends of the S1 and S2 indicators of Greece during the crisis period were more pessimistic than the current S1 and S2 indicators of Slovakia. However, there is a visible trend of deterioration of the S1 and S2 indicators of Slovakia, although they do not have such bad tendencies in 2019-2022 (deterioration of S1 by 6,7 % of GDP and S2 by 7,5 % of GDP), as it was the case in Greece in 2006-2009 (deterioration of S1 by 7,6 % of GDP and S2 by 11,1 % of GDP).

We assume that until spending limits are implemented, achieving long-term sustainability will not be possible and unsustainable long-term finances would also cause problems in the financial markets, which would already resemble a "Greek" scenario.

Based on the results of our research, we recommend the National Council of the Slovak Republic and Ministry of Finance of the Slovak Republic to strictly follow sufficient consolidation measures (approved limits of expenditures) in the budget to continue the recovery of Slovakia's public finances and avoid the possibility of "Greek" scenario.

## References

Constitutional Act No. 493/2011 on Fiscal Responsibility

COUNCIL FOR BUDGET RESPONSIBILITY, 2023a. Report on the Long-Term Sustainability of Public Finances 2022 [online]. Available from: <[https://www.rrz.sk/wp-content/uploads/2023/04/Sustainability\\_report\\_2023\\_FINAL.pdf](https://www.rrz.sk/wp-content/uploads/2023/04/Sustainability_report_2023_FINAL.pdf)>

COUNCIL FOR BUDGET RESPONSIBILITY, 2023b. Extraordinary Report on The Long-Term Sustainability of Public Finances [online]. Available from: <<https://www.rrz.sk/mimoriadna-sprava-o-dlhodobej-udrzatelnosti-verejnych-financii/>>

COUNCIL FOR BUDGET RESPONSIBILITY, 2024a. Debt Brake [online]. Available from: <<https://www.rrz.sk/dlhovabrzda/>>

COUNCIL FOR BUDGET RESPONSIBILITY, 2024b. Assessment of the Public Administration Budget 2024 to 2026 [online]. Available from: <<https://www.rrz.sk/hodnotenie-rozpocetu-verejnej-spravy-na-roky-2024-az-2026/>>

DANIŠ, I., 2023. No Bankruptcy and the Greek Scenario are not Threatening Us. It is pre-election scaremongering [online]. Pravda. Available from: <<https://nazory.pravda.sk/komentare-a-glosy/clanok/682160-rozpocetove-strasenie-greckom-vieme-aj-nieco-ine-ako-strasit/>>

EUROPEAN COMMISSION, 2007. The Long-Term Sustainability of Public Finances in the European Union 2006 [online]. ISBN 92-79-01234-7. Available from: <[https://ec.europa.eu/economy\\_finance/publications/pages/publication7903\\_en.pdf](https://ec.europa.eu/economy_finance/publications/pages/publication7903_en.pdf)>

EUROPEAN COMMISSION, 2009. Sustainability Report 2009 [online]. ISBN 978-92-79-11370-3. Available from: <[https://ec.europa.eu/economy\\_finance/publications/pages/publication15998\\_en.pdf](https://ec.europa.eu/economy_finance/publications/pages/publication15998_en.pdf)>

EUROPEAN COMMISSION, 2012. Fiscal Sustainability Report 2012 [online]. ISBN 978-92-79-22856-8. Available from: <[https://ec.europa.eu/economy\\_finance/publications/european\\_economy/2012/pdf/ee-2012-8\\_en.pdf](https://ec.europa.eu/economy_finance/publications/european_economy/2012/pdf/ee-2012-8_en.pdf)>

EUROPEAN COMMISSION, 2016. Fiscal Sustainability Report 2015 [online]. ISBN 978-92-79-54311-1. Available from: <[https://economy-finance.ec.europa.eu/document/download/47c67be3-4cae-4fd0-bd3b-4c83a516a075\\_en?filename=ip018\\_en.pdf](https://economy-finance.ec.europa.eu/document/download/47c67be3-4cae-4fd0-bd3b-4c83a516a075_en?filename=ip018_en.pdf)>

EUROPEAN COMMISSION, 2017. Debt Sustainability Monitor 2016 [online]. ISBN 978-92-79-64677-5. Available from: <[https://economy-finance.ec.europa.eu/document/download/f82b0fd1-b524-4815-b559-9eb85730e209\\_en?filename=ip047\\_en.pdf](https://economy-finance.ec.europa.eu/document/download/f82b0fd1-b524-4815-b559-9eb85730e209_en?filename=ip047_en.pdf)>

EUROPEAN COMMISSION, 2018. Debt Sustainability Monitor 2017 [online]. ISBN 978-92-79-77452-2. Available from: <[https://commission.europa.eu/document/download/11e8ba96-f3dd-4488-9f8a-bde5daee08c1\\_en?filename=ip071\\_en.pdf](https://commission.europa.eu/document/download/11e8ba96-f3dd-4488-9f8a-bde5daee08c1_en?filename=ip071_en.pdf)>

EUROPEAN COMMISSION, 2019. Fiscal Sustainability Report 2018. Volume 2 - Country Analysis [online]. ISBN 978-92-79-98871-4. Available from: <[https://economy-finance.ec.europa.eu/document/download/8066b343-4989-4f4f-91da-722913e14d8a\\_en?filename=ip094\\_en\\_vol\\_2.pdf](https://economy-finance.ec.europa.eu/document/download/8066b343-4989-4f4f-91da-722913e14d8a_en?filename=ip094_en_vol_2.pdf)>

EUROPEAN COMMISSION, 2020. Debt Sustainability Monitor 2019 [online]. ISBN 978-92-79-98867-7. Available from: <[https://economy-finance.ec.europa.eu/document/download/77d20f83-a86c-45b6-abee-cb657ffcc239\\_en?filename=ip120\\_en.pdf](https://economy-finance.ec.europa.eu/document/download/77d20f83-a86c-45b6-abee-cb657ffcc239_en?filename=ip120_en.pdf)>

EUROPEAN COMMISSION, 2021. Debt Sustainability Monitor 2020 [online]. ISBN 978-92-76-16332-9. Available from: <[https://economy-finance.ec.europa.eu/document/download/f123307e-2883-4328-aaa6-c20f7a359291\\_en?filename=ip143\\_en.pdf](https://economy-finance.ec.europa.eu/document/download/f123307e-2883-4328-aaa6-c20f7a359291_en?filename=ip143_en.pdf)>

EUROPEAN COMMISSION, 2022a. Communication on Orientations for a Reform of the EU Economic Governance Framework [online]. Available from: <<https://eur-lex.europa.eu/legal-content/SK/TXT/?uri=celex%3A52022DC0583#document>>

EUROPEAN COMMISSION, 2022b. Fiscal Sustainability Report 2021. Volume 2 - Country Analysis [online]. ISBN 978-92-76-52098-6. Available from: <[https://economy-finance.ec.europa.eu/document/download/3900b411-8d1d-48ee-9b54-7d21f3ede6b4\\_en?filename=dp171\\_en\\_vol2\\_upd.pdf](https://economy-finance.ec.europa.eu/document/download/3900b411-8d1d-48ee-9b54-7d21f3ede6b4_en?filename=dp171_en_vol2_upd.pdf)>

EUROPEAN COMMISSION, 2023. Debt Sustainability Monitor 2022 [online]. ISBN 978-92-76-61648-1. Available from: <[https://economy-finance.ec.europa.eu/system/files/2023-06/ip199\\_en\\_UPD.pdf](https://economy-finance.ec.europa.eu/system/files/2023-06/ip199_en_UPD.pdf)>

EUROPEAN COMMISSION, 2024. Debt Sustainability Monitor 2023 [online]. ISBN 978-92-68-04246-5. Available from: <[https://economy-finance.ec.europa.eu/document/download/e3a23fba-1402-4cc9-b571-7473b5e7842a\\_en?filename=ip271\\_en.pdf](https://economy-finance.ec.europa.eu/document/download/e3a23fba-1402-4cc9-b571-7473b5e7842a_en?filename=ip271_en.pdf)>



FARKASOVSKÝ, V., LAWSON, C.W. & ZIMKOVÁ, E., 2015. A Debt Sustainability Analysis of the Czech Republic and the Slovak Republic: a non Parametric Approach [online]. *E+M Ekonomie a Management*, 18 (3), 18-29. ProQuest Central. ISSN 1212-3609. Available from: <<https://www.proquest.com/scholarly-journals/debt-sustainability-analysis-czech-republic/docview/1712284226/se-2?accountid=16775>>

HELLENIC STATISTICAL AUTHORITY, 2023. Fiscal Data for the Years 2019-2022 [online]. Available from: <<https://www.statistics.gr/en/statistics/-/publication/SEL03/2023>>

HELLENIC STATISTICAL AUTHORITY, 2024. Fiscal Data for the Years 2020-2023 [online]. Available from: <<https://www.statistics.gr/en/statistics/-/publication/SEL03/2024>>

KOTIAN, J., 2024. How to Tell a Fake Consolidation from a Real One [online]. Council for Budget Responsibility. Available from: <<https://www.rrz.sk/ako-rozpoznat-predstieranu-konsolidaciu-od-skutocnej/>>

MINISTRY OF FINANCE OF THE SLOVAK REPUBLIC, 2024a. Maastricht General Government Debt [online]. Available from: <<https://www.mfsr.sk/sk/financie/statne-vykaznictvo/financna-statistika-prijmoch-vydavkoch-dlh-verejnej-spravy/maastrichtsky-dlh-verejnej-spravy/>>

MINISTRY OF FINANCE OF THE SLOVAK REPUBLIC, 2024b. Stability and Growth Pact (SGP) [online]. Available from: <<https://www.mfsr.sk/sk/medzinarodne-vztahy/europske-zalezitosti/hospodarske-riadenie/pakt-stability-rastu-stability-growth-pact-sgp/pakt-stability-rastu-stability-growth-pact-sgp.html>>

MINISTRY OF FINANCE OF THE SLOVAK REPUBLIC, 2024c. Parliament Approves Law on Spending Limits [online]. Available from: <<https://www.mfsr.sk/sk/media/tlacove-spravy/parlament-schvalil-zakon-vydavkovych-limitoch.html>>

MÚČKA, Z., 2024. Public Finance at the Crossroads [online]. Council for Budget Responsibility. Available from: <<https://www.rrz.sk/verejne-financie-na-krizovatke/>>

NOVYSEDLÁK, V. and BUGYI, E., 2014. How to Measure Consolidation in Public Finances [online]. Council for Budget Responsibility. Available from: <<https://www.rrz.sk/wp-content/uploads/2014/05/Ako-merat-konsolidaciu-vo-verejnych-financiach.pdf>>

ONUEROVÁ, M., 2023. Is Slovakia at Risk of a Greek Scenario? Under What Circumstances Can It Occur? Seven Economists Answer [online]. Denník N. Available from: <<https://e.dennikn.sk/3269792/hrozi-slovensku-grecky-scenar-za-akych-okolnosti-moze-nastat-odpoveda-7-ekonomov/>>

RAISOVÁ, M., PAVLIKOVÁ, Ľ. & SEMANČÍKOVÁ, J., 2016. The Impact of Social Expenditure on Public Debt in the Czech Republic and Slovakia [online]. *E+M Ekonomie a Management*, 19 (3), 158-172. ProQuest Central. ISSN 1212-3609. Available from: <<https://www.proquest.com/scholarly-journals/impact-social-expenditure-on-public-debt-czech/docview/1924786375/se-2?accountid=16775>>

STATISTICAL OFFICE OF THE SLOVAK REPUBLIC, 2020. Summary Annual Report of the Slovak Republic for 2019 [online]. Available from: <<https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=487489>>

STATISTICAL OFFICE OF THE SLOVAK REPUBLIC, 2024. Deficit and Debt of the SR in 2023 [online]. Available from: <[https://slovak.statistics.sk/wps/wcm/connect/95707c9e-f440-4f63-b7ae-b5903242382c/Annex\\_Deficit\\_and\\_debt\\_April\\_2024.zip?MOD=AJPERES&CVID=oXNYozf](https://slovak.statistics.sk/wps/wcm/connect/95707c9e-f440-4f63-b7ae-b5903242382c/Annex_Deficit_and_debt_April_2024.zip?MOD=AJPERES&CVID=oXNYozf)>

TÓDOVÁ, M. & FILA, L., 2010. Radičová: I Will Concentrate on the Function of Prime Minister [online]. SME. Available from: <<https://domov.sme.sk/c/5468404/radicova-sustredim-sa-na-funkciu-premierky.html>>

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# **Cassation complaint - a remedy in the administrative justice system from the perspective of the dispositional principle**

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<https://doi.org/10.33542/VSS2024-1-4>

## **Abstract**

The paper deals with the cassation complaint as one of the remedies in the administrative justice system from the perspective of the dispositional principle, which is the driving force of administrative court proceedings. However, the application of the dispositional principle in cassation complaint proceedings is limited compared to proceedings before an administrative court. Such limitations arise from the nature of cassation proceedings. The paper will focus on the provisions of the Administrative Procedure Code governing cassation complaints, to what extent they limit the principle of disposition, and whether such a limitation is justified.

**Keywords:** administrative justice, Administrative Procedure Code, cassation complaint, dispositional principle

## **Introduction**

In administrative court proceedings, since it is a litigation by nature, the dispositional principle manifests itself in the fact that the protection of public subjective rights is not imposed on the litigants against their will. It is guaranteed through the fact that proper legal proceedings can be initiated. It is not their duty. The freedom of disposition of the holders of subjective rights does not consist only in deciding whether to use the possibility of judicial protection, but it is also up to them how they define the subject of the proceedings. One of the disposal rights of the participants in the proceedings is the possibility to challenge the court decision with some of the remedies which, as arrangements of procedural law, give the participants the opportunity to initiate remedial proceedings. For this reason, it is impossible for the court itself to start the remedial proceedings without a party's proposal. The dispositional principle corresponds not only to the legislation of the initiation of corrective proceedings, but also to the definition of its subject as well as the termination of the proceedings. However, in the case of remedial proceedings, some procedural acts, through which the participants in the proceedings deal with the proceedings as a whole or with its subject matter, may be limited and the dispositional principle suppressed, precisely because it is a remedial proceeding. Pursuant to the Administrative Procedure Code (hereinafter referred to as the APC), the remedies are a cassation complaint and an action for retrial. In both cases, these are extraordinary remedies, as they go against valid court decisions. Both of these arrangements are based on the principle enshrined in § 5 sec. 5 APC, according to which proceedings before the administrative court

can be started only on the basis of a proposal.<sup>2</sup> In this paper, I will focus on the cassation complaint in the administrative court as one of the remedies from the point of view of the dispositional principle and on the extent to which the current legislation complies with the dispositional principle.

## 1. Cassation complaint and its admissibility

A cassation complaint is a remedy in the administrative court, directed against the valid decision of the administrative court<sup>3</sup>. According to the explanatory memorandum to Act no. 162/2015 Coll. Administrative Procedure Code, the introduction of a cassation complaint was considered the most fundamental proposed change, which replaced the arrangement of appeal, as the appeals system proved to be unsuitable for the administrative judiciary and did not prove itself in the practice of the Supreme Court, since even in the remedial proceedings the administrative court fundamentally solved questions of law and not of fact. The fact that the cassation complaint in the administrative court replaced the arrangement of appeal should have enabled the Supreme Court (now the Supreme Administrative Court) to pay more attention to the resolution of interpretation problems that are disputed between individual administrative courts. Also, it should have ensured a uniform interpretation of laws throughout the territory of the Slovak Republic to achieve a better predictability of the law.<sup>4</sup>

The introduction of a cassation complaint as a remedy against valid decisions of regional courts (now administrative courts) was based on the aim and purpose of judicial review of the decisions of public administration bodies on the individual rights of participants in administrative proceedings. This aim is to achieve the protection of the rights of the participants. The administrative judiciary itself is based on the cassation principle, which serves as a guarantee that the court does not replace the decision-making authority of public administration bodies with its own activities.<sup>5</sup> Similar to a lawsuit, a cassation complaint is a procedural act by which the complainant disposes not only of the proceedings on the cassation

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<sup>2</sup> Despite the fact that in the provision of § 5 of the Administrative Procedure Code, which is entitled "Basic principles of action", the legislator based the dispositional maxim, in contrast to the previously used term dispositional principle, and the authors of the commentary strictly expressed the opinion that they consider the differentiation between the terms principle and maxim to be outdated, unnecessary and they can only use the term maxim, I do not consider the terms principle and maxim to be synonymous. I believe that the maxim as a basis, a pillar of objective law is stable and unchanging, in contrast to a principle which, despite the still high degree of abstraction, is connected to a more concrete content and has the ability to be flexible, it can be weakened or strengthened, or even broken. However, for the purposes of this article, I will use the term dispositional principle, which will be synonymous with the term dispositional maxim as stated by the APC. (Geffertová, 2020).

<sup>3</sup> The Administrative Court in Bratislava, the Administrative Court in Banská Bystrica and the Administrative Court in Košice are materially responsible for proceedings and decisions in the administrative court, unless this law provides otherwise (§ 10 APC).

<sup>4</sup> Explanatory memorandum to Act no. 162/2015 Coll. Administrative Procedure Code

<sup>5</sup> Explanatory report to Act no. 162/2015 Coll. Administrative Procedure Code

complaint, but also the subject of the proceedings.<sup>6</sup> The admissibility of a cassation complaint is the most significant sign of access to proceedings before the Supreme Administrative Court. The APC based it in the form of a general clause. A cassation complaint is admissible against any valid decision of the administrative court<sup>7</sup>. Exceptions to this general admissibility are established by the APC. A cassation complaint is inadmissible if:

- it relies on reasons other than those listed in § 440,
- it is based on reasons that the complainant did not apply in the proceedings before the administrative court in which the challenged decision was issued, although he could have done so,
- it goes only against the reasons for the decision of the administrative court.

It is also inadmissible against the valid decision of the administrative court in electoral matters.<sup>8</sup> In addition, it cannot be filed even against the Supreme Administrative Court decision. The admissibility of a cassation complaint against the resolution is defined negatively in the APC<sup>9</sup>.

## 2. Cassation complaint - entities

Entities who are entitled to file a cassation complaint are defined in § 442 APC. First of all, they are the parties to the proceedings. The prerequisite is that it is decided against them. According to § 32 sec. 1 APC the parties to the proceedings are plaintiff, defendant and other parties.

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<sup>6</sup> Štajgr stated (1946, p.93) that the dispositional principle is manifested both in the initiation and in the course of the proceedings. It is possible to distinguish between the disposition of the proceeding and the disposition of the subject matter of the proceeding. At the commencement of the proceedings both these dispositions completely overlap. In the course of the proceedings, however, the two types of disposition can already be distinguished. Although his statements refer to an action in civil proceedings, they are also relevant and applicable to an action in administrative proceedings, since administrative proceedings are by nature litigation.

<sup>7</sup> In administrative justice, the court's judgment and resolution in the main matter become valid when delivered to the last of the parties.

<sup>8</sup> In matters of the permanent list of voters and the list of voters, in matters of registration of candidate lists for elections to self-governing bodies, in matters of registration of candidate lists for elections to self-government bodies of municipalities, cities and town districts.

<sup>9</sup> A cassation complaint is not admissible against the resolution,

- a) which regulates the conduct of proceedings,
- b) against whom a complaint is admissible,
- c) on recognition or non-recognition of the status of a person participating in the proceedings,
- d) on the authority, jurisdiction, administrative fine according to § 78, on the remuneration of an expert, interpreter and translator,
- e) concerning the suspensive effect of the lawsuit,
- f) on the extension of the deadline according to § 250 sec. 2 and § 262 sec. 2
- g) which suspends the proceedings due to the filing of a preliminary question,
- h) on the amount of compensation for legal costs
- i) on the temporary suspension of the generally binding regulation, its part or any of its provisions.

1. The plaintiff is:

- a natural person or a legal entity who claims that, as a participant in administrative proceedings, they were deprived of their rights or interests protected by law by a decision of a public administration body or by a measure of a public administration body.
- the prosecutor, if the public administration body did not comply with his protest and did not cancel the contested decision or measure.
- the interested public, if they claim that the public interest in the field of the environment has been violated.<sup>10</sup>

2. The defendant is the public administration body designated by the APC, unless the APC stipulates otherwise.

3. Other parties are those:

- who were parties to the administrative proceedings,
- to whom, due to the inseparable community of rights and obligations with the plaintiff or parties to the administrative proceedings, the decision of the administrative court must also apply,
- who are designated as participants by law.

In addition to the parties to the proceedings, the Administrative Procedure Code also allows a person participating in the proceedings to file a cassation complaint under § 41 sec. 2 APC<sup>11</sup>. Even in this case, the above-mentioned prerequisite for filing a cassation complaint applies, i.e. it must be decided against this person. The law allows the cassation complaint to be filed by the so-called omitted complainant, i.e. the one who claims that they should have been a party to the proceedings and the administrative court did not deal with them as a party to the proceedings.

The Administrative Procedure Code also includes the general prosecutor among the entities authorized to file a cassation complaint. The general prosecutor is entitled to file it against the decision of the administrative court issued in proceedings in which the prosecutor

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<sup>10</sup> The above applies in actions regulated in the third part of the APC, i.e. in proceedings on administrative actions, on administrative actions in matters of administrative punishment, on administrative actions in social matters and on administrative actions in matters of asylum, detention and administrative expulsion.

<sup>11</sup> § 41 sec. 2 APC: The administrative court may, on a motion by resolution, grant the status of a person participating in the proceedings to a person who was not a party to the administrative proceedings and who

- a) were directly affected by them rights or interests protected by law by the issuance of the challenged decision of the public administration body or measure of the public administration body,
- b) were directly affected by them rights or interests protected by law by not issuing a decision by a public administration body or a measure by a public administration body,
- c) may be directly affected by its rights or interests protected by law by the annulment of the contested decision of the public administration body or measure of the public administration body,
- d) may be directly affected by them rights or interests protected by law by the issuance of a new decision by a public administration body or a measure by a public administration body in the main matter according to the judgment of the administrative court.

was entitled to enter, but did not enter. The commentary literature considers this power of the general prosecutor as one of the means of ensuring unification of case law (Hanzelová et al., 2016, p. 513). However, the range of subjects defined in this way is problematic in relation to the principle of disposition as a means of protecting the subjective rights of natural persons or legal entities and has the effect of limiting or even a breaking it.

Almost all above-mentioned subjects are authorized to file a cassation complaint for the purpose of protecting public subjective rights. If an interested person is entitled to file a cassation complaint, it must be stated that the field of the environmental protection is an area that concerns everyone, therefore the protection of the public interest in that field also provides protection for the subjective rights of individual natural persons or legal entities. In this regard, the dispositional authorization of the interested public to file a cassation complaint is one of the possibilities of fulfilling the obligation arising from Art. 44 sec. 2 of the Constitution of the Slovak Republic, according to which everyone is obliged to protect and improve the environment and cultural heritage (Geffertová, 2020).

I addressed the issue of establishing the admissibility of filing a cassation complaint by the defendant in a separate article (Geffertová, 2018), so I will only mention that the public administration body as a defendant is entitled to file a cassation complaint. Although this authorization is a manifestation of the dispositional principle, it does not, in this case, serve as a means of protecting the subjective rights of natural or legal persons. Rather, it is an expression of the right to a fair trial. Through it, the equality of the participants in the proceedings, the adversarial nature of the proceedings and the related "equality of arms" are ensured.

The only exception to the circle of subjects authorized to file a cassation complaint are the prosecutor and the general prosecutor. As already mentioned above, the prosecutor can also be the plaintiff in proceedings regulated in the APC. In addition, however, the prosecutor is entitled to enter any proceeding before the administrative court (even if he did not initiate it). In the proceedings in which he entered, he has the status of a party to the proceedings. Related to this authorization is the authorization of the general prosecutor, who is entitled to file a cassation complaint in proceedings in which the prosecutor was authorized to enter, but did not enter. Based on the provision of § 61 APC, the lawsuit is a procedural act in the case of the prosecutor. He uses this act to exercise his authority to protect legality. If his measures, as outlined in a special regulation, were not complied with, even if his lawsuit was decided against him, a cassation complaint, to which he is entitled to file, becomes a procedural act aimed at protecting legality. I consider the entrenchment of the general prosecutor as a remedial subject to file a cassation complaint to be a significant limitation of the dispositional principle as a means of protecting subjective rights. Of course, even the cassation complaint filed by the general prosecutor is a proposal that starts the proceedings, but it is not based on the principle

of protection of public subjective rights, but on the principle of protection of legality. The protection of a non-subjective rights actually means the protection of an objective rights, i.e. legality. And not every illegality has to reach such a force that it is necessary to use the administrative judiciary as a tool for protection. However, the creators of the APC put the principle of legality protection together with the principle of public interest protection on the same level as the principle of public subjective rights protection. This approach is not in accordance with the opinion of the Constitutional Court.

The Constitutional Court considers the sole purpose of administrative justice to be the protection of subjective rights, while the protection of legality, as well as the protection of public interest, are only criteria that help achieve this purpose.<sup>12</sup> Thus, the authorization of the general prosecutor cannot be considered as a manifestation of the implementation of the dispositional principle as a means of protecting public subjective rights. This also follows from the way of identifying the decisions of the administrative court against which he can file a cassation complaint. Pursuant to § 442 sec. 1 APC general prosecutor can file a cassation complaint against the decision of the administrative court issued in proceedings in which the prosecutor was authorized to enter but did not enter. And according to § 46 of the APC, the prosecutor is entitled to enter any proceedings before the administrative court. It is clear from the above that if the prosecutor has claimed his authority arising from the provision of § 46 APC and entered the proceedings, he acquires the status of a party to the proceedings according to § 48 APC, and as such is entitled to file a cassation complaint against the court's decision. However, if he did not apply his authorization and did not enter the proceedings, the general prosecutor can file a cassation complaint. Nevertheless, their purpose is not to provide protection to public subjective rights, but rather an interest in legality. When we consider the purpose of administrative justice as I stated above, such a position of the prosecutor and the general prosecutor in administrative judicial proceedings is inadequate and substantially restricts the dispositional rights of the parties to the proceedings. In this context, I would also point to the opinion of the Constitutional Court<sup>13</sup>, according to which part of the fundamental right under Art. 46 sec. 1 of the Constitution of the Slovak Republic is not only the right of "everyone" to demand the protection of their rights in an independent and impartial court through the procedure established by law, but also to decide that this method of protecting their rights is no longer considered appropriate by the participant in the court proceedings. It is an expression of freedom of disposition, which may be impaired by the procedure of the prosecutor, or of the general prosecutor.

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<sup>12</sup> Ruling of the Constitutional Court of the Slovak Republic File Ref. III. ÚS 502/2015 of 06 October 2015

<sup>13</sup> Ruling of the Constitutional Court of the Slovak Republic, File Ref. I. ÚS 30/97 of 22 May 1997



The powers of the prosecutor and the general prosecutor formulated in this way give the impression that the principle of protection of public subjective rights is being suppressed in favour of the principle of legality, that, is contrary to the purpose of administrative justice, as formulated in § 2 sec. 1 APC, according to which the administrative judiciary provides protection to the rights and interests of natural persons or legal entities in the field of public administration.

### **3. Requirements of a cassation complaint**

As already mentioned above, the basic manifestation of the dispositional principle in the administrative judiciary is that proceedings can only be started on the basis of a proposal. In the case of remedial proceedings, this proposal is a cassation complaint, which, like all filings in terms of the APC, must contain the requirements established by law. In addition to general details, such as the designation of the administrative court to which the cassation complaint is addressed, the designation of the person who files the cassation complaint, the designation of which matter it concerns and what it pursues, and the complainant's signature, the cassation complaint must contain the designation of the contested decision, the date when the contested decision was delivered to the complainant, a description of the decisive facts, so that it is clear to what extent and for what reasons it is submitted according to § 440 APC (points of complaint) and a draft statement of the decision (draft complaint).

Just as it is at the disposal of the subject whether to bring an action and how to define the subject matter of the action, it is also part of the complainant's dispositive power to determine the subject matter of the cassation proceedings (Lavický, 2015). However, in the case of a cassation complaint, this authorization is limited by the exhaustively determined reasons for the cassation complaint (§ 440 APC). This gives the subject of the proceedings a legal barrier, which the party to the proceedings must not exceed. A cassation complaint can only be justified by the fact that the administrative court violated the law in the proceedings or in making the decision by:

- a) the matter was not within the jurisdiction of the administrative courts,
- b) the person who acted as a party to the proceedings did not have procedural subjectivity,
- c) the party to the proceedings did not have the capacity to act independently before the administrative court in full and did not have a legal representative or procedural guardian acting for them,
- d) a valid decision has already been made on the same matter or proceedings have already started on the same matter,
- e) the matter was decided by a disqualified judge or an improperly staffed administrative court,

- f) the procedural irregularity prevented the participant from exercising his procedural rights to such an extent that the right to a fair trial was violated,
- g) decided on the basis of an incorrect legal assessment of the matter,
- h) deviated from the established decision-making practice of the court of cassation,
- i) did not respect the binding legal opinion expressed in the annulment decision on the cassation complaint or
- j) the submission was unlawfully rejected.

The reason for the cassation complaint mentioned in letter g) to i) is defined in such a way that the complainant states the legal assessment of the matter, which he considers to be incorrect, and states what the incorrectness of this legal assessment consists of. The reason for the cassation complaint cannot be defined by the complainant pointing to his submissions before the administrative court.

The consequence of the dispositional principle<sup>14</sup> is that the court is generally bound by the cassation complaint, which establishes the framework within which the court of cassation can move in the proceedings. This framework is defined by:

- the scope to be reviewed, i.e. specifying the decision and, in the case of several statements, also the statement against which the cassation complaint is directed,
- reasons (see already mentioned § 440 APC), in the light of which the court of cassation must review the decision
- a proposal on how the court should decide on the complaint.

The possibility to dispose with one's cassation complaint in the sense of the possibility to change its scope and reasons follows from the provisions of § 445 sec. 2 APC, which stipulates that points of complaint can only be changed until the deadline for filing a cassation complaint has expired. APC under the term points of complaint in § 445 sec. 1 letter c) understands the decisive facts, from which it is clear to what extent and for what reasons, according to § 440, the cassation complaint is filed. The concept of points of complaint does not only include reasons according to § 440, but also facts determining the scope of a cassation complaint. Commentary literature (Baricová et al., 2018, p. 1693) reached the same conclusion that not only the reasons but also the scope cannot be changed after the deadline for filing a cassation complaint has expired, but it is based on different assumptions. It states that the APC does not contain an explicit normative provision stating that the scope in which the complainant challenges the decision can only be extended until the deadline for filing a cassation complaint has expired. Therefore, when assessing this question, it is necessary to proceed from the provision of § 62 sec. 1 in conjunction with § 452 APC. Provision § 452 sec.

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<sup>14</sup> Since the dispositional principle is an expression of the need to determine whether and about what is to be acted upon, thereby setting out the boundaries and limits within which it is acted upon (Štajgr, 1946, p. 96).

2 of the APC in relation to the amendment of the claim must be interpreted in such a way that the amendment of the claim is no longer admissible in the cassation proceedings (as well as its withdrawal, because the decision of the regional court is already final) and does not apply to the amendment - the extension of the scope of the cassation complaint, which can be amended only until the deadline for filing a cassation complaint expires.

I do not agree with the opinion in the commentary literature, which under the term points of complaint includes only reasons in the sense of § 440 APC, as the APC uses the term reasons in several other places (e.g. in § 453 sec. 2 APC - On the reasons given by the party to the proceedings after the deadline for filing a cassation complaint has expired, the court of cassation does not consider it.), but only in § 445 APC used the term points of complaint as a summary title in sec. 1 letter c) for facts from which the scope and grounds of the cassation complaint are obvious. Subsequently, in sec. 2 stipulated that points of complaint can only be changed until the deadline for filing a cassation complaint has expired.

The definition of the scope of the cassation complaint is also an expression of the dispositional principle. In the cassation complaint, the complainant must describe the decisive facts in order to make it clear to what extent he or she is challenging the decision (Hanzelová et al., 2016, p. 520). It is up to the complainant whether to challenge the entire sentence with a cassation complaint, or all statements of the decision, or only some of them.

According to the provisions of § 453 of the APC, although the court of cassation is bound by the scope of the cassation complaint and the points of complaint, this provision also regulates exceptions to this obligation, thereby limiting the principle of disposition. The court of cassation is not bound by the scope of the cassation complaint if the decision on the challenged statement depends on a statement that was not affected by the cassation complaint. The court of cassation is also not bound by the points of complaint if the contested decision was issued in proceedings in which the administrative court was not bound by the points of complaint. Well, the court of cassation is not bound by the complaint. Any statutory exception allowing the court of cassation to depart from the framework established by the cassation complaint is an exception to the dispositional principle. It must therefore be justified by another interest worthy of protection, such as the public interest in the proper administration of justice, which will prevail in such a situation (Lavický, 2015).

#### **4. Withdrawal of the lawsuit and withdrawal of the cassation complaint**

Withdrawal is another dispositional act in cassation complaint proceedings. In the provisions governing cassation complaint proceedings, the Administrative Procedure Code distinguishes between the withdrawal of a claim and the withdrawal of a cassation complaint. As part of cassation complaint proceedings, the APC does not allow the parties to the proceedings to use dispositional procedural acts consisting in the amendment and withdrawal

of the claim (§ 452 sec. 2 APC). This restriction is based on the fact that in the cassation complaint proceedings, a valid decision of the administrative court is being decided, therefore it is no longer possible to change or withdraw the claim. This legislation corresponds to the principle of legal certainty.

On the other hand, the Administrative Procedure Code allows the withdrawal of a cassation complaint. The complainant is entitled to withdraw the cassation complaint, i.e. he can continue to dispose of the proceedings on the cassation complaint. In the event that he withdraws only part of the cassation complaint, he would also dispose of the subject of the cassation complaint proceedings. Withdrawal of a cassation complaint is a definitive procedural act, i.e. that it is not possible to revoke such an act, as long as it was carried out in a legally relevant manner. For that reason, the court of cassation stops the proceedings by resolution. The decision contested by the cassation appeal thus remains unchanged.

## **Conclusion**

Based on the above, we can state that even in cassation complaint proceedings, the parties to the proceedings retain the substantial majority of disposal actions consisting in the possibility of dealing with the proceedings themselves as well as with the subject of the proceedings. Unlike proceedings before an administrative court, this freedom of disposition is to some extent limited by the provisions of the APC, which create the framework in which these rights of the participants are exercised. The freedom of disposition of the parties to the proceedings is most strongly manifested at the initiation of proceedings on a cassation complaint, because only based on a proposal (cassation complaint) can the proceedings on it begin. The disposition of the subject of the proceedings is affected by the determination of the admissibility of the cassation complaint. It is regulated in the form of a general clause, i.e. a cassation complaint is admissible against any valid decision of the administrative court (§ 439 APC). It is clear from the above that the admissible subject of a cassation complaint is not only decisions on the merits, or decisions that end the proceedings, unless the APC stipulates otherwise. However, in the case of resolutions, the APC limits this freedom of disposition by a negative legal definition. The possibility of defining the subject of the proceedings by means of an exhaustive calculation of the reasons for the cassation complaint is also limited. When dealing with the subject of the proceedings, the complainant is also limited in terms of time, as the scope and grounds of the cassation complaint can only be changed during the period designated for filing the cassation complaint. In the further course of the proceedings, the principle of disposition is applied to a lesser extent. The court of cassation is not unconditionally bound by the subject of the proceedings as defined by the complainant. He is entitled to exceed it or expand (§ 453 APC). Such restrictions result from the nature of cassation proceedings.

A cassation complaint as a remedy against a valid decision cannot be conceived as a filing without any barriers, as it could contribute to unnecessary delays in the proceedings.

I see the greatest limitation of the dispositional principle in the case of a cassation complaint in the authorization of the general prosecutor. This significantly interferes with the disposition of the participants in the proceedings and disrupts their freedom of disposition. I do not consider it to be sufficiently justified in contrast to the above-mentioned limitations of the dispositional principle.

## References

BARICOVÁ, J., M. FEČÍK, M. ŠTEVČEK, A. FILOVÁ a kol. 2018. *Správny súdny poriadok. Komentár*. Bratislava: C. H. Beck. ISBN 978-80-7400-678-4.

Explanatory memorandum to Act no. 162/2015 Coll. Administrative Procedure Code. [online]. [cit. 2023-09-15].

Available from: <https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&MasterID=5282>.

GEFFERTO VÁ, H. 2018. Kasačná sťažnosť a procesná pozícia orgánu verejnej správy ako účastníka konania v správnom súdnictve. *Teória a prax verejnej správy: recenzovaný zborník príspevkov z 3. ročníka vedeckej konferencie doktorandov s medzinárodnou účasťou*. Košice: UPJŠ v Košiciach. 148-157. ISBN 978-80-8152-605-3.

GEFFERTO VÁ, H. 2020. Aktívna žalobná legitímácia v správnom súdnictve. *Teória a prax verejnej správy. Recenzovaný zborník príspevkov z 5.ročníka vedeckej konferencie doktorandov*. Košice: UPJŠ v Košiciach. 228-237. ISBN 978-80-8152-841-5.

GEFFERTO VÁ, H. 2021. Dispozičná zásada v správnom súdnictve – zásada či princíp?. *Interpolis '21: recenzovaný zborník vedeckých prác z medzinárodnej vedeckej konferencie Interpolis 2021*. Banská Bystrica: Vydavateľstvo Univerzity Mateja Bela v Banskej Bystrici – Belianum. 271-277. ISBN 978-80-557-1909-2.

HANZELOVÁ, I., RUMANA, I. & ŠINGLIAROVÁ, I. 2016. *Správny súdny poriadok. Komentár*. Bratislava: Wolters Kluwer s.r.o. ISBN 978-80-8168-468-5.

LAVICKÝ, P. 2015. Dispoziční zásada v civilním odvolacím řízení. *Právní rozhledy*, 7, 253-260.

ŠTAJGR, F. 1946. *Zásady civilního soudního řízení*. Praha: Spolek československých právníků „VŠEHRD“.

Ruling of the Constitutional Court of the Slovak Republic, File Ref. III. ÚS 502/2015 of 06 October 2015. [online]. [cit. 2023-09-20]. Available from:

[https://www.ustavnysud.sk/docDownload/8884506d-924d-47eb-b3f4-e90da4b122de/%C4%8D.%2069%20-%20III.%20%C3%9AS%20502\\_2015.pdf](https://www.ustavnysud.sk/docDownload/8884506d-924d-47eb-b3f4-e90da4b122de/%C4%8D.%2069%20-%20III.%20%C3%9AS%20502_2015.pdf)

Ruling of the Constitutional Court of the Slovak Republic, File Ref. I. ÚS 30/97 of 22 May 1997. [online]. [cit. 2023-09-20]. Available from:

<https://www.slov-lex.sk/judikaty/-/spisova-znacka/I%252E%2B%25C3%259AS%2B30%252F97>

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**DISKUSIE**

# Twenty - day Border Conflict in the No Man's Land

M. Talha Aksoy

<https://doi.org/10.33542/VSS2024-1-5>

## Abstract

Due to the civil war in Syria, many Syrians have fled conflict areas in search of safety in other countries, resulting in a severe migratory problem. The situation in Syria grew increasingly complicated post-civil war due to the involvement of global powers and radical Islamist factions. In a significant incident, forces of the Assad regime launched an attack on Turkish soldiers in Idlib, resulting in the death of nine Turkish military personnel on February 27, 2020. The following day, Turkey announced its decision to open its borders to refugees heading to Europe, reversing its previous policy of border closure since 2016. This move is interpreted as Turkey's strategy to increase pressure on NATO and the European Union regarding the situation in Iblid and the demand for a no-fly zone. This paper focuses on analyzing the repercussions of the EU-Turkey Joint Action Plan and its implementation, the escalation of tensions leading to the opening of the Turkish border, and the potential use of Syrian refugees as pawns in a political standoff.

**Keywords:** Border conflict, Turkey, and the E.U, Political Games, Migrants trapped, Bargaining Chips

## Introduction and methodology

This study employs a qualitative research approach to analyze the repercussions of the EU-Turkey Joint Action Plan and its implementation, the escalation of tensions leading to the opening of the Turkish border, and the potential use of Syrian refugees as pawns in a political standoff.

The research methodology involves a comprehensive literature review, including academic papers, reports, and news articles, to gather relevant information and insights on the civil war in Syria, the involvement of global powers, and the impact on migration patterns. The methodology is grounded in a comprehensive literature review, case study analysis, and the examination of official documents, policy statements, and media reports. Special attention is given to the analysis techniques employed, including thematic analysis for identifying recurring themes within the data and discourse analysis to interpret the narratives and rhetoric used by various stakeholders. This detailed methodological approach enhances the scientific rigor of the study by ensuring a thorough and nuanced understanding of the complex issues at play.

Additionally, this study utilizes a case study analysis focusing on the incident involving the attack on Turkish soldiers in Idlib and the subsequent decision to open the Turkish borders



to refugees. This includes examining official statements, policy documents, and media coverage to understand the motivations and implications of this decision.

It is important to note that this research has limitations, including the availability and reliability of data, as well as potential biases in the sources consulted. However, efforts will be made to address these limitations by considering multiple perspectives and triangulating data from various sources.

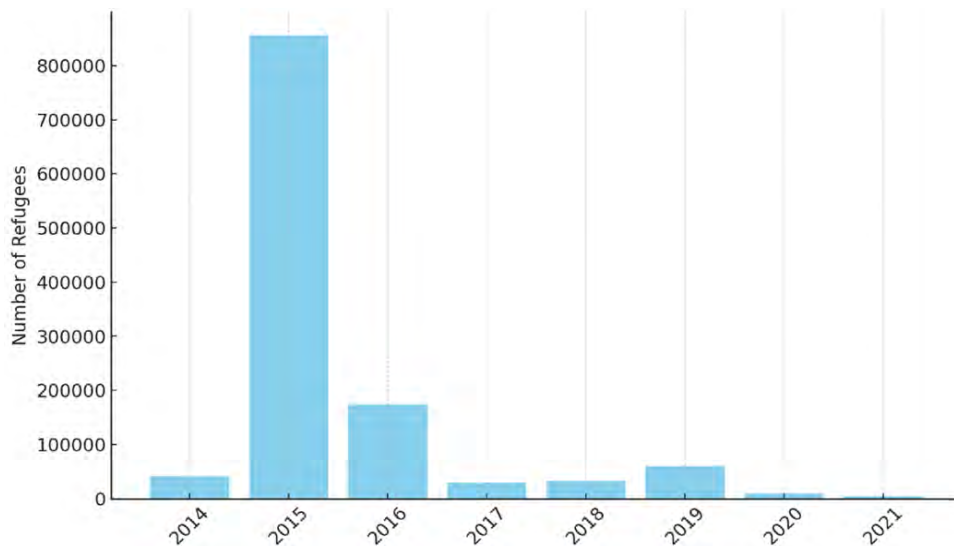
## **1. The E.U. & Turkey Refugee Crisis**

On November 29, 2015, a pivotal agreement, the "Joint Immigration Action Plan," was reached between Turkey and the European Union (E.U.) to manage the surging influx of migrants. This agreement encompassed a financial aid package totaling 6 billion Euros, structured as two tranches of 3 billion each, and a "1 for 1" mechanism was implemented. According to the United Nations Vulnerability Criteria, for each Syrian refugee returning to Turkey from the Greek islands, another Syrian refugee would be moved from Turkey to the European Union. This plan seeks to address the migration crisis from three perspectives:

- Tackling the root causes of the significant Syrian influx.
- Offering assistance to Syrians under temporary protection and their host communities in Turkey.
- Strengthening collaboration to reduce irregular migration to the EU.

Turkey and the EU are determined to work together to share the obligations that come with the situation.

The Action Plan aligns with and extends previous accords between Turkey and the European Union, especially those outlined in the Visa Liberalization Dialogue. It comprehensively details the collaborative efforts undertaken by Turkey and the E.U., particularly in the initiatives executed in parallel in these domains (European Commission, 2015).



**Figure 1: Syrian Refugee Crossings (2014 - 2021)**  
 Source: United Nations High Commissioner for Refugees, 2020.

The data shows that the signing of the "Joint Immigration Action Plan" led to a notable reduction in migration. Nonetheless, this issue remains contentious, serving as leverage for Turkey's dealings with the European Union. This dynamic potentially upsets the balance of power between the E.U. and Turkey, with possible adverse implications for the rights of refugees. Additionally, it is critical to resolve the legal status of Syrians in Turkey. Turkey joined the 1951 Geneva Convention with several restrictions; initially, the Convention only extended to refugees fleeing events before 1951. The 1967 Protocol lifted this temporal constraint. Another restriction was that refugee rights under the Convention would not outweigh those of Turkish citizens. Most significantly, a geographical limitation was set, granting refugee status to individuals fleeing violence in Europe.

Consequently, Syrians in Turkey do not qualify for refugee status under this framework. Moreover, following the implementation of the 2016 Joint Immigration Action Plan, a significant divisive factor emerged: the coup attempt in Turkey on July 15, 2016. This incident has profoundly impacted Turkey's domestic politics and foreign policy, particularly concerning its ties with other nations, prompting a reassessment of its stance and aspirations regarding E.U. membership.

The initial result of the EU-Turkey Statement was a significant reduction in the influx of refugees entering Europe, demonstrating the measure's effectiveness. However, there are specific weaknesses in the agreement. Turkey is highly exposed to irregular migratory movements coming from insecure areas. There are two primary reasons for this vulnerability. First, Turkey's geographic location on the Asian, European, and African continents and its natural bridge-like characteristics make it an important transit point between politically and

economically underdeveloped Middle Eastern, Caucasian, and Central Asian countries and wealthier European nations. Second, Turkey's recent economic expansion has resulted in positive isolation from neighboring nations, transforming it into a "target country" and a transit country (Aygün, 2022). A notable issue is that only a few refugees who reached the Greek islands have been repatriated to Turkey. That has significantly strained Greece, as it bears the brunt of the E.U.'s crisis response. The agreement with Turkey is perceived as contentious and fragile, offering only a temporary respite in addressing the refugee situation.

The European Parliament has also raised concerns regarding potential breaches of international law and the rights of refugees stemming from this agreement. Turkey's reluctance to amend its anti-terrorism laws led to missing critical visa liberalization deadlines in June and October 2016. President Erdogan and the Turkish government have repeatedly issued threats to withdraw from the agreement, using it as a tool to sway E.U. policy towards Turkey. Effective agreement execution requires sustained commitment and the political will of all parties involved. Notably, a decrease in irregular and perilous sea crossings and reduced associated fatalities in the Aegean Sea were observed almost a year after the agreement's implementation.

Domestically, Turkey has faced challenges, including the issue of FETO members seeking asylum in Europe and Greece's refusal to extradite high-ranking military personnel. These actions have contributed to a perception of isolation from other EU member states. Nonetheless, Turkey has engaged in the Astana negotiations with Syria alongside Russia and Iran and has continued to provide extensive humanitarian aid to Syrian refugees. In January 2018, Turkey initiated a new military offensive against the PYD/YPG in Syria's Afrin region. Additionally, 2020 saw the emergence of several complex issues, such as drilling activities in the southeastern Mediterranean, debates over the Mediterranean Economic Zone, and the Cyprus/Maras dispute. Turkey's increasingly assertive foreign policy stance has shifted the E.U.'s view of the Visa Liberalization Dialogue. The E.U. plans to introduce the ETIAS system, an online security procedure requiring third-country nationals, including Turkish citizens, to register before accessing the Schengen Area starting in 2023. The visa fee for Turkish citizens, set at 60 Euros post-2021, will increase to 80 Euros, with an additional 7 Euros for ETIAS applications, thus delaying the anticipated visa-free regime.

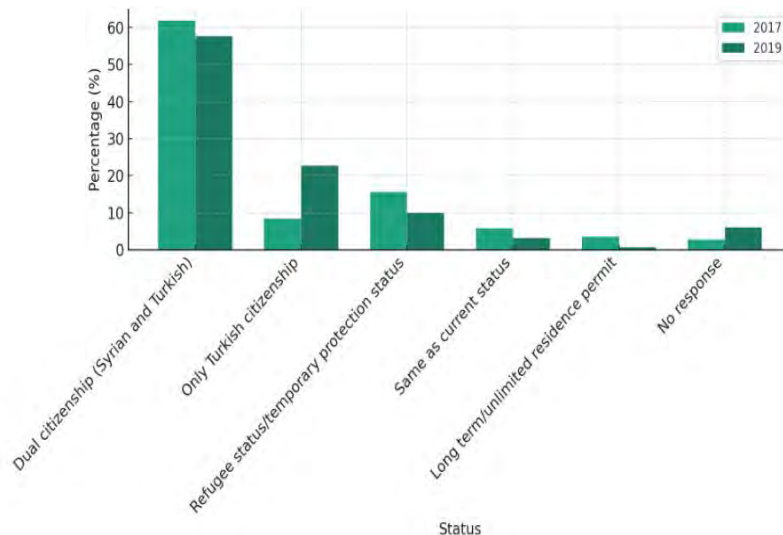
As indicated in the 2020 EU-Turkey Report (E.U., 2020, p. 111), In its 2020 evaluation, the European Union reported that Turkey's level of preparedness in justice, freedom, and security is moderate, with particular progress observed in migration and asylum policy. Actively addressing the needs of an estimated four million refugees, Turkey has effectively reduced unlawful entries into the E.U. The nation upheld its obligations under the March 2016 EU-Turkey Statement throughout 2019, significantly contributing to managing migratory flows in the Eastern Mediterranean. By February 2020, however, Turkey started to encourage refugee

movements into the E.U. and pushed for a revision of the 2016 pact. In December, Turkey revised the Law on Foreigners and International Protection, necessitating new legislation to address the intricacies of irregular migration and asylum. While progress has been achieved based on the previous year's suggestions, the implementation of clauses involving third-country nationals, as outlined in the EU-Turkey readmission agreement, which took effect in October 2017, is still pending. In these situations, it is vital to follow the proportionality principle.

## **2. Is Turkey, as Greece's EU authorities claim, a safe third country?**

The question of whether Turkey can be considered a 'safe third country,' as asserted by Greek EU authorities, is a matter of ongoing debate. The EU-Turkey Joint Immigration Action Plan designates Turkey as a safe third country for migrants. In line with this, the asylum authorities in Greece have, in several instances, deemed Turkey to be a 'safe third country' capable of providing Syrian refugees with sufficient protection. Consequently, many refugees have been repatriated to Turkey under this presumption. The results of various interviews with Syrians in Turkey, encompassing different ages, genders, and social backgrounds, provide further insights into this complex issue (Amnesty International, 2020)

Due to geographical limitations in its approach to international refugee law, Turkey must still fully align with its standards. Under these limitations, refugee status is granted predominantly to Europeans, leaving non-Europeans with limited or conditional protection, making it challenging for them to obtain a fully protected legal status. In response to the increasing flood of migrants, Turkey passed Law No. 6458 on 'Foreign and International Protection' in 2013. This law introduced a novel legal status termed 'Temporary Protection,' which has since been applied to Syrian refugees in Turkey. Initially, this status was intended to facilitate the eventual return of Syrians to their homeland. However, as their return became increasingly unlikely, the focus shifted, revealing a significant gap in long-term integration strategies for these refugees.



**Figure 2: Preferred Status by Syrians in Turkey (2017 vs 2019)**

Source: Erdoğan, M. Murat. 2021

The data pertains explicitly to Syrian refugees and highlights their concerns regarding their legal status in Turkey. When surveyed about their preferred legal status, many Syrians expressed a desire for dual citizenship, with the status of 'Refugee / Temporary Protection' being the second most sought-after option. However, the interest in this status has declined, dropping from 15.6% to 9.9% between 2017 and 2019, as noted by Erdoğan, M. in 2019. The findings from these interviews, coupled with the frequency of terrorist incidents in Turkey resulting in fatalities, cast doubt on the assertions made by Greek asylum authorities about Turkey being a 'safe third country' that adequately protects Syrian refugees. This skepticism is further supported by Figure 2, which illustrates Syrians' discontent regarding their legal status in Turkey.

## **2.1 Are migrants used in a political game at the Greece-Turkey border in the next twenty days?**

In his most speeches, Turkey's President threatens the E.U. by opening the Turkey-Greek border in response to the migrant crisis (KROET, C., 2016). On February 27, 2020, Turkey made a pivotal decision to allow refugees to cross into Europe through its borders, reversing a policy of closure that had been in place since 2016. This action led to a significant gathering of over 13,000 migrants along Turkey's 212-kilometer border with Greece. Ursula von der Leyen, former President of the European Commission, emphasized the EU's resolve to fully support Greece and Bulgaria in dealing with this problem. The European Union deliberated deploying Frontex forces to these borders, with Greece being recognized as a crucial barrier in preventing migrant entry into Europe. The accumulation of migrants at the Greek border marked a critical point, exacerbating the strained relations between Turkey and

Greece. In response, Greece declared a national security emergency at its borders, further underscored by its fragile economy after years of financial hardship (DEUTSCHE WELLE (DW), 2020).

## **2.2 How did the international community respond to the border issue between Turkey and Greece?**

In addressing the escalating border tensions between Turkey and Greece, the international community, led by the U.N. Refugee Agency, collaborated with local organizations, including the Turkish Red Crescent, IOM, and UNICEF, to evaluate and respond to the crisis (UNCHR, 2020). This effort saw the participation of various nationalities, such as Syrians, Afghans, Iranians, Sudanese, and Iraqis, along with women, children, and families. Tragically, two fatalities were reported: Mohammed Gulzari, a 43-year-old Pakistani, and Mohammed Al-Arab, a 22-year-old Syrian (Amnesty International, 2020). Additionally, the use of force by Greek authorities resulted in casualties and a missing woman, drawing criticism from Amnesty International. The U.N. Refugee Agency condemned Greece's temporary suspension of asylum rights, violating the 1951 Geneva Convention. Subsequently, Turkey scaled down its border activities and announced border closures with Greece and Bulgaria due to COVID-19, yet tensions persisted (Skordas, 2020). The IOM reported that in the first quarter of 2020, over 7,000 individuals traveled from Turkey to Greece (IOM, 2020). The ongoing disputes between Greece and Turkey, stretching back to the 1970s and involving issues such as the Cyprus conflict and the Eastern Mediterranean trade zone, are emblematic of the broader EU-Turkey tensions. The geopolitical implications of these tensions are profound, mainly as Turkey leverages its role in the refugee crisis to assert its position against the E.U., shifting the balance of power in the region.

As an outcome, Turkey's recent actions are only one aspect of the strained Greek-Turkish relations that have existed for many years. Long-standing conflicts have characterized Greek-Turkish ties since the 1970s; claims, threats, and provocations continue mutually, such as the Cyprus problem, the continental shelf issue, and the debate over the Eastern Mediterranean trade zone. The problem stems from the fact that during World War I, the continental shelf between Greece and Turkey needed to be specified in the Lausanne Peace Treaty. Therefore, conflicts have arisen between countries coping with migratory concerns. However, the source of conflict is not between Greece and Turkey but between the European Union and Turkey. Greece is included in this topic for two reasons. First, Greece shares a direct border with Turkey. Therefore, any negative or positive decision or disagreement between the E.U. and Turkey would directly impact Greece.

Moreover, Greece is the Schengen external border responsible for E.U. protection and directly or indirectly impacts E.U. member countries based on its decisions. Turkey has

welcomed refugees since 2011, but unfortunately, refugees are being used in a political game. Turkey began using refugees to exert pressure on the European Union. Greece's inability to overcome the effects of the economic crisis, combined with the E.U.'s open support, led to a harsh response to the refugees in the 20-day border movement. Unlike the organs of Greek asylum seekers, the Turkish government is not a safe country based on political games played during the 20-day border crisis. In addition, due to limitations imposed, Turkey's refugees still need to receive complete legal protection under the Geneva Convention. Turkey held the 'refugee card,' and the balance of power shifted. Turkey is becoming increasingly assertive as it distances itself from Europe. Consequently, some countries' role among E.U. member states and Turkey in establishing a dialogue is critical in being neutral and more constructive about the migration issue, which remains one of today's most significant problems.

The recent actions of Turkey in the context of the refugee crisis represent just a segment of the enduring complexities in Greek-Turkish relations, dating back to the 1970s. These relations have been fraught with long-standing disputes, including the Cyprus issue, the debate over the continental shelf, and tensions in the Eastern Mediterranean trade zone. Looking ahead, the long-term geopolitical consequences of the EU-Turkey migration agreement and the associated diplomatic tensions can reshape regional power dynamics and influence the broader international approach to migration and refugee protection. A more in-depth exploration of these long-term effects reveals that sustained tensions could undermine the region's stability, challenge the EU's cohesion on migration policy, and strain EU-Turkey relations. Furthermore, the instrumentalization of migration as a political tool by Turkey may encourage similar strategies by other countries, potentially leading to a fragmented international response to migration and asylum issues. Thus, an extended analysis of these long-term geopolitical implications could significantly enrich the paper's contribution to understanding the complex interplay between migration, international politics, and human rights. Many of these stem, from unresolved matters in the Lausanne Peace Treaty post-World War I. Although these conflicts often manifest in the context of Greece and Turkey, the crux of the matter lies in the broader relationship between Turkey and the European Union (E.U.). Greece's role is pivotal due to its proximity to Turkey and as a guardian of the E.U.'s external Schengen border, influencing the bloc's broader migration policy. Since 2011, Turkey has played an integral role in sheltering refugees. However, using refugees as a bargaining chip in negotiations with the EU has added a new dimension to the situation, hampering efforts to find long-term solutions. Greece's struggle with its economic crisis, compounded by the E.U.'s support, has led to stringent responses to refugee movements, notably during the 20-day border crisis. Unlike the situation with Greek asylum processes, Turkey's approach, influenced by political considerations, raises concerns about the safety and legal protection of refugees under the Geneva Convention. The EU's population is aging, and with a declining birth rate,

there is a growing need for a workforce. Nearly half of the EU's area comprises predominantly rural regions, where only 21% of the population resides. Therefore, integrating refugees into these rural areas could be a viable solution to the demographic challenges and the refugee crisis. This approach would provide refugees with opportunities for resettlement and contribute to the workforce, benefiting the host countries economically.

However, the current refugee policies of the EU, particularly those involving harsh pushbacks, are only short-term solutions that could potentially destabilize the region's balance. A more sustainable approach is required, where Turkey's increasing assertiveness and the potential for further escalation are considered. This year is the 72nd anniversary of the Geneva Convention on the Status of Refugees. While the Convention has been instrumental in aiding refugees, it was initially designed with post-Second World War European refugees in mind and is now stretched to its limits. Considering the evolving nature of global refugee crises, a revision or a new Geneva Convention may be necessary. This new framework should account for the current global context and ensure the protection of refugees worldwide.

## **Conclusion**

In conclusion, the EU and Turkey must engage in constructive dialogue to develop comprehensive and humane migration policies. These policies should balance border security with the protection of refugee rights, adhering to international law. Supporting frontline states like Greece in managing migratory flows and encouraging Turkey to comply with international refugee protection standards is vital. Addressing the root causes of migration, such as the ongoing conflict in Syria, is also essential. Ultimately, a collaborative approach focusing on diplomatic engagement and humanitarian considerations is critical to resolving the multifaceted issues surrounding the migration crisis.

## **References**

AMNESTY INTERNATIONAL. 2020. Greece/Turkey: Asylum-seekers and migrants killed and abused at borders [online]. Available from: <https://www.amnesty.org/en/latest/news/2020/04/greece-turkey-asylum-seekers-andmigrants-killed-and-abused-at-borders/>

AMNESTY INTERNATIONAL. 2020. Turkey/E.U.: Refugees must not pay the price in the political game [online]. Available from: <https://www.amnesty.org/en/latest/news/2020/02/turkeyeu-refugees-must-not-paythe-price-in-political-game/>

AYGÜN, E. 2022. "Recent Trends in Transit Migration Routes Through Turkey to Europe", AARMS – Academic and Applied Research in Military and Public Management Science. Budapest, 20(2), pp. 15–25. doi: 10.32565/aarms.2021.2.2.



DEUTSCHE WELLE (DW). 2020. Over 13,000 migrants gather on the Turkey-Greece border [online]. Available from: <https://www.dw.com/en/over-13000-migrants-gather-on-turkey-greece-border/a-52593052>

EUROPEAN COMMISSION. 2015. EU-Turkey joint action plan [online]. Available from: [https://ec.europa.eu/commission/presscorner/detail/de/MEMO\\_15\\_5860](https://ec.europa.eu/commission/presscorner/detail/de/MEMO_15_5860)

EUROPEAN UNION. 2020. Turkey Report 2020 [online]. p. 111. Available from: [https://ab.gov.tr/siteimages/trkiye\\_raporustrateji\\_belgesi\\_2020/turkey\\_report\\_30.10.2020.pdf](https://ab.gov.tr/siteimages/trkiye_raporustrateji_belgesi_2020/turkey_report_30.10.2020.pdf)

INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM). 2020. More than 13,000 Migrants Reported Along the Turkish-Greek Border [online]. Available from: <https://www.iom.int/news/more-13000-migrants-reported-along-turkish-greek-border>

KROET, C. 2016. Erdogan threatens to open borders to migrants. Politico [online]. Available from: <https://www.politico.eu/article/erdogan-threatens-to-open-turkey-borders-to-migrants/>

MURAT ERDOĞAN. 2021. Syrian Barometer-2020: Framework of Life in Harmony with Syrians. Ankara: UNHCR [online]. ISBN 978-625-8420-23-4. Available from: <https://www.unhcr.org/tr/wp-content/uploads/sites/14/2022/03/SB-2020-Ingilizce-son.pdf>

SKORDAS, ACHILLES. 2020. The Twenty-Day Greek-Turkish Border Crisis and Beyond: Geopolitics of Migration and Asylum Law (Part I). Max Planck Institute for Comparative Public Law and International Law, Heidelberg [online]. Available from: <https://eumigrationlawblog.eu/the-twenty-day-greek-turkish-border-crisis-and-beyond-geopolitics-of-migration-and-asylum-law-part-i/?print=print>

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR). 2020. UNHCR statement on the situation at the Turkey-EU border [online]. Available from: <https://www.unhcr.org/news/press/2020/3/5e5d08ad4/unhcr-statement-situationturkey-eu-border.html>

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**RECENZIE**

# **Public administration interventions during the pandemic in the context of quality of life of seniors**

**Lenka Lachytová**

The COVID-19 pandemic has significantly affected the daily functioning of people all over the world, its effects are still being felt in many social areas. The greatest impact of the pandemic was demonstrated in the field of healthcare, which was enormously overburdened, with increased mortality of individuals, which was not only caused by the disease itself but also by limited access to regular healthcare. The pandemic also caused a deterioration in people's mental health due to the inevitable isolation and a generally lower quality of life. At a time when the pandemic and the dangers associated with it escalated, individual governments around the world were forced to proceed with fundamental restrictions and intervention measures to protect the health of the population. A scientific monograph entitled Public administration interventions during the pandemic in the context of quality of life of seniors, authored by Lenka Lachytová, is devoted to these and other aspects that are directly related to the Covid 19 pandemic. The publication provides a wide spectrum of knowledge about the level and functioning of applied public administration interventions during the COVID-19 pandemic, considering society's economic, social, and legislative conditions. It is primarily focused on public administration interventions that significantly impact the quality of life of the most vulnerable group of residents in society - seniors.

With its structure, the monograph captures the selected issue in a more complex and detailed manner, which was also visible in the scope itself, which is processed on 447 pages divided into 4 chapters dedicated to selected topics necessary to understand the issue. Although this topic is vast and complicated, the chapters are logically processed and the solved problems connect to each other appropriately.

The first chapter is focused on analyzing public administration interventions during the pandemic, the goal of which was to respond to the crisis situation, minimize the spread of the virus, protect public health, and ensure the safety and well-being of citizens. These interventions are categorized in the first subsection into individual groups, according to the area in which they were applied. In the second part of the first chapter, attention is paid to the European Union, which, like the individual states, responded to the pandemic by issuing numerous documents, guidelines, recommendations with an effort to coordinate and unify the interventions of the member states. From the conclusions of the first chapter, based on analyses and comparisons, it follows that the public administration during the pandemic implemented a large number of measures with the aim of minimizing the spread of the virus, for example movement restrictions, quarantines, travel bans, closing schools, shops...

The second chapter of the monograph draws attention to the issue of aging and what the aging of the population means for the state in terms of social and health assistance and care. It was the COVID19 pandemic that pointed to the need to reassess individual aspects of social and health care for seniors, considering the flexibility of systems in society. The chapter is processed on a significant number of pages of the monograph, which proves the importance of this issue. The chapter, among other findings, emphasizes the fact that the pandemic revealed and deepened a number of problems that became even more pronounced in this critical period, especially in the field of long-term care and social services as such.

In the third chapter, the author approaches the quality of life of seniors based on selected indicators and strategies in the field of social inclusion of vulnerable groups. The findings show that the most vulnerable population group has become even more endangered as a result of the pandemic, not only in terms of the risk of poverty, but also in terms of social exclusion.

The fundamental chapter of the publication is the fourth chapter, which contains details of the conducted research and its results. Among other things, the aim of the research was to determine the perception of the quality of life of seniors in home care and in social service facilities before and during the pandemic period. To analyze the social support of seniors in home care before and during the pandemic, but also to identify the degree of satisfaction of seniors with home care before the pandemic and during the intervention measures of public authorities in connection with the Covid-19 pandemic. The results of the research carried out on a large research sample are valuable material both for experts and for the public interested in this issue because they provide a real picture of the investigated issue revealing some problems and shortcomings in the complex care of seniors.

The scientific monograph is the primary output of the project VEGA 1/0595/21 Public administration interventions at the time of COVID 19 and their impact on the quality of life of citizens of selected communities.

The creation of a monograph focused on such an issue is appreciable not only from the point of view of the actuality and scientificity of this topic, but also for the possible future emergence of similar crisis situations.

The publication can be an inspiring contribution to public administration institutions responsible for social policy in the field of proposing changes in the conditions of long-term social care, with the aim of constantly improving the quality of life of seniors and meeting their needs.

**Information about the publication:**

doc. PhDr. Lenka Lachytová, PhD., MBA

Public administration interventions during the pandemic in the context of quality of life of seniors

Publisher: Oficyna Wydawnicza ASPRA-JR, Poland - Warszaw

Year of publication: 2023

Number of pages: 447

Language: english

ISBN 978-83-8209-274-5

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# Educational Policy

**Stanislav Konečný**

After a number of publications in the fields of social policy, municipal policy, but especially after the monograph *The Theory of Public Policy* (Košice: ŠafárikPress 2021), Stanislav Konečný has expanded his focus on the area of public policies with a scientific monograph on educational policy.

As this background indicates, this is a work that deals with educational policy specifically from the perspective of public policy. Hence, only its fourth chapter, which is itself titled *Educational Policy in the Context of Public Policy*, emerges as the key chapter. In the light of the postulates of public policy theory, the author introduces here, first of all, the complete range of actors in education policy, starting with actors at the global (worldwide) level, such as the UN, UNESCO, ILO or OECD. As far as the scope of the monograph allows, he notes at least in overview not only the legally binding acts, insofar as these actors can issue them, but above all the conceptual documents that have been published on their behalf, among them, for example, the so-called Fauré Report of 1970 and the Delors Report of 1995, through which UNESCO globally advanced the development of educational policy into the twenty-first century. The author returns to both of these key studies at many points throughout the monograph. However, among the global actors, he also notes the documents issued by the world's churches in relation to education policy (in particular, an almost complete overview of the relevant encyclicals of the Catholic Church), as well as global actors from the field of the market (e.g., the World Bank) or from the field of civil society (e.g., the Club of Rome or the Cato Institute). The same approach is followed by the author in identifying actors at the continental level. He analyses the documents of the Council of Europe and especially the evolution that European integration efforts have undergone in relation to training and education issues, from the Treaties of Rome to the Europe 2020 Strategy. In the context of the European Union, the author then looks not only at the Copenhagen process, but above all at the Bologna process and the functioning of the European Higher Education Area. Also in this section, he notes the important activities of market and civil society actors (e.g. some multinational think tanks). At the Slovak level, the work also takes note not only of the state education authorities, starting with the Ministry and its network of subordinate organisations, but also of important think tanks and other actors.

The next sub-section examines the instruments of education policy as public policy. For the strategic-conceptual instruments, which he has already touched upon in the production of global and European actors, at this point he addresses conceptual documents of domestic provenance, whether governmental or non-governmental. A similar approach is followed for

legislative, economic, informational and organisational-administrative instruments.

However, the author, who tends to profile his publications in a multidisciplinary manner, also places education policy in the context of other sciences. Already in the first chapter, he draws attention to the multiplicity of these contexts, and in the second chapter he frames education policy in the context of the educational sciences: this allows readers from the political science background to view the issue from a different perspective (which he continues to do in the following chapters) – and in turn allows readers from the ranks of psychologists and educators to understand education not only as a psychological and pedagogical topic but also in its other scientific contexts. In this way, this chapter sees education as a complex cognitive process in which a sequence of steps (inspired by Green and Ackoff's knowledge pyramid) moves from perceptions through phenomena, data, signals, signs and symbols to the information of knowledge and understanding, and finally to wisdom through knowledge. In the next chapter on the forms in which educational policy is implemented, the author examines in detail the various educational institutions (including out-of-school), forms of education and systemic concepts of education, culminating in the concept of lifelong learning, which is continuous throughout life and encompasses all forms of formal, non-formal and informal education, intentional, incidental and functional learning, with the crucial role of the learner as an individual towards the development of his or her creativity.

In the following chapters, the author also discusses the economic and social-sociological contexts of educational policy, which can be very inspiring for scholars working in the economics of education or the sociology of education.

Certainly there are topics that the author did not address in the monograph. There is no look at the personal or ethical context of education policy, but we can still agree with the opinion that this is a unique and very comprehensively processed scientific monograph, which is also the first such thematically focused publication in Slovakia.

#### **Information about the publication:**

doc. PhDr. Ing. Stanislav Konečný, PhD., MPA  
Educational Policy  
Publisher: ŠafárikPress, Pavol Jozef Šafárik University in Košice  
Year of publication: 2023  
Number of pages: 286  
ISBN: 978-80-574-0181-0 (e-publication)

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