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25 years of public administration in the Czech Republic

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Motto: *“Public administration is not isolated in society. Therefore, we cannot expect that problems existing in a post-modern society, largely arising from general relativization of values, will somehow stay clear of public administration. In this regard, the state of public administration cannot vary from the overall state of society.”*¹

Introduction

Fundamental political and economic changes have taken place in the Czech Republic in the past quarter of a century. It is a relatively long period of time, during which all areas of life of society have been radically transformed, with public administration being no exception.

The significant milestone of the country’s history was marked by the events of November 1989.

The political, legislative, and economic changes – in a word “dismantling” – of the socialist state and its transformation into a democratic state relying on the market economy also required transformation regarding the perception of its role, activities of executive apparatus and institutions, nature and quality of public administration employees, and effectiveness of their work. And it is a very challenging and prolonged transformation that is not always absolutely clear.

By analyzing the public administration development during the period, we should point out the key moments of its transformation and allow critical assessment of individual steps of various reforms, both planned and implemented. This is the only way to determine the pros and cons of the existing development and to indicate the trends of going forward.

Broken democratic traditions in all areas of social life for four decades of the monopolist rule of the Communist Party have strongly stigmatized the process of developing a new model for administration of public affairs and the state. In spite of historical traditions in the area of self-governments, it was very difficult to follow up on them and find an optimal model for governing relations between public administration and territorial self-governments. It was necessary to make significant efforts in the area of concepts, legislation, and implementation to ensure gradual harmonization of public administration with the standards of traditional democratic countries.

¹ Matula, M., Kuba, J. Základní problémy reformy veřejné správy a stav jejich řešení. In Reforma veřejné správy. Sborník příspěvků. Prague: ASPI, a.s., 2007, p. 10. (Key issues concerning the public administration reform and their current solution status. In Public Administration Reform. Collection of Papers/Proceedings)

There are many questions relating to the assessment of reforms in the Czech Republic, after a very long time. It can be noted that the whole period took place as a single extensive reform or rather as transformation of society on its journey from one historical politico-economic system into a radically different socioeconomic system.

Public administration reforms that have been taking place – although often painful, tedious and not always straightforward or successful – have become part of a complex process of transformation of the social and economic life.

The objective of this study is to analyze the development in the area of public administration in the Czech Republic during the period, examine individual measures of planned and implemented reforms, and identify pros and cons of such reforms. Consequently, it will be possible to define good practice examples with potential application in other member states of the Visegrad Group.

However, we will try to assess these reforms objectively and correctly – both in terms of their objectives, focus, and conceptuality, and in terms of their effects for individuals, businesses, and non-profit sector.

The study is structured as follows:

- Analysis of the development of public administration in 1989 (Chapter 1)
- Development of public administration in the years 1989-2003 (Chapter 2)
- Development in 2003 (Chapter 3)
- Critical analysis of reforms (Chapter 4)
- Best practice and recommendations (Chapter 5).

1. Development of Public Administration in the Czech Republic to 1989

1.1 Chronological development of public administration to 1989

To identify the roots of our state (public) administration, we must go back to the formation and early development of the Czechoslovak Republic. The formation of an independent state (1918) required the development of public administration structure that had to be embedded within the fundamental legal regulations. The most significant legal regulations comprise Act no. 11/1918 Coll., on the Establishment of Independent Czechoslovak State (Reception Act), and Act no. 37/1918 Coll., on the Interim Constitution. Based on the Reception Act, the new state adopted existing provincial and imperial acts.² This was motivated by efforts aimed at preventing anarchy, since no Code of Administrative Procedure or legal system existed in the Czechoslovak Republic at the time. As emphasized with some authors, the adopted regulation of the Code of Administrative Procedure of

² This concerns Act no. 11/1918 Coll., on the Establishment of Independent Czechoslovak State.

individual countries was highly diverse.³ This was one of the reasons for drafting a reform that culminated in the proposal, discussion, and adoption of the so-called County Act (in 1920). However, the Act only applied to Slovakia, with the Austrian system used in the Czech Lands and the Hungarian system remaining in Subcarpathian Ruthenia.⁴

Changes also took place in the area of self-governments/authorities: provincial, district, and municipal. Self-governments have a long tradition within the territory of the present Czech Republic, dating all the way back to 1848, with the old administrative feudal system no longer being justified due to the abolishment of servitude. Officers started to take control of provincial authorities, under the responsibility of vice-regents. Municipalities were organized as territorial self-governing bodies also partially exercising the state administration as part of their delegated powers (duality in public administration).⁵

Act no. 127/1927 Coll., on the Organization of political administration, was adopted in 1927. The state was divided into individual territorial-administrative lands: Bohemia, Moravia-Silesia, Slovakia, and Subcarpathia. Provincial authorities were established in Prague, Brno, Bratislava, and Uzhhorod; district authorities (state and municipal) were established for individual districts. As of 1928, both district and provincial bodies/authorities were closely linked to public administration; in other words, local governments were nationalized.⁶

The so-called Interim Constitution that was superseded by the so-called February Constitution in 1920 may also be considered important for the development of the new state. A transformation took place in 1920, with the provincial structuring being abolished and replaced by 22 counties within the territory of Czechoslovakia (with the exception of the territory of Subcarpathian Ruthenia). Countries were further divided into districts.⁷ However, this system was criticized as well; consequently, the Act on the Organization of Political Administration (Organization Act) was adopted in 1927 that abolished countries and restored individual lands as the fundamental territorial-administrative units.⁸

During the period of 1938-1939, tendencies for independent Slovakia were rising, ultimately resulting in the adoption of the Act on the Autonomy of Slovakia (Act no. 299/1938 Coll.) and the Act on the

³ Group of authors. Historický vývoj právní úpravy správního řízení a dalších postupů ve veřejné správě. (1918-2005). Periplum, 2007, ISBN 978-80-86624-45-7 (*Historical development of the legal regulation of administrative procedure and other public administration procedures. 1918 - 2005*).

⁴ Group of authors. Historický vývoj právní úpravy správního řízení a dalších postupů ve veřejné správě. (1918-2005). Periplum, 2007, ISBN 978-80-86624-45-7 (*Historical development of the legal regulation of administrative procedure and other public administration procedures. 1918 - 2005*).

⁵ Group of authors. . Historický vývoj právní úpravy správního řízení a dalších postupů ve veřejné správě. (1918-2005). Periplum, 2007, ISBN 978-80-86624-45-7 (*Historical development of the legal regulation of administrative procedure and other public administration procedures. 1918 - 2005*).

⁶ Janák, J. Dějiny správy v Českých zemích v letech 1848 – 1918 se soupisy pramenů a literatury. Jan Evangelista Purkyně University in Brno, Faculty of Philosophy and Arts, SPN Praha, 1987 (History of administration in the Czech Lands in the period of 1848 – 1918, including lists of sources and references).

⁷ Act no. 126/1920 Coll.

⁸ Act no. 125/1927 Coll.

Autonomy of Subcarpathian Ruthenia (Act no. 238/1938 Coll.) as well as in the change of name of the country to the Czech-Slovak Republic.⁹

Growing position and claims of the Fascist Germany and views of superpowers – i.e. France and Great Britain - led to the seizure of borderline territory and ultimately to the proclamation of the Protectorate of Bohemia and Moravia (1939). Activities of domestic and foreign resistance movement were important for the country's fate. Both foreign resistance movement branches (London and Moscow) pursued specific goals. It is also necessary to mention the so-called Provisional Government of Czechoslovakia and its recognition by Great Britain, where the so-called London branch operated.¹⁰

On 4 May 1945, the Czechoslovak Government of the National Front was appointed in Košice, with the effectiveness of the 1920 Constitution being restored. Increasing influence of the Communist Party of Czechoslovakia and country's "eastward" orientation affected the recovery processes in the liberated state and the adoption of the so-called May Constitution of 1948. This Constitution defined a system of regional national committees.

The communist coup d'état already took place in February 1948.

Act no. 280/1948 Coll., on the Regional system, abolished the provincial system and the Czech, Slovak, and Moravian-Silesian Lands ceased to exist.¹¹

With regard to the area of public administration, a regional system was established in 1949, consisting of 13 regions and Prague. The so-called provincial national committees were abolished, with regional national committees being formed. However, self-governments were not restored. Public administration and the enforcement thereof were strongly politicized.

National committees represent one of the phenomena of the public administration development in the Czech Republic. They appeared in 1848, as well as during the fight for autonomy or period of occupation. They were also included in the first post-war government program (so-called Košice Government Program) in 1945.¹² The aforementioned program was followed by specific legislative measures that paved the way for establishment of national committees (Government Regulation no. 4/1945 Coll., as amended by Regulation no. 44/1945 Coll., implementing the Presidential Decree no.

⁹ Group of authors. Historický vývoj právní úpravy správního řízení a dalších postupů ve veřejné správě. (1918-2005). Periplum, 2007, ISBN 978-80-86624-45-7. (*Historical development of the legal regulation of administrative procedure and other public administration procedures. 1918 - 2005*).

¹⁰ Balík, S., Holoušek, V., Holzer, J., Šedo, J. Politický systém Českých zemí 1848-1889. Brno: Masaryk University 2006. (*Political system of the Czech Lands in 1848-1889*).

¹¹ Schelle, K. Vývoj veřejné správy v letech 1948-1990. Eurolex Bohemia, s.r.o., Prague 2005, p. 366. (*Development of public administration in 1948 to 1990*).

¹² The so-called Košice Government Program states the following with regard to public administration issues:

"Unlike the former bureaucratic administrative apparatus that was detached from people, publicly elected national committees are being set up in municipalities, districts, and provinces as new state and public administration bodies. These national committees – i.e. publicly elected bodies, subject to continuous supervision and possible withdrawal by people – shall handle any and all public matters within their respective areas of operation and attend to public safety, in addition to central bodies, and shall set up their subordinate democratic staff of officials. The Government shall implement its policies via these national committees, fully relying on them." (see Schelle, K. Vývoj veřejné správy v letech 1948-1990. Eurolex Bohemia, s.r.o., Prague 2005, p. 365.)

18/1944 of the Official Journal). The structure of the committees consisted of three levels: local, district, and provincial national committees.¹³

Following February of 1948, ideologies of the Communist Party were embedded in the new Constitution of May 1948.

In 1954, the status of national committees was amended, newly representing “local state authority bodies of the working people of Czechoslovakia”. The next to last change in this area took place in 1960. New Act no. 36/1960 Coll., on the Territorial structuring of the state, preserved the existing division into regions, districts, and municipalities; however, it created larger regions and districts than in 1949-1960.¹⁴

Based on the 1960 reform, the country was divided into 10 regions and Prague; these regions were further divided into districts (108 districts in total) and then into municipalities.¹⁵

The end of reform processes known as the “Prague Spring” due to the Warsaw Pact invasion in August 1968 marked a new stage in the country’s development, resulting in its federalization. The formation of two national countries within the Czechoslovak Socialist Republic (as of 1 January 1969) also impacted the public administration organization. The structure comprised federal and state bodies as well as bodies of individual regions, districts, and municipalities.

In connection with the formation of Czechoslovak Federation, the status of national committees in both countries was regulated by Constitutional Act no. 143/1968 Coll., on the Czechoslovak Federation.

Furthermore, there were institutions, the competences of which did not match the territorial-administrative organization of the state. Based on the nature of such institutions’ operations, it was possible to distinguish bodies with general or specific (sectoral or functional) activity. National committees operated as representative bodies of state power and territorial bodies of public (state) administration.

1.2 Key findings from this period

To identify the roots of our state (public) administration, we must go back to the formation and early development of the Czechoslovak Republic. The formation of an independent state (1918) required the development of public administration structure that had to be embedded within the fundamental legal regulations.

¹³ Schelle, K. Vývoj veřejné správy v letech 1948-1990. Eurolex Bohemia, s.r.o., Prague 2005, p. 366. (*Development of public administration in 1948 to 1990*)

¹⁴ Schelle, K. Vývoj veřejné správy v letech 1948-1990. Eurolex Bohemia, s.r.o., Prague 2005, p. 388. (*Development of public administration in 1948 to 1990*)

¹⁵ Act no. 36/1960 Coll. and the Czech National Council Act no. 367/1990 Coll., on Municipalities.

Act no. 127/1927 Coll., on the Organization of political administration, was adopted in 1927. The state was divided into individual territorial-administrative lands: Bohemia, Moravia-Silesia, Slovakia, and Subcarpathia.

The so-called Interim Constitution that was superseded by the so-called February Constitution in 1920 may also be considered important for the development of the new state.

Growing position and claims of the Fascist Germany and views of superpowers – i.e. France and Great Britain - led to the seizure of borderline territory and ultimately to the proclamation of the Protectorate of Bohemia and Moravia (1939).

On 4 May 1945, the Czechoslovak Government of the National Front was appointed in Košice, with the effectiveness of the 1920 Constitution being restored. Increasing influence of the Communist Party of Czechoslovakia and country's "eastward" orientation affected the recovery processes in the liberated state and the adoption of the so-called May Constitution of 1948. This Constitution defined a system of regional national committees.

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2. Development of Public Administration since 1989

Another significant milestone of the country's history was marked by the events of November 1989. Student demonstration in Prague with subsequent police intervention started nationwide protests and mass demonstrations, causing the fall of the political and power monopoly of the Communist Party of Czechoslovakia. As it is a relatively long period of time, I have divided the analysis into individual subchapters.

2.1 Development in the period of 1989 – 2003

2.1.1 Procedures and steps of reform in this period

By the end of 1989, major legislative changes and specific measures aimed at reconstructing the existing government took place. The so-called Federal Government of National Understanding was formed. The Czechoslovak Socialist Republic changed its name to Czech and Slovak Federative Republic. Moreover, parliamentary and municipal elections took place in 1990.

In the course of the first two years after the so-called Velvet Revolution, different ideas of Czechs and Slovaks concerning the future development in both countries were gradually surfacing, ultimately leading to a decision on the dissolution of the Czech and Slovak Federative Republic and formation of two independent states (in 1993).

What were the key developments in the area of public administration in this period (from 1989 to 1992)? The restoration of the (local) self-government principle was probably the most important one. By adopting the Constitutional Act no. 294/1990 Coll., which amended and appended the Constitutional Act no. 100/1960 Coll., the Constitution of the Czechoslovak Socialist Republic, the first step to the fulfillment of the aforementioned principle was taken.

A public administration reform was contemplated during the period, drafted as a two-stage process (in line with Government Resolution no. 71/1990):

- During the first stage, regional national committees were to be abolished, with a two-level model being implemented;
- In the course of the second stage, competences of both levels were to be finalized, while promoting local self-governments.

Discussions on national committees and their socialist “stigmatization” were the reason why neither of the two stages of the intended reform was implemented.

National committees were abolished at the end of 1990 [Act no. 367/1990 Coll., on Municipalities (Municipal System)]. Regional committees were abolished. District national committees were transformed into district offices/authorities.

Different opinions of the Czech and Slovak representation as well as other circumstances and factors resulted in the dissolution of the Czech and Slovak Federative Republic and formation of two independent states. The Agreement on the Dissolution of the Federation was signed in June 1992. In 1992, the Federal Assembly adopted the Act on the Dissolution of Federation, with the single country of Czechs and Slovaks effectively ceasing to exist following 74 years of existence.¹⁶ The dissolution of Czechoslovakia not only generated reactions from all over the world, it was also associated with the complicated process of dividing the property, settlement of financial liabilities, etc. The dissolution process also affected the area of public administration.

Adoption of the Constitution of the Czech Republic (Act no. 1/1993 Coll.) was crucial for the future of local self-governments (authorities), because it legislatively embedded their concept and key principles.

Territorial self-governments were legitimized by the Constitution of the Czech Republic (Act no. 1/1993 Coll.). The Constitution defined territorial self-governing units as territorial communities of citizens with the right to self-government, as public law corporations which may own property with

¹⁶ This concerns Act no. 542/1992 Coll., on the Dissolution of the Czech and Slovak Federative Republic (for more details, see Group of authors. Historical development of the legal regulation of administrative procedure and other public administration procedures. 1918 – 2005. Periplum, 2007, ISBN 978-80-86624-45-7).

their own budget. In addition to municipalities, the Constitution also defined higher territorial self-governing units.¹⁷

These legislative developments reflected the governments' efforts aimed at implementing a public administration reform. The government drafted and presented to the Chamber of Deputies an important document, entitled Draft concept of the public administration reform. The document comprised three alternative systems of the local public administration organization, specifically:

- Alternative I proposed separating the operation of the public administration and self-governments – i.e. a so-called dual system;
- Alternative II proposed institutional integration of the operation of the public administration and self-governments on the level of regions and district authorities in charge of public administration;
- Alternative III proposed separating the public administration and self-governments at the regional level and integrating the public administration and self-governments at the level of authorized municipal authorities.

The government discussed and passed the concept, later submitting it to the Chamber of Deputies.

The Chamber of Deputies selected Alternative II of the government proposal for the organization of higher territorial self-governing units (Resolution of the Chamber of Deputies no. 268 of the 13th Meeting of 19 May 1999).

In late 1999, the government presented the Chamber of Deputies with many draft laws associated with the public administration reform and implementation of the Constitutional Act on the Establishment of higher self-governing units.¹⁸ This “legislative vortex” (figuratively speaking) documents the extensiveness and complexity of changes that were to take place in connection with the public administration reform.

In 2001, other conceptual materials were prepared in connection with the second stage of the territorial public administration reform. However, talks about the materials were discontinued and the Ministry

¹⁷ Act no. 1/1993 Coll., the Constitution of the Czech Republic.

¹⁸ This concerned:

Act no. 128/2000 Coll., on Municipalities (Municipal System);

Act no. 129/2000 Coll., on Regions (Regional System); Act no. 130/2000 Coll., on Regional council elections and amendments to certain Acts;

Act no. 131/2000 Coll., on the City of Prague;

Act no. 132/2000 Coll., on Amendment to certain Acts related to the Act on Regions, Act on Municipalities, Act on District Authorities, and to the Act on the City of Prague;

Act no. 147/2000 Coll., on District authorities; and also:

Act no. 157/2000 Coll., on Transfer of certain assets, rights, and obligations from the Czech Republic to Regions;

Act no. 218/2000 Coll., on Budgetary rules and amendments to certain related Acts (Budgetary Rules);

Act no. 219/2000 Coll., on the Property of the Czech Republic and the representation of the Czech Republic in legal relations;

Act no. 220/2000 Coll., on Amendments to certain Acts in connection with the adoption of the Act on the Property of the Czech Republic and the representation of the Czech Republic in legal relations;

Act no. 243/2000 Coll., on Budget allocation of revenue of certain taxes to territorial self-governing units and to certain state funds (Act on Budget Allocation of Taxes);

Act no. 250/2000 Coll., on Budgetary rules for territorial budgets;

Act no. 248/2000 Coll., on Regional development support.

of the Interior of the Czech Republic was in charge of preparing another proposal. 2001 saw another legislative “vortex” – in terms of the discussion on and adoption of certain Acts and/or amendments thereto.¹⁹

In 2003, district authorities were abolished. Their existing competences were divided between regions and the so-called municipalities with extended competence. The competences of 73 district authorities were transferred to 205 municipalities with extended competence.

2.1.2 Key findings from this period

Therefore, the most important moments in the development of the public administration during the period of 1989 – 2003 may be summed up as follows. The political, legislative, and economic changes – in a word “dismantling” – of the socialist state and its transformation into a democratic state relying on the market economy also required transformation regarding the perception of its role, activities of executive apparatus and institutions, nature and quality of public administration employees, and effectiveness of their work. Czech public administration reforms started immediately after the Velvet Revolution of 1989.

One of the key objectives for the public administration reform in the Czech Republic after 1989 was its decentralization. The renewal of municipal self-governments represented a major step in fulfilling the aforementioned objective. The tradition of municipal self-governments (1849 – 1938) played an important role during the process.

The abolishment of national committees at the regional, district, and local level was an important step in this area following the breakthrough year of 1989.

Another important moment for the development and higher effectiveness of the public administration activities in the Czech Republic was the restoration of the (local) self-government principle – based on adoption of the Act on Municipalities (Municipal System) in 1990.

Different opinions of the Czech and Slovak representation as well as other circumstances and factors resulted in the dissolution of the Czech and Slovak Federative Republic and formation of two independent states. The dissolution process also affected the area of public administration.

The government drafted and presented to the Chamber of Deputies an important document, entitled Draft concept of the public administration reform. The government discussed and passed the concept, later submitting it to the Chamber of Deputies.

¹⁹ This concerned:

Act no. 231/2002 Coll., on Regions (Regional System), as amended;

Act no. 290/2002 Coll., on Transfer of certain other assets, rights, and obligations from the Czech Republic to Regions and municipalities and on associated changes;

Act no. 321/2002 Coll., on Officers of territorial self-governing units;

Act no. 313/2002 Coll., on the Appointment of municipalities with a delegated municipal office and on the appointment of municipalities with extended competence;

Act no. 320/2002 Coll., on Amendment and repeal of certain Acts in connection with the termination of district authorities.

The Chamber of Deputies selected Alternative II of the government proposal for the organization of higher territorial self-governing units (Resolution of the Chamber of Deputies no. 268 of the 13th Meeting of 19 May 1999).

In connection with the implementation of stage I of the territorial administration reform, the Act on the Establishment of Higher Territorial Self-Governing Units was adopted in 1997. The aforementioned Act came into effect in 2001. The formation of regional level of self-governments in the Czech Republic was also associated with the transfer of certain competences from the central public administration to the regions.

In the course of stage II of the territorial administration reform, activities of district authorities were discontinued in 2002, with municipalities with extended competence being formed. These municipalities were to carry out self-government functions as well as functions associated with the transferred operation of state (public) administration within the given administrative area.

The public administration decentralization was the main priority at that time. Attention was given to local and later to regional levels. As emphasized by experts, the public administration reform in the 1990s mainly focused on local self-governments and territorial public administration.

Although the overall fulfillment of the public administration decentralization objective in the Czech Republic was positive, there were some associated problems. It concerns, for example, a relatively high level of de-concentration in respect of self-government bodies, as the scope of the so-called delegated sphere of authority is extraordinary, even when comparing it to other countries that apply the combined model of public administration performance.²⁰

2.2 Development of public administration since 2003

2.2.1 Procedures and steps of reform in this period

In connection with an EU membership application, the Czech Republic undertook to harmonize the national legislation with the Community acquis. Following its accession to the EU in 2004, the Czech Republic immediately had to address the Lisbon Strategy implementation (2000). In 2005, the first National Reform Program of the Czech Republic 2005-2008 was developed. The second National Reform Program was prepared for the period of 2008-2010. As of 2011, the focus of the National Reform Program of the Czech Republic has been in line with the Europe 2020 strategy.

In 2004, a material entitled “Process and main trends of the central public administration reform and modernization” was prepared. The material framed the public administration reform in the following areas:

²⁰ Matula, M., Kuba, J. Základní problémy reformy veřejné správy a stav jejich řešení. In *Reforma veřejné správy. Sborník příspěvků*. Prague: ASPI, a.s., 2007, p. 22. (*Key issues concerning the public administration reform and their current solution status. In Public Administration Reform. Collection of Papers/Proceedings*)

- Rationalization of the central public administration processes;
- Better management within the central public administration;
- Higher quality of the central public administration;
- Implementation and improvement of civil service within the central administration authorities;
- Rationalization of the central public administration funding.

The document was discussed and adopted by the government (Government Resolution no. 237/2004).²¹

„The Government issued on 17 March 2004 the resolution No.237 by which it approved the first conceptual document “The progress and main directions of the reform and modernization of central state administration comprising the solution of the management and organisational support”. Its vision is “a flexible and better functioning of central state administration, capable of well reacting to cross-sectoral and global problems”.²²

Another success consisted in the approval of general principles for assessing the impact of regulation (Government Resolution no. 877/2007).

The Regulatory Impact Analysis (RIA) in the Czech Republic relies on good regulatory practice system of the EU, OECD recommendations, and Anglo-Saxon and Dutch experiences.

The key principles of the RIA are as follows: adequacy, responsibility, consistency, transparency, and targeted efforts.²³ The RIA application is formally “guaranteed” by the Ministry of the Interior of the Czech Republic and the Business Council of the Ministry of Industry and Trade of the Czech Republic with regard to business environment and administrative burden of businesses. All central public bodies and authorities are competent and responsible in the Czech Republic.²⁴

The “Report on the effect of general principles for the regulatory impact analysis (RIA)” was prepared in connection with the Government’s request for assessing the application of the RIA in the Czech Republic as well as associated practice. The Report relied, among others, on data from anonymous questionnaire that took place at 28 central administrative offices in early 2009.

The Report defined strengths and weaknesses of the RIA application, as well as associated opportunities and threats. In the Report recommendations, it is emphasized that ways must be identified for overcoming formal nature of preparing alternatives and impact assessments of the RIA, described as a reason for lower effectiveness of its application.

²¹ See the Concept of finalizing the public administration reform. Ministry of the Interior of the Czech Republic 2012.

²² Vidláková, O. The reform and modernization of central state administration in the Czech Republic. <http://unpan1.un.org/intradoc/groups/public/documents/NISPAcee/UNPAN024319.pdf>

²³ Ochrana, F., Pavel, J., Vitek, L. et al. Veřejný sektor a veřejné finance. Grada Publishing, Praha 2010 (*Public sector and public finance*). The Office of the Government. General principles of the regulatory impact analysis. Annex to Government Resolution no. 877/2007, Prague 2007.

²⁴ -dtto-

In the last period, it is necessary to mention the preparation of the strategy “Effective public administration and friendly public services: Strategy of implementing Smart Administration in the period of 2007 – 2015”. The strategy was prepared by the Ministry of the Interior of the Czech Republic and it was discussed and adopted by the Czech Government in the form of Government Resolution no. 757/2007. The document relies on the analysis of the present state of public administration, defining key issues and formulating strategic goals for achieving higher effectiveness of its operations.

This strategy focused on rationalizing ongoing public administration processes by analyzing existing structures (so-called reengineering) and by examining and describing various competences and functions/roles (redesigning). The implementation of e-Government was supposed to serve as the means for achieving the strategy goals and foreseen outcomes. One of the steps in implementing e-Government was also the adoption of Act no. 11/2009 Coll., on Primary registers.

Another measure consisted in the implementation of the so-called procedural modeling of agendas taking place within public administration. The aforementioned measure was discussed and adopted by the Government (Government Resolution no. 668/2008). This resulted in the launch of the “Procedural modeling of public administration agendas” project financed under the Human Resources and Employment Operational Programme. The key output of the program was the “Methodology of the procedural modeling of public administration agendas” (in line with Government Resolution no. 585/20014).

According to the methodology, public administration bodies could and should model agendas associated with their performance, both on the national and the delegated or self-government level. However, this assumes not only the application of the proposed methodology, but also organization of trainings for public administration employees and preparation of models/templates that should be followed in practice. The reading module of AIS Modelling (<https://erpp-aism-pubegon.gov.cz>) currently features templates of procedural models of agendas that should serve as reference processes (examples) complying with the approved methodology. Trainings for officials covering procedural modeling should also be taking place. All this should lead to optimization of processes within the performance of various public administration agendas.

Another step in the process, following the “Procedural modeling of agendas” project, is the project entitled “Promoting standards for the performance of public administration agendas”. It will result in standards for the performance/execution of individual public administration agendas. These standards will then serve as the so-called best practices.

In July 2015, the Government adopted the “List of priority agendas” and accepted the “Plan for further promotion of procedural modeling and standardization of public administration agendas” (as Government Resolution no. 565/2015). The Ministry of the Interior of the Czech Republic should

ensure methodology and coordination for the process. By 30 April 2016, the aforementioned Ministry should present to the cabinet a summary material entitled “Proposal for promoting the procedural model processing of priority agendas”.

In 2011, the Ministry of the Interior of the Czech Republic prepared an analytical document on the state and problems of public administration – at the level of national and local administration. The “Analysis of the current state of public administration” (2011) not only focuses on the key problems in this area, but also provides alternative solutions to such problems. For example, the document identifies the need to define priorities of the public administration performance, application of the quality management methods, improvement of the transparency of its activities, etc.²⁵ The document was prepared based on Government Decision and Resolution no. 559/2011 on the Basic framework for the concept of finalizing the public administration reform. The objective of the document was to contribute to the reform completion as well as the public administration modernization and higher effectiveness. The government discussed and acknowledged the analysis in the same year (Government Resolution no. 924/2011). Moreover, it was agreed that a draft concept of finalizing the public administration reform, including the schedule of individual measures, would be prepared and presented to the government by mid-2012.

The “Analysis of the current state of public administration” (2011) lists many deficiencies and issues associated with the central public administration. The most serious issues include the nonexistent overview (database) of sphere of authority of individual central administrative authorities/bodies resulting from the relevant legal regulation and particularly from the Constitutional Act no. 1/1993 Coll. and Act no. 2/1969 Coll. (Competence Act).

In this regard, the Ministry of the Interior of the Czech Republic started working on an overview of the sphere of authority pursuant to Act no. 11/2009 Coll., on Primary registers. The point is that increasing agendas and activities at the central public administration level in excess of the scope defined by the above mentioned legal regulations leads to impairment in effectiveness in most cases.

Another issue identified by the “Analysis of the current state of public administration” (2011) is the lack of knowledge of processes leading to the implementation of specific agendas at the level of individual bodies (authorities). Activities within the project “Procedural modeling of agendas” of the Ministry of the Interior of the Czech Republic, together with the project outputs, should contribute to optimizing the performance of these agendas.

Further problem defined by the “Analysis of the current state of public administration” (2011) consists in excessive and redundant bureaucratic burden, not only outwards to individuals and businesses, but also inwards to other public administration stakeholders. For example, the application of methodology

²⁵ For more details see “Analysis of the current state of public administration” (2011). Ministry of the Interior of the Czech Republic. MV ČR. <http://www.mvcr.cz/clanek/analyza-aktualniho-stavu-verejne-spravy.aspx>

of the so-called Standard Cost Model (SCM) to the analysis or assessment/reduction of such public administration burden could contribute to the resolution of this issue. RIA – i.e. Regulatory Impact Analysis – should serve as another instrument, whereas it should already be applied during the stage that precedes the legislative process commencement.

Another problem is the employment (rate) in public administration and the development of this area. The “Analysis of the current state of public administration” (2011) indicates negative trends and the need for rational streamlining thereof, simultaneously with the process of reducing competences, agendas, and level of administrative burden.

According to the “Analysis of the current state of public administration” (2011), the persisting resistance of the central public administration to the application of modern management concepts and methods in their day-to-day work is also problematic.

In connection with the territorial public administration, the “Analysis of the current state of public administration” (2011) lists three problematic areas:

- Existence of territorial (local) units according to Act no. 36/1960 Coll., on the Territorial division of the state (dual regional division, existence of districts, structure);
- Nontransparent and complicated performance of local public administration (municipalities, local government bodies);
- Other deficiencies and issues (status of territorial-administrative units within the NUTS classification, issues associated with small municipalities, public contracts, etc.).

One of the serious issues impairing the effectiveness of public administration in the Czech Republic is the existence of dual definition of regions. Act no. 36/1960 Coll., on the Territorial division of the state, defined 7 regions and 76 districts. According to the Constitutional Act no. 347/1997 Coll., on the Establishment of higher territorial self-governing units, the Czech Republic features 14 higher territorial self-governing units – i.e. 13 regions and the City of Prague. This is not only illogical, but also an issue of ensuring effective public administration operations.

The existence of the old classification is defended by the need to define the territorial jurisdiction of regional courts, regional public prosecutor’s offices, and local offices of the Office for Government Representation in Property Affairs.

The accession of the Czech Republic to the EU was also associated with the need to create the NUTS classification. The classification is of statistical nature in the Czech Republic. Self-governing regions are not NUTS II units.

The situation concerning districts, as defined by Act no. 36/1960 Coll., is also problematic. The definition of some districts was unsuitable even at the time it was being prepared, for example due to the failure to respect natural catchment areas of the territory. Districts were to be abolished within the

second stage of the territorial public administration reform. However, it only abolished the district authorities, which were replaced by administrative areas of municipalities with extended competence. The arguments for preserving districts as territorial division units are identical to arguments for preserving regional division pursuant to Act no. 36/1960 Coll. (see above).

Deficiencies of the dual division are also reflected in improper structure (or the lack of) territorial-administrative units. This concerns situations, where territories of lower territorial-administrative units do not correspond to the borders of higher territorial-administrative units.

One of the important issues of effective public administration performance in the Czech Republic is the so-called territorial structure. The underlying principle is as follows: lower-level administrative units must adhere to and not exceed the administrative borders of higher-level administrative units. This is presently not the case in the Czech Republic. It results from the existence of dual regional division in compliance with Act no. 36/1960 Coll., on the Territorial structuring of the state, currently in full force and effect, and in compliance with the Constitutional Act no. 347/1997 Coll., on the Establishment of higher territorial self-governing units. The territorial division into districts is still in force, although no district authorities exist as of 2003. Since some government institutions still use district-based principals for their structure/organization (i.e. principles, according to which individual districts are not defined by integral administrative areas/units of municipalities with so-called extended competences, but by individual municipalities), citizens experience problems when communicating with individual authorities/offices and handling various matters.²⁶

The Ministry of the Interior of the Czech Republic must prepare an analysis of the administrative structure of the state that should serve as the basis for identifying the optimal territorial structure and better access to public administration authorities by people.

With regard to the nontransparent and complicated performance of local public administration within the territory, as the second category of problems of the territorial public administration defined by the “Analysis of the current state of public administration” (2011), the problems are mainly associated with the variety of municipalities and their differences. In terms of the performance of public (state) administration as part of the delegated sphere of authority, the “Analysis of the current state of public administration” (2011) defined 14 categories of municipalities in total. This situation is not only unsystematic, but above all nontransparent and complicated for the general population.²⁷

²⁶ As stated by D. Sláma, residents of Radostín – i.e. a municipality within the Liberec Region that falls under Turnov as the relevant municipality with extended competence - may apply for their ID cards and other documents or handle various matters of the Trade Licensing Office or Building Authority in Turnov. However, if they wish to deal with Labor Office matters, they must go to Český Dub; the competent Cadastral Office or office of the Czech Social Security Administration is in Liberec. The Registry Office for residents of Radostín is located in Sychrov. (see Sláma, D. Territorial structure of public administration. Public administration journal. Available at <http://denik.obce.cz/clanek.asp?id=6704269>).

²⁷ For more details see “Analysis of the current state of public administration” (2011). <http://www.mvcr.cz/clanek/analyza-aktualniho-stavu-verejne-spravy.aspx>

The third group of problems of the public administration performance according to the “Analysis of the current state of public administration” (2011) comprises issues associated with small municipalities. The main reason is the high number of small municipalities with population of up to 500 existing in the Czech Republic. This concerns 56 % of all municipalities; however, only 7.9 % of the total population, whereas these municipalities occupy more than 1/3 of the total area of the Czech Republic.²⁸ Therefore, it is not surprising that these municipalities have problems with the performance of public administration as well as their self-governing activities and funding.

In 2012, the “Analysis of the current state of public administration” was followed by another material: “Concept of finalizing the public administration reform”. The concept should have defined further direction for the public administration development in the Czech Republic.²⁹

The “Concept of finalizing the public administration reform” (2012) targets three main areas, specifically:

- Public administration modernization;
- Territorial public administration;
- Funding the performance of public administration as part of delegated sphere of authority.

In addition to the aforementioned problems, there are many other long-term problems, such as high density of municipalities and the associated fragmentation of territorial public administration. The concept has not been discussed and adopted by the government.

Due to the absence of any conceptual framework for further development of public administration following the completion of the Smart Administration Strategy (in 2015), another document was prepared – Strategic framework for the public administration development in the Czech Republic for the period of 2014 - 2020 (2014). The document was prepared by the Ministry of the Interior of the Czech Republic.

The reasoning part of the document states that – in spite of implementing several reforms, in spite of many strategic documents, concepts, and action plans being prepared and implemented – the public administration in the Czech Republic continues to face consequences of the failure to complete (or of the formal implementation, as appropriate) the “Public administration reform concept” of 1999.³⁰

The “Strategic framework for the public administration development in the Czech Republic for the period of 2014-2020” also states that it was the failure to complete the 1999 reform in full that has worsened the existing problems and, in some cases, led to emergence of other weaknesses (perhaps

²⁸ For more details see “Analysis of the current state of public administration” (2011). <http://www.mvcr.cz/clanek/analyza-aktualniho-stavu-verejne-spravy.aspx>

²⁹ For more details, see the Concept of finalizing the public administration reform. Ministry of the Interior of the Czech Republic, Prague 2012, as well as the Strategic framework for the public administration development in the Czech Republic for the period of 2014-2020. Ministry of the Interior of the Czech Republic, Prague 2014. <http://www.mvcr.cz/clanek/strategicky-ramec-rozvoje.aspx>

³⁰ See the “Strategic framework for the public administration development in the Czech Republic for the period of 2014-2020”, as drafted by Resolution no. 21-2015. <http://www.mvcr.cz/clanek/strategicky-ramec-rozvoje.aspx>

due to various unsystematic changes and interventions taking place). This is the reason for the underperformance of the public administration effectiveness in the Czech Republic compared to the European Union and some of its Member States.³¹

The key goals of the strategic framework comprise:

- Ensuring continuity of the public administration development;
- Defining other directions of such development and investments in selected areas of public administration during the programming period of 2014 – 2020;
- Ensuring the fulfillment of conditions for utilizing resources from the European funds.

All this within the intentions of the existing knowledge within the international context and examples of best practice. The focal point of the document is higher quality, effectiveness, and transparency of public administration in fulfilling the principles of de-concentration, decentralization, and subsidiarity.

It should be noted that the Strategic framework partly builds on the document entitled “Analysis of the current state of public administration” as well as on a number of other analyses and reports from the area of public administration (e.g. Report on the project implementation with effect on reducing citizens’ administrative burden, Analysis of the public (state) administration performance for municipalities with the basic scope of the delegated sphere of authority, Report on the assignment of administrative agendas carried out by municipalities as part of their delegated sphere of authority under public contracts, Report on the effect of general principles for the regulatory impact analysis (RIA), and other documents).³² Since the Strategic framework did not include a plan for implementing individual stages (steps), the Ministry of the Interior of the Czech Republic is to prepare detailed plans of implementing various activities in connection with the Strategic framework, including the definition of responsibility, liability, schedule, budgets, and procedures.³³ Following the completion of the “Smart Administration” implementation, it is necessary to assess the costs and benefits thereof, and all of these inputs should then be reflected in various concepts and procedures of the Strategic framework for the public administration development. The Strategic framework is expected to be revised in 2016. Following 2020, the document should either be updated or superseded by a new document.³⁴

Another measure aimed at promoting the effectiveness and professionalism of the public administration performance was the adoption of the Civil Service Act no. 234/2014 Coll., on Civil Service (i.e. the “Civil Service Act”), which superseded the original Act no. 218/2012 Coll., on the Service of civil servants in the administration and on the remuneration of these employees and other

³¹ -dtto-

³² Selected documents will be discussed in other parts of this study.

³³ See the “Strategic framework for the public administration development in the Czech Republic for the period of 2014-2020”, as drafted by Resolution no. 21/2015. <http://www.mvcr.cz/clanek/strategicky-ramec-rozvoje.aspx>

³⁴ -dtto-

employees of the administration.³⁵ The new Act came into existence on the basis of an amendment in discussing the draft amendment to Act of 2002. However, following an agreement of the coalition and the opposition, the new Act was ultimately adopted. The Chamber of Deputies of the Parliament of the Czech Republic even had to override a Presidential veto. The given Act came into force on 1 January 2015.

By adopting the Act, the Czech Republic complied with requirements imposed by the European Union, following a prolonged period of criticism by the EU. The Act comprehensively governs the so-called civil service, including issues relating to “employment” of civil servants, organizational matters of such service, remuneration, etc.

According to the new Act, a Deputy Minister of the Interior for Civil Service acts as the supreme official; each Ministry now has an office of the so-called state secretary in charge of personnel agenda. The issue of the so-called political deputies, to which the Civil Service Act does not apply, became a bone of contention. In this connection, President M. Zeman filed a complaint with the Constitutional Court.

The “transformation” of the existing system into a new regime according to the new Civil Service Act has been postponed by six months compared to the original proposal – to 1 July 2015. All civil servants that comply with the preconditions of the Act thus qualified for hiring under civil service.

The Act particularly strives to improve the effectiveness of the public administration performance and achieve higher level of its professionalization.

Officials of territorial self-governing units (municipalities and regions) are subject to Act no. 312/2002 Coll., on Territorial self-governing units’ officials. The Act came into effect on 1 January 2003 already. The Act governs the working relations and education/training requirements for officials of territorial self-governing units.

One argument for implementing the proposed measures is, *inter alia*, the international comparison and assessment of the situation and performance of public administration in the Czech Republic – particularly within the EU. Therefore, in terms of the comparison of Government Effectiveness, the Czech Republic ranked 18th of the 28 EU Member States. With regard to the use of e-Government services, the Czech Republic ranked 23rd of the 28 states in question; in terms of the application of processes of strategic human resources management in the central public administration, the Czech Republic ranked 17th of the 20 assessed EU Member States.³⁶

With regard to the Global Competitiveness Index (GCI) of the Global Economic Forum, the Czech Republic ranked 37th of 144 countries included in the assessment. Poland ranked 43rd, with Hungary

³⁵ The Constitution of the Czech Republic mentions a similar act; however, it was not adopted until 2002, with force from 2004. The force has been postponed several times, last to 1 January 2015.

³⁶ See European Commission - Quality of Public Administration. http://ec.europa.eu/europe2020/making-it-happen/key-areas/index_en.htm

and Slovakia 60th and 75th, respectively. Particularly interesting are results according to individual indicators and sub-indicators of the index. For instance, with regard to the Institutions indicator, the Czech Republic ranked 76th (with Poland being at no. 56, Hungary at no. 83, and Slovakia at no. 110). However, the worst situation exists with regard to the Ethics and Corruption sub-index, with the Czech Republic ranking no. 101 (with Poland being at no. 56, Hungary at no. 93, and Slovakia at no. 122).

The data should also be considered with regard to the effectiveness of the public administration performance. According to the Burden of Government Regulation indicator, the Czech Republic ranked 132nd (with Poland: 117, Hungary: 129, and Slovakia 137)³⁷.

2.2.2 Key findings from this period

Czech Republic's entry into the EU in the year 2004 is not only a new stage in the development of public administration but also a number of steps to its modernization.

In 2004, a material entitled “Process and main trends of the central public administration reform and modernization” was prepared.

Another success consisted in the approval of general principles for assessing the impact of regulation (Government Resolution no. 877/2007).

In the last period, it is necessary to mention the preparation of the strategy “Effective public administration and friendly public services: Strategy of implementing Smart Administration in the period of 2007 – 2015”. The document relies on the analysis of the present state of public administration, defining key issues and formulating strategic goals for achieving higher effectiveness of its operations.

The implementation of e-Government was supposed to serve as the means for achieving the strategy goals and foreseen outcomes. Another measure consisted in the implementation of the so-called procedural modeling of agendas taking place within public administration. The key output of the program was the “Methodology of the procedural modeling of public administration agendas”.

Another step in the process, following the “Procedural modeling of agendas” project, is the project entitled “Promoting standards for the performance of public administration agendas”.

In July 2015, the Government adopted the “List of priority agendas” and accepted the “Plan for further promotion of procedural modeling and standardization of public administration agendas”.

In 2011, the Ministry of the Interior of the Czech Republic prepared an analytical document on the state and problems of public administration – at the level of national and local administration. The “Analysis of the current state of public administration” (2011).

³⁷ The Global Competitiveness Report 2014–2015. World Economic Forum. 03 Sep 2014 <http://www.weforum.org/reports/global-competitiveness-report-2014-2015>

The “Analysis of the current state of public administration” (2011) lists many deficiencies and issues associated with the central public administration:

- The nonexistent overview (database) of sphere of authority of individual central administrative authorities/bodies;
- The lack of knowledge of processes leading to the implementation of specific agendas at the level of individual bodies (authorities);
- The excessive and redundant bureaucratic burden, not only outwards to individuals and businesses, but also inwards to other public administration stakeholders;
- The employment (rate) in public administration and the development of this area;
- The persisting resistance of the central public administration to the application of modern management concepts and methods in their day-to-day work is also problematic.

In connection with the territorial public administration, the “Analysis of the current state of public administration” (2011) lists three problematic areas:

- Existence of territorial (local) units according to Act no. 36/1960 Coll., on the Territorial division of the state (dual regional division, existence of districts, structure);
- Nontransparent and complicated performance of local public administration (municipalities, local government bodies);
- Other deficiencies and issues (status of territorial-administrative units within the NUTS classification, issues associated with small municipalities, public contracts, etc.).

Due to the absence of any conceptual framework for further development of public administration following the completion of the Smart Administration Strategy (in 2015), another document was prepared – Strategic framework for the public administration development in the Czech Republic for the period of 2014 - 2020 (in 2014).

Another measure aimed at promoting the effectiveness and professionalism of the public administration performance was the adoption of the Civil Service Act. no. 234/2014 Coll., on Civil Service (i.e. the “Civil Service Act”), which superseded the original Act no. 218/2012 Coll., on the Service of civil servants in the administration and on the remuneration of these employees and other employees of the administration.³⁸

Officials of territorial self-governing units (municipalities and regions) are subject to Act no. 312/2002 Coll., on Territorial self-governing units’ officials. The Act came into effect on 1 January 2003 already. The Act governs the working relations and education/training requirements for officials of territorial self-governing units.

³⁸ The Constitution of the Czech Republic mentions a similar act; however, it was not adopted until 2002, with force from 2004. The force has been postponed several times, last to 1 January 2015.

3. Critical assessment of implemented reforms

How can we assess the past quarter of a century in terms of the public administration development within the territory of the existing Czech Republic? What about individual attempts aimed at reforming the given area? How can we evaluate the impact of such attempted reforms on the public administration effectiveness and its professionalization, as well as the impact of such reforms on individuals, businesses, or the non-profit sector? How can we describe the present situation – not only in terms of the position of national entities, but also in comparison to other member states of the Visegrad Group and the European Union?

There are many questions relating to the assessment of reforms in the Czech Republic, after a very long time. It can be noted that the whole period took place as a single extensive reform or rather as transformation of society on its journey from one historical politico-economic system to a radically different socioeconomic system.

In assessing the past events and changes, we should also remember the fact that several key moments relevant in terms of the history of Czechoslovakia took place during the period, such as:

- Transformation from a socialist state into a transforming democratic state that relies on the market economy following the Velvet Revolution events in 1989;
- Dissolution of Czechoslovakia following 74 years of existence into two independent countries – Czech Republic and Slovak Republic – as of 1 January 1993;
- Accession of the Czech Republic to the European Union in 2004.

Each of the aforementioned events had a significant effect on the situation in the area of public administration and each of such events resulted in certain reformatory initiatives and measures. We could say that there were always some public administration reforms going on throughout the given period (after 1989): more or less conceptual, more or less successful, more or less elaborate.

Advocates of the hard core critics of public administration reforms would definitely describe the sum of the attempted reforms that have taken place in the given area as half-baked ones. And this claim would be confirmed in many aspects by a chronological analysis of processes in the given period.

However, we will try to assess these reforms objectively and correctly – both in terms of their objectives, focus, and conceptuality, and in terms of their effects on individuals, businesses, and non-profit sector. We should emphasize that some radical change took place in all of the above defined periods. For example, revolutionary transformation of the political and economic system took place in the Czech Republic after 1989, also resulting in a fundamental change of the state (public) administration at all levels (national, territorial, local) – with corresponding legislative support and administrative changes in administration. The situation during the period represented similar revolution as the formation of the First Czechoslovak Republic 70 years earlier. In 1918, the social,

political, and economic orientation of the country's founders aimed at forming an independent country that would rely on democratic and market principles. In order to achieve these goals after 1989, it was necessary to overcome the country's socialist system and its legislative, administrative, and economic principles that had been being promoted for more than 40 years. And this may be the key to clarifying not only the plans and objectives of the reformatory measures in the area of public administration, but also to clarifying their course, duration, as well as their pending (or incomplete) nature.

The political, legislative, and economic changes – in a word “dismantling” – of the socialist state and its transformation into a democratic state relying on the market economy also required transformation regarding the perception of its role, activities of executive apparatus and institutions, nature and quality of public administration employees, and effectiveness of their work. And it is a very challenging and prolonged transformation that is not always absolutely clear. We must understand that people, who were born into the new social conditions, are only 26 years old, and while organizational-administrative and legislative changes may be relatively quick, changes in the thinking of people, overcoming the traditional models and pattern, as well as changes in the perception of reality, require much ground to be covered.

Two more factors also determined potential success or failure of public administration reforms, specifically the “heritage” of the former regime regarding the legislation, structure, and organization of the state administration, and the fact that, post-1989, there were no new-generation officials in the Czech Republic, with the training and education of such officials only starting.

Some authors distinguish the following two aspects in terms of the public administration transformation in the Czech Republic after 1989:

- The first aspect relates to the rejection of immediate ideological effects on public administration as well as to personal and organizational changes;
- The second aspect relates to establishing a long-term process comparable to the public administration functioning in developed democratic countries.

While these authors describe the first aspect as a short-term one when it comes to its implementation, the second aspect is viewed as a long-term process comprising many procedures and methods of public administration operation with a view to apply principles of democracy, legally consistent state, administrative culture, ethics, etc. – i.e. development of a long-term foundation of public administration activities.³⁹

The most significant changes in the area of public (state) administration after 1989 include the abolishment of National Committees and the restoration of self-governing municipalities (1990). Unfortunately, there was no public administration reform concept on the federal or national level at

³⁹ Matula, M., Kuba, J. Základní problémy reformy veřejné správy a stav jejich řešení. In *Reforma veřejné správy. Sborník příspěvků*. Prague: ASPI, a.s., 2007, p. 10. (*Key issues concerning the public administration reform and their current solution status. In Public Administration Reform. Collection of Papers/Proceedings*)

that time. Some elements (but only in the form of mere proclamations) may be traced in the Policy Statements of the Governments of 1992 and later of 1996. However, there was no overall concept for practical implementation of such plans.

Some authors believe that the potential of decentralization and de-concentration in terms of the optimization of relations between the central and the local (territorial) administration was not fully used.⁴⁰

Although various analyses were prepared by the Office for Legislation and Public Administration (in the period of 1992 - 1996) and the Ministry of the Interior of the Czech Republic with regard to reforms of the territorial administration and self-administration, central public administration or civil service, these materials were not discussed by the Government.

International criticism was getting stronger. For example, "Agenda 2000" states the following: "Since 1990 consecutive Czech(oslovak) governments have given low priority to the necessary reform and modernization of the public administration.... The lack of any substantial or coherent plan for public administration modernization is the single greatest cause for concern in this field. Such measures as have been taken are thoroughly inadequate in the face of the important problems which require resolution....a wide ranging reform process will need to be instigated and sustained if the Czech Republic is to establish a civil service of the overall quality, level of training, motivation and flexibility required on the country's path to further economic and social development, and membership of the European Union."⁴¹

The findings of an expert study assessing the situation in the field of public administration in countries of Central and Eastern Europe, commissioned by the European Commission.⁴² In assessing the preparedness to apply ACQUIS (as of 15 July 1997), the European Union included the Czech Republic in a group of countries that must make significant and constant reform.⁴³

In 1997, the Constitutional Act on the Establishment of higher territorial self-governing units (effective from 2000). Moreover, a PHARE project "Public Administration Improvement – Phase 1", carried out by the National Training Fund, commenced in 1997. The objective of the project was to introduce issues relating to the public administration reform concept into the discussion and contribute to a draft strategy for its further development.⁴⁴

Although the developments during the period brought many positives, the authors of this analysis agree that reasons for the area of public administration falling behind were associated with the lack of

⁴⁰ Matula, M., Kuba, J. Základní problémy reformy veřejné správy a stav jejich řešení. In *Reforma veřejné správy. Sborník příspěvků. Prague: ASPI, a.s., 2007, p. 13. (Key issues concerning the public administration reform and their current solution status. In Public Administration Reform. Collection of Papers/Proceedings)*

⁴¹ Národní vzdělávací fond. Analýza veřejné správy ČR. (Analysis of the Czech public administration) <http://old.nvf.cz/archiv/versprava/analyza/obsah.htm>

⁴² The study was published by EIPA, August 1997.

⁴³ Národní vzdělávací fond. Analýza veřejné správy ČR. (Analysis of the Czech public administration) <http://old.nvf.cz/archiv/versprava/analyza/obsah.htm>

⁴⁴ See the „Analysis of the Czech public administration”. National Training Fund. <http://old.nvf.cz/archiv/versprava/analyza/obsah.htm>

political will as well as the quality and actual applicability of presented reform proposals, insufficient communication between and within authorities, continuing orientation on resorts, imperfect legislation, etc.

The Concept of the Public Administration Reform, adopted by the Government in 1999, was supposed to represent a major turning point. The Concept was discussed by the Chamber of Deputies, with alternative II of the so-called integrated public administration model being selected. The objective of the reform was to improve the quality of and modernize the public administration performance and to bring it closer to people. The reform should have resulted in maximum decentralization and de-concentration of the public administration performance.

In connection with the Concept of the Public Administration Reform (1999), many legislative and organizational-administrative changes occurred that were supposed to contribute to the achievement of the reform objectives in the following three basic areas:

- Territorial public administration;
- Central state (public) administration;
- Modernization and higher effectiveness of public administration.

Even though the implementation of the first and partial implementation of the second area contributed to the establishment of a system based on the integrated public administration performance model, the reform pursuant to the 1999 concept was not finalized, particularly with regard to central state (public) administration and in terms of the modernization and quality improvement of administration.⁴⁵ This leads to the criticism and the reform process as well as the underperformance of public administration in the Czech Republic, also within international comparison.

„Although the structure of the government and central state administration also changed several times during the 1990s, either by the creation of new ministries and/or by the cancellation of some existing ministries, these reforms were not systematic and were made ad hoc in accordance with the origin of needs or the formulation and implementation of needs by the individual members of the government.“⁴⁶

„If public management reforms in the new EU member states were heavily influenced by the prospect of EU membership, it is no longer true in the post-accession period. Following their accession to the EU the ex-ante control of the European Commission was replaced with much weaker instruments of the ex-post control in the case of non-implementation or delayed implementation.“⁴⁷

⁴⁵ For more details, see “Strategic framework for the public administration development in the Czech Republic for the period of 2014-2020“. <http://www.mvcr.cz/clanek/strategicky-ramec-rozvoje.aspx>

⁴⁶ Vidláková, O. The reform and modernization of central state administration in the Czech Republic. <http://unpan1.un.org/intradoc/groups/public/documents/NISPAcee/UNPAN024319.pdf>

⁴⁷ Bouckaert, G., Nakrošis, V., Nemeč, J. Public administration and management reforms in CEE: main trajectories and results. Gb JN VN NISPA Journal final.

„The political zig-zags of the reform process in CEE states could be explained by the status of their political systems and their governments.“⁴⁸ „The post-communist political systems have not been consolidated in the Western sense of democracy and market economy.“⁴⁹

Territorial organization of public administration is an important factor to its effective operation and functioning. In this regard, we can mention two historical territorial/administrative reforms, specifically the 1949 reform and the 1960 reform. According to some authors, the 1949 reform respected the natural micro regions and mesoregions more than the 1960 reform.⁵⁰ Moreover, municipalities were integrated during the 1970s and 1980s, with the number of municipalities decreasing by 1/3 during the process, which resulted in other various problems in public administration execution.

However, it does not mean that the problems of the territorial organization of public administration were resolved after the establishment of higher territorial self-governing units (1 January 2001). Parallel existence of two territorial-administrative systems continued, partly due to financial burden associated with moving some administrative authorities and courts.

Accession of the Czech Republic to the EU was very important in terms of the central public administration reform and modernization.⁵¹

Many analysts emphasize the fact that the early stages of the Czech public administration reform mainly consisted in reform processes targeting its organization, as the public administration reform in terms of its contents is not only more complicated, but also requires more time. Such reform assumes that stable environment is formed for public administration, together with efforts in the area of creativity, qualification, objectivity, legal compliance, de-bureaucratization, and higher effectiveness of administration. Therefore, it is not enough to simply issue a collection of acts of legislative and organizational nature.⁵²

Analysts agree that the public administration reform in the Czech Republic has been much more successful on the territorial level than on the central level. One of the reasons for such situation is the historical development – during the period of Austria-Hungary and the First Republic, as the public

⁴⁸ Bouckaert, G., Nakrošis, V., Nemeč, J. Public administration and management reforms in CEE: main trajectories and results. Gb JN VN NISPA Journal final.

⁴⁹ Linz, J. J., Stepan, A. C. (1996) Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe. Baltimore: Johns Hopkins University Press

⁵⁰ Matula, M., Kuba, J. Základní problémy reformy veřejné správy a stav jejich řešení. In Reforma veřejné správy. Sborník příspěvků. Prague: ASPI, a.s., 2007, p. 23. (*Key issues concerning the public administration reform and their current solution status. In Public Administration Reform. Collection of Papers/Proceedings*)

⁵¹ Vidlaková, O. (2006). The Reform and Modernization of Central State Administration in the Czech Republic. <http://unpan1.un.org/intradoc/groups/public/documents/NISPAcee/UNPAN024319.pdf>

⁵² Matula, M., Kuba, J. Základní problémy reformy veřejné správy a stav jejich řešení. In Reforma veřejné správy. Sborník příspěvků. Prague: ASPI, a.s., 2007, p. 11. (*Key issues concerning the public administration reform and their current solution status. In Public Administration Reform. Collection of Papers/Proceedings*)

administration reform has – first and foremost - always been linked with the territorial administration and territorial/administrative organization reform.⁵³

The “Analysis of the current state of public administration”, prepared by the Ministry of the Interior of the Czech Republic and discussed and acknowledged by the Government of the Czech Republic (Resolution no. 924/2011) was also important for the public administration reform implementation. Although the aforementioned Analysis was followed up by the “Concept of finalizing the public administration reform” in 2012, the Concept was neither discussed nor adopted by the Government. Consequently, the “Strategic framework for the public administration development in the Czech Republic for the period of 2014 – 2020” was later prepared (Resolution no. 21/2015).

In July 2015, the Government of the Czech Republic adopted the “List of priority agendas” and accepted the “Plan for further promotion of procedural modeling and standardization of public administration agendas”, including the Proposed Funding of the Plan under the Employment Operational Programme. By the end of April 2016, the Ministry of the Interior should have presented a summary material entitled “Proposal for promoting the procedural model processing of priority agendas”.

Another measure aimed at promoting the effectiveness and professionalism of the public administration performance was the adoption of the Civil Service Act.

By adopting the Act, the Czech Republic complied with requirements imposed by the European Union, following a prolonged period of criticism by the EU. The Act comprehensively governs the so-called civil service, including issues relating to “employment” of civil servants, organizational matters of such service, remuneration, etc.

The new Act came into existence on the basis of an amendment in discussing the draft amendment to Act of 2002. However, following an agreement of the coalition and the opposition, the new Act was ultimately adopted. The Chamber of Deputies of the Parliament of the Czech Republic even had to override a Presidential veto. The given Act came into force on 1 January 2015.

One of the issues relating to the public administration effectiveness is the coordination of activities within individual strategies, reforms, and procedures. In August 2007, the Government adopted the formation of a Panel for Regulatory Reform and Effective Public Administration, as a conceptual and coordination council for promoting public administration reforms. In 2007, the Government Council for Competitiveness and Information Society was established as an expert advisory body to the Government of the Czech Republic. This Council, too, should have acted as an interdepartmental coordinator in the aforementioned areas. However, due to insufficient activity of the Council, it was

⁵³ Matula, M., Kuba, J. Základní problémy reformy veřejné správy a stav jejich řešení. In *Reforma veřejné správy. Sborník příspěvků*. Prague: ASPI, a.s., 2007, p. 11. (*Key issues concerning the public administration reform and their current solution status. In Public Administration Reform. Collection of Papers/Proceedings*)

dismissed, with two new Government Councils being formed: the Government Council for Information Society and the Government Council for Competitiveness and Economic Growth.

The main responsibility of the Government Council for Information Society (see Resolution no. 961/2014) covers activities associated with the development of public administration and e-Government. The Council is headed by the Minister of the Interior of the Czech Republic.

In 2014, the Government adopted – together with the approval of the Strategic framework for the public administration development - the formation of the Government Council for Public Administration, as an expert advisory body headed by the Minister of the Interior. According to a report of the Supreme Audit Office (of 29 June 2013), supra-departmental coordination and interdepartmental communication must be ensured to further improve the effectiveness of public administration bodies.

4. Best practices and recommendations for implementation in the V4 countries

Even though the Czech Republic is criticized for excessive bureaucratic burden, business environment complexity, low transparency of the administrative area for people or corruption in this area, quite a lot has been done in this field. Consequently, a number of good practice examples may also be identified in the Czech Republic. We will mention some of these examples below. However, it is debatable if and how they could be useful for other countries of the Visegrad Group. It is necessary to know the changes that have taken place in the area of public administration in these countries after 1989, as well as the current state, standard, and quality of the administration.

With regard to good practice examples in the field of public administration, mainly the following are notable: improvements in the quality of the administration functioning (1), public administration electronization, and innovations stemming from e-Government (2). Let's focus first on the area of increasing the quality of public administration.

The National Quality Policy is a comprehensive program that covers methods and tools aimed at improving the quality of national economy and public administration (Government Resolution no. 458/2000). The Quality Council of the Czech Republic, supervised by the Ministry of Industry and Trade of the Czech Republic, is the competitive body for the program. The National Information Center for Quality Promotion has been established in connection with the program (as part of the Czech Society for Quality). The aforementioned Center not only fulfills various goals and objectives set down under the National Quality Policy, but also operates an information server about activities carried out under the aforementioned concept.⁵⁴ This also comprises the annual National Quality Award as well as the National Award of the Czech Republic for Corporate Social Responsibility. Since 2006, the National Quality Awards are presented for both the business sector and the public

⁵⁴ See www.npj.cz

sector. The award process relies on the Excellence Model (EFQM). As of 2009, the START and the START Plus programs have been included in the National Quality Award of the Czech Republic initiative, with the START EUROPE program added in 2014.

One of the possible instruments for the public sector quality assessment is the CAF model that is based on experience with the EFQM Excellence Model. The aforementioned model was first introduced in 2000, with subsequent revisions in 2002 and 2006. The latest version - CAF 2013 – is better adapted to analyzing the public sector, resulting from intensive cooperation of users in EU Member States.⁵⁵ In order to fulfill the National Quality Policy strategy, the Public Administration Quality specialized section was formed (one of the specialized sections of the Quality Council of the Czech Republic). The section members include representatives of public administration authorities, territorial self-governing units, non-governmental organizations, and individuals with experience in the field of public administration.⁵⁶ One of the objectives for achieving higher quality is the so-called corporate social responsibility (CSR). There are different methods for measuring CSR, such as: OECD Guidelines for Multinational Enterprises (OECD), ISO 26000 (International Organization for Standardization), AA1000 Account ability/Assurance Standard (nonprofit – England), SAN Ltd. (Social Audit Network – nonprofit, England), ETHIBEL (social audits), ETHIBEL QUALITY Label (Belgium), EFQM (Excellence Model), SA 8000 – SAI - Social Accountability International – (nonprofit, USA) – certification system, Global Reporting Initiative (GRI), National Program for Assessing the CSR System (Czech Republic).⁵⁷ An original method – KORP (after the name of the cooperating organization “Sdružení korektní podnikání”) – was developed in the Czech Republic for the purpose of internal and external CSR assessments. The method was verified in 2007 and has been used for the purpose of the National Award of the Czech Republic for Corporate Social Responsibility since 2009. When drafting the method, inspiration was taken from the procedures under the Sustainability Reporting Guidelines, EFQM Excellence Model, and the CAF 2013 methodology (Common Assessment Framework).

The Liberec Region received the Quality Award of the Czech Republic for the area of Public Sector pursuant to the START Plus model, also receiving the “Successful Organization” award in 2013.

Prague 13 Municipal District: The Municipal District Office received award under the CAF Program “Excellent Organization”. The award for corporate social responsibility was presented to the South Moravian Regional Authority. Moreover, it was the first authority in the Czech Republic with a certified CSR system. The Regional Authority strives to involve citizens in public administration –

⁵⁵ For more details see the Common Assessment Framework (CAF model). Improving public sector organizations through self-evaluation. CAF 2013. National Information Center for Quality Promotion, 2013. ISBN 978-80-02-02472-9. www.npj.cz/soubory/publikace/93.pdf.

⁵⁶ See the National Quality Program 2015. National Information Center for Quality Promotion. ISBN 978-80-02-02591-7. www.npj.cz/soubory/publikace/NPK%20rocenka%202015%20cb%20nahled.pdf.

⁵⁷ Plášková, A., Ryšánek, P. Společenská odpovědnost (CSR). Hodnocení CSR organizací veřejného sektoru v programu Národní ceny ČR za společenskou odpovědnost. Národní informační středisko podpory kvality. ISBN 978-80-02-02435-4. www.npj.cz/soubory/dokumenty/89vs.pdf (*Corporate Social Responsibility (CSR). Assessing CSR for public sector organizations as part of the National Award of the Czech Republic for Corporate Social Responsibility program. National Information Center for Quality Promotion.*)

under various initiatives, such as “Your region, your budget”, where people may express their views on the regional budget in the course of its preparation. There are also activities aimed at fighting corruption (such as web portal Krajbezkorupce.cz, anticorruption hotlines, etc.) as part of the Region’s own Anticorruption Strategy. The Region undertakes other activities in the environmental and social area. Transparent communication with citizens is also promoted by annual surveys assessing the satisfaction of citizens, municipalities, public-benefit organizations/corporations, and members of the South Moravian Regional Council.

The priority axis “Stable and safe society” of the “Strategic Framework for Sustainable Development in the Czech Republic” (2010) emphasizes the importance of effective public administration and self-governments as one of the key preconditions to functioning society. With regard to partial goals associated with the aforementioned priority axis, the strategy mainly defines tasks and objectives in the area of human resources development, e-Government, cooperation of the public administration and the non-profit sector, etc.⁵⁸

The “National Reform Program of the Czech Republic 2015” is a document presented by the Czech Republic to the European Commission each year, in connection with the so-called European Semester. It is a method for coordinating economic policies of individual EU Member States in achieving the Europe 2020 strategy.

In the last revision of 2015, substantial attention was devoted to public administration and its effectiveness, both in connection with the force of the Civil Service Act and promotion of fight against corruption, and in connection with public contracts and administration/management of EU funds. The document accentuates the importance of the “Strategic framework for the public administration development in the Czech Republic for the period of 2014-2020” adopted by the Government (including the area of e-Government).

The “International Competitiveness Strategy of the Czech Republic for the period of 2012-2020” is a very extensive document, which – above all – strives to improve the situation and position of the Czech Republic within international comparison. The concept comprises nine pillars, with the “Institutions” pillar being one of them. The concept states that the Czech Republic is falling behind developed countries of the EU and the OECD in this field, mainly due to ineffectiveness of institutions, excessive regulation, and corruption. The key goals in this area are as follows: systemization and better functioning of public administration, and achievement of its higher professionalism and effectiveness.⁵⁹

⁵⁸ For more details see the “Strategic Framework for Sustainable Development in the Czech Republic” (2010). www.databaze-strategie.cz/cz/uradvlady/strategie/strategicky-ramec-udrzitelneho-rozvoje-cr-2010?typ=struktura

⁵⁹ For more details see the “International Competitiveness Strategy of the Czech Republic for the period of 2012-2020” at www.databaze-strategie.cz/cz/mpo/strategie/strategie-mezinarodni-konkurenceschopnost-ceske-republiky-pro-obdobi-2012-2020

The Ministry of Regional Development of the Czech Republic prepared the “Principles of Urban Policy of the Czech Republic” (2010) for the period of 2010-2013. The conceptual material formulates the future trends of the public administration with regard to cities, with a view to promote their sustainable development.⁶⁰

The “Agenda 21” document was adopted at the 1992 UN Summit, as a plan for achieving global sustainable development – with local public administration to play an important role in the project. In 2012, the “Concept of Promoting the Local Agenda 21 in the Czech Republic by 2020” was adopted (Government Resolution no. 30/2012). The material defines various forms of support for Local Agenda 21, such as financing, education, evaluations, etc.⁶¹ In 2003, the Government Council for Sustainable Development was formed in the Czech Republic (RVUR). Specific criteria were defined for the purpose of measuring quality under Local Agenda 21. There is an official database of the Local Agenda 21 that monitors the fulfillment of such criteria by several cities and regions in the Czech Republic. In 2006, the Ministry of the Interior integrated the Local Agenda 21 in the set of methods aimed at improving the public administration quality.⁶²

National Healthy Cities Network of the Czech Republic was established in 1994. It is a certified association of cities, towns, municipalities, and regions of the Czech Republic combining 119 municipalities, thereby concerning approximately 57 % of the Czech population.⁶³ Members of the association decided to implement the international project “Healthy City” and the international program “Local Agenda 21” in the Czech Republic as well.

The “Strategy for Regional Development of the Czech Republic 2014-2020” was drafted by the Ministry of Regional Development of the Czech Republic. The document was discussed and approved by the Government (Resolution no. 344/2013). Based on the analysis of regional disparities in the Czech Republic, the document formulates goals, priorities, and specific measures in the area of regional development, while fully respecting various regional and sectoral aspects.⁶⁴

The “Strategy for promoting regulation 2007 – 2013” was prepared with regard to the regulatory reform at the central public administration level. The Reform in this area is associated with the criticism coming from domestic entities as well as the European Union.

Let’s focus on the second area of electronization of public administration and innovation in e-Government.

⁶⁰ For more details see “Principles of Urban Policy of the Czech Republic” at www.databaze-strategie.cz/cz/mmr/strategie/zasady-urbanni-politiky?typ=struktura

⁶¹ For more details see “Concept of Promoting the Local Agenda 21 in the Czech Republic by 2020” at www.na21.cz.

⁶² For more details see “Portál MA 21” at www.ma21.cenia.cz.

⁶³ See the National Quality Program 2015. National Information Center for Quality Promotion. ISBN 978-80-02-02591-7. www.npj.cz/soubory/publikace/NPK%20rocenka%202015%20cb%20nahled.pdf.

⁶⁴ For more details see the “Strategy for Regional Development of the Czech Republic 2014-2020” at www.mmr.cz.

One of the priorities defined by the National Reform Program of the Czech Republic (2008-2010) was the reduction of administrative burden in order to promote better business environment in the Czech Republic. The Government has set down various activities aimed at attaining the aforementioned objective (as part of the “Action plan for reducing administrative burden for businesses”).⁶⁵ The Standard Cost Model (SCM) is used to analyze and assess the administrative burden.

The analysis of administrative burden was prepared and approved in 2007 (by Resolution no. 759/2007). The key objective was to reduce the burden for businesses by up to 20 % by 2010. A year later, the “Plan for reducing the administrative burden for businesses by 2010” was also approved. In 2010, the plan was extended to 2012.

Another step in this area is the reduction of administrative burden for individuals. The main activities carried out for achieving the aforementioned goal are included in the e-Government program implementation. This concerns, for example, the establishment of Czech Points, informatization of territorial public administration or establishment of the “Public Administration Portal”. These activities are also associated with a number of legislative measures in the area of electronization, such as Act no. 300/2008 Coll., on Electronic acts and authorized document conversion, Act no. 111/2009 Coll., on Primary registers, etc.

The reduction of administrative burden for citizens is also promoted by various activities under the strategy “Effective public administration and friendly public services: Strategy of implementing Smart Administration in the period of 2007 – 2015”, projects of digital collection of laws and international treaties (“e-Sbirka”) and digital legislative process “e-Legislativa”, ongoing procedural and organizational audits of public administration agendas, etc. In this connection, we should also mention the initiative “Devote 10 minutes to improving the legal environment in the Czech Republic” that allows individuals to comment on legal regulations and/or amendments thereto.

The Report on implementing the project aimed at reducing the administrative burden for citizens (2011) was prepared by the Ministry of the Interior in connection with the Government Resolution no. 908/2010. The Report mainly provides information on activities and projects aimed at reducing the administrative burden for individuals as well as an overview of impacts thereof. The part that lists international success stories and testimonials is also interesting.⁶⁶

The effectiveness of public administration should also be promoted by the “Development Strategy of Infrastructure for Spatial Information in the Czech Republic by 2020” (2014), also known as the “Geoinfostrategie”. The objective of the strategy is to define the state of infrastructure for spatial information, create information base by interconnecting territorially-oriented data from various data

⁶⁵ Based on Resolution no. 421/2005, the Government also accepted the “Methodology for assessing the extent and origin of administrative burden for businesses” – see www.mvcr.cz/clanek/hodnoceni-a-snizovani-administrativni-zateze.aspx

⁶⁶ For more details see the Report on implementing the project aimed at reducing the administrative burden for citizens (June 2011). Ministry of the Interior of the Czech Republic (MV ČR).

sources, thereby increasing the effectiveness of funding for the spatial data generation.⁶⁷ The Strategy follows up on:

- International Competitiveness Strategy of the Czech Republic for the period of 2012-2020;
- National Reform Program of the Czech Republic.

The “National Innovation Strategy of the Czech Republic 2012-2020” is a document prepared by the Ministry of Industry and Trade of the Czech Republic and adopted by the Government (Government Resolution no. 714/2011). The objective of the document is to formulate the key trends, areas, and innovation strategy instruments that should contribute to long-term economic growth to ensure creation of high-quality jobs and quality of life improvements in the Czech Republic.⁶⁸ The material also mentions the need to promote, coordinate, and effectively implement innovation policy on the regional level – by applying effective instruments of regional innovation policy.

This year (2015), the Czech Republic will see the tenth selection of the best project in the area of public administration electronization. The “e-Government” magazine published an overview of the most interesting and successful projects of 2014.⁶⁹ Individual projects are divided into several categories: central, regional, city, and municipal projects. New category was introduced in 2014 – best payment innovation in public administration. Awarded central projects included, for example, the “Central Firearms Register”, “Creation of the Czech Digital Library”, “Videoconferencing in Criminal Proceedings”, and “Mobile application for the public administration portal”. Notable regional projects include, for example, the “Public-Benefit Organizations Portal”, “Central Procurement System for the Plzeň Region Organizations”, “Register of Networks - www.registrsiti.cz”, and “International Integration of Regional Authority”. The following projects are worth mentioning in the category of city projects: “Register of Receivables”, “Monitoring and Supervision in the 21st Century – Effective, Quick, and Professional” or “Cloud storage for documents of the council and representatives”. On the municipal level, we can mention the “Interactive authority – clickable budget” project or the “Cash Terminal of the City of Kroměříž” project.⁷⁰

The “National Policy in Electronic Communications – Digital Czech Republic v.2.0”, journey to digital electronization in the period of 2013-2020, was adopted by the Government in 2013 (Resolution no. 203/2013). The document was prepared by the Ministry of Industry and Trade of the Czech Republic, as an amendment to the “National Policy in Electronic Communications”. The given strategy also addresses the issue of modernization of public administration and its bodies through

⁶⁷ See the “Development Strategy of Infrastructure for Spatial Information in the Czech Republic by 2020” (2014) at www.mvcr.cz/clanek/goinfostrategie.aspx.

⁶⁸ National Innovation Strategy of the Czech Republic 2012-2020 at www.mpo.cz/dokument91200.html

⁶⁹ For more details see The Best 2014. Overview of the most interesting projects in the area of the Czech public administration electronization. www.egovernment.cz/best/2014/best14.pdf.

⁷⁰ -dtto-

modern technology, as well as the issue of open and equal access to public sector information by all entities.⁷¹

Conclusion

Radical political, economic, and social changes in general taking place in the Czech Republic after 1989 have affected all areas of life of society. These changes have also had major impact on the area of state administration at all levels: central, regional and/or local.

The objective of this study is to analyze the development in the area of public administration in the Czech Republic during the period, examine individual measures of planned and implemented reforms, and identify pros and cons of such reforms. Consequently, it will be possible to define good practice examples with potential application in other member states of the Visegrad Group.

Analyses of public administration in the Czech Republic as well as critical examination of reforms that have taken place in the past quarter of a century have revealed complex development process of public administration in the situation prevailing after 1989. Broken democratic traditions in all areas of social life for four decades of the monopolist rule of the Communist Party have strongly stigmatized the process of developing a new model for administration of public affairs and the state. In spite of historical traditions in the area of self-governments, it was very difficult to follow up on them and find an optimal model for governing relations between public administration and territorial self-governments. It was necessary to make significant efforts in the area of concepts, legislation, and implementation to ensure gradual harmonization of public administration with the standards of traditional democratic countries.

Public administration reforms that have been taking place – although often painful, tedious and not always straightforward or successful – have become part of complex process of transformation of the social and economic life. Is the 25-year period of reforms too long or too short for us to be satisfied with the level, quality, and effectiveness of public administration? That is a question.

Were the reforms able to quickly and effectively react to requirements arising from the membership of the Czech Republic in the EU? Have we succeeded in applying new discoveries in the area of electronic communication or modern and successful management methods? This is also debatable.

We can only agree with the opinion that: „Public management reforms in CEE countries have achieved a mix of successes and failures. However, the reform process proved to be more difficult and slower than expected at the outset of political and economic transition as well as EU accession.“⁷²

⁷¹ See the “National Policy in Electronic Communications – Digital Czech Republic” at www.mpo.cz/assets/cz/e-komunikace-a-posta/internet/2013/4/Digi_s_v.2.0.pdf

⁷² Bouckaert, G., Nakrošis, V., Nemeč, J. Public administration and management reforms in CEE: main trajectories and results. GB JN VN NISPA Journal.

The presented study and its conclusions should expand the analysis of the development of public administration in member states of the Visegrad Group after 1989 with other problem areas, such as public administration funding, subsidy relations to territorial and local budgets, effectiveness and self-support of public administration institutions at all levels, etc.

A group of French experts stayed in Prague during the mid-1990s, when it seemed that no solution would be identified for many years to come. They wanted to know, among others, how long the reform talks had been going on. When told that it had been a very long time, as optimal and generally acceptable model had been sought for long 7 years, one of them said: “That’s ok. We have been searching for 150 years”.⁷³

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⁷³ Reforma veřejné správy. Sborník příspěvků. Prague: ASPI, a.s., 2007, p. 8. (*Public Administration Reform. Collection of Papers/Proceedings*)

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