

TOPOLOGICAL GOVERNANCE OF RURAL PUBLIC PROCUREMENT IN THE EUROPEAN UNION: A CONCEPTUAL LEGAL-ECONOMIC NETWORK FRAMEWORK WITH A DIGITAL-PLATFORM EXTENSION

TOPOLOGICKÉ RIADENIE VIDIECKEHO VEREJNÉHO OBSTARÁVANIA V EURÓPSKEJ ÚNII: KONCEPTUÁLNY RÁMEC PRÁVNO-EKONOMICKEJ SIETE S ROZŠÍRENÍM O DIGITÁLNU PLATFORMU

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I Introduction

Rural public procurement occupies a specific but important position within EU agrarian governance.

It is not identical with agrarian law as a whole. It is one legal and economic channel through which rural development measures, infrastructure projects,

Abstract (EN)

This article develops a conceptual and methodological framework for analysing rural public procurement in the European Union through legal-economic network analysis. It treats contracting authorities, suppliers, regulators, and, where relevant, digital intermediaries as nodes connected by legally meaningful edges, including awards, contractual obligations, information flows, review proceedings, and data-processing relations. The article responds to the need for a clearer bridge between network theory and procurement doctrine. It explains how legal thresholds, procedure types, publication duties, and electronic procurement infrastructures may be translated into measurable variables such as density, centrality, modularity, component structure, and supplier turnover. The contribution is methodological rather than empirical: it does not present completed findings on the Czech Republic or Slovakia. Instead, it formulates a reproducible research design for a future Czech-Slovak comparison and identifies the legal variables that would have to be coded before any causal claim could be made. Digital agricultural platforms are addressed as a secondary extension of the same topology, especially where platform centrality creates dependency, gatekeeping, and data-asymmetry risks. The framework shows how network diagnostics may support CAP monitoring, audit prioritisation, and legally informed regulatory design, while remaining subordinate to doctrinal analysis and case-specific evidence.

Keywords (EN)

EU agrarian law, rural public procurement, network analysis, CAP implementation, legal-economic methodology, digital agricultural platforms, Czech Republic, Slovakia

Abstrakt (SK)

Príspevok rozvíja koncepčný a metodologický rámec pre analýzu verejného obstarávania na vidieku v Európskej únii prostredníctvom právno-ekonomickej sieťovej analýzy. Verejných obstarávateľov, dodávateľov, regulačné orgány a v prípade potreby aj digitálnych sprostredkovateľov považuje za uzly prepojené právne zmysluplnými hranicami vrátane zadávania zákaziek, zmluvných záväzkov, informačných tokov, konaní o preskúmaní a vzťahov v oblasti spracovania údajov. Príspevok reaguje na potrebu jasnejšieho prepojenia medzi teóriou sietí a doktrínou obstarávania. Vysvetľuje, ako možno právne prahové hodnoty, typy postupov, zverejňovacie povinnosti a infraštruktúry elektronického obstarávania preložiť do merateľných premenných, ako je hustota, centralita, modularita, štruktúra komponentov a fluktuácia dodávateľov. Príspevok je skôr metodologický ako empirický: nepredstavuje dokončené zistenia o Českej republike alebo Slovensku. Namiesto toho formuluje reprodukovateľný výskumný návrh pre budúce česko-slovenské porovnanie a identifikuje právne premenné, ktoré by museli byť kódované predtým, ako by bolo možné vzniesť akékoľvek kauzálne tvrdenia. Digitálne poľnohospodárske platformy sú riešené ako sekundárne rozšírenie tej istej topológie, najmä tam, kde centralita platformy vytvára riziká závislosti, gatekeepingu a asymetrie údajov. Rámec ukazuje, ako môže diagnostika siete podporiť monitorovanie SPP, stanovenie priorít auditov a právne informovaný návrh regulácie, pričom zostáva podriadená doktrínalnej analýze a dôkazom konkrétnych prípadov.

Kľúčové slová (SK)

agrárne právo EÚ, verejné obstarávanie na vidieku, analýza siete, implementácia SPP, právno-ekonomická metodológia, digitálne poľnohospodárske platformy, Česká republika, Slovensko

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advisory services, food supply, environmental works, and locally embedded services are translated into contracts. The article, therefore, adopts rural public procurement as its primary analytical focus. Digital agricultural platforms are examined only as a connected extension. They illustrate how the same network vocabulary can be used where access to markets, services, and data is mediated by platform operators.

The central claim is limited but significant. Legal rules do not merely impose procedural duties on isolated transactions. They also influence the relational environment in which public buyers and suppliers repeatedly interact. Thresholds, procedure types, publication obligations, and electronic procurement infrastructures may affect which actors appear in the market, how often they interact, and whether procurement opportunities remain open across territorial and sectoral boundaries. This article proposes a method for studying those effects. It does not claim that any national system is already proven to be integrated, fragmented, or captured.

The framework draws on network theory, legal-economic analysis, and EU public procurement doctrine. It translates network concepts into legal categories familiar to lawyers. Nodes correspond to contracting authorities, suppliers, regulators, and, in the platform extension, digital intermediaries. Edges correspond to awards, contractual relations, review proceedings, information flows, or data-processing relations. Centrality may indicate dependence, brokerage, or gatekeeping. Modularity may indicate territorial clustering, repeated closed circles, or market segmentation. These indicators do not prove illegality by themselves. They provide structured evidence for further legal interpretation.

The article is conceptual and methodological in character. It develops a legally interpretable research design rather than a completed empirical application. This distinction is important. If empirical data are later assembled, the framework can be used to examine whether Czech and Slovak rural procurement networks differ in supplier diversity, concentration, fragmentation, and cross-regional integration. Until such data are reported, those propositions must remain hypotheses.

The article makes three contributions. First, it clarifies the hierarchy of the research object by placing rural public procurement at the centre and treating platform governance as a secondary application. Secondly, it sets out a reproducible methodology for a Czech-Slovak comparison based on clearly defined procurement data. Thirdly, it identifies how network diagnostics can support CAP monitoring, audit prioritisation, and regulatory design without replacing doctrinal analysis or case-specific legal assessment.

II Legal Context and Scope of Inquiry

The legal baseline is formed by Directive 2014/24/EU on public procurement⁽¹⁾. The Directive coordinates public procurement procedures and sets out the core principles of transparency, equal treatment, non-discrimination, and proportionality. For rural procurement, those principles are relevant not only to individual procedures but also to repeated patterns of market access. In a network perspective, the legal question is whether the structure of repeated awards supports open competition or whether it produces dependency, opacity, or closure.

The EU framework must be read together with national implementing regimes. In the Czech Republic, Act No. 134/2016 Coll., on Public Procurement, provides the relevant domestic framework⁽²⁾. The legal variables to be coded in a Czech dataset include, in particular, the general principles of procurement in Section 6, the treatment of small-scale public contracts in Section 31, the simplified below-threshold procedure in Section 53, the rules on below-threshold time limits in Section 54, and the open procedure in Section 56. These provisions are legally relevant because they structure visibility, participation, and the range of permissible procedural choices.

In Slovakia, Act No. 343/2015 Coll. on Public Procurement provides the corresponding framework⁽³⁾. A Slovak dataset should code, at a minimum, the financial limits under Section 5, the basic principles under Section 10, the public tender procedure under Section 66, and low-value contracts under Section 117. These provisions do not themselves prove a network effect. They identify the legal categories through which such an effect could later be tested.

The agrarian-law dimension arises because many rural procurement decisions are connected to CAP implementation, rural development, environmental obligations, and the distribution of public support. Regulation (EU) 2021/2115 structures support through CAP Strategic Plans⁽⁴⁾, while Regulation (EU) 2021/2116

- 1 Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC.
- 2 Act No. 134/2016 Coll., on Public Procurement (Public Procurement Act).
- 3 Act No. 343/2015 Coll., on Public Procurement and on Amendments to Certain Acts.
- 4 Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013.

concerns financing, management, and monitoring⁵. These instruments do not create a network methodology. They do, however, make performance, control, and monitoring central to rural governance. Network diagnostics can therefore be treated as a supplementary analytical layer within existing administrative and legal oversight.

Digital agricultural platforms are included for a narrower reason. Rural market access is increasingly mediated by data-intensive services. A platform may connect farmers, input suppliers, processors, advisers, public authorities, and support schemes. Such a platform may generate efficiencies, but it may also create dependency, gatekeeping, and data asymmetry. The GDPR and the Digital Markets Act do not regulate rural procurement as such. They provide legal concepts that help interpret data flows, interoperability, fairness, and platform power when procurement or rural-development governance interacts with digital market structures.

5 Regulation (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013.

III Methodological Framework

3.1 Research Design and Data Architecture

This article proposes a legal-economic network model rather than a complete empirical study. The empirical component would require a defined observation period, preferably one calendar year. The year 2022 is suitable for an initial design because it allows the researcher to examine procurement practice under established Czech and Slovak procurement frameworks before the full practical implementation of the 2023-2027 CAP Strategic Plans. The same method could later be extended to subsequent years to test temporal stability.

The basic dataset should contain all public contracts that meet at least one rural or agrarian selection criterion. These criteria may include the nature of the contracting authority, the location of performance, CPV codes connected to agriculture, rural infrastructure, food supply, environmental management or advisory services, and a connection with CAP or rural-development funding where this information is available. The dataset should be assembled from TED or eForms notices, national procurement portals, contract registers, public buyer profiles, and review or audit decisions.

Each contract should be transformed into a relational record. The contracting authority and the supplier

Table 1 Legal concepts and corresponding network indicators

Legal or institutional concept	Network translation	Possible indicator	Legal interpretation
Contracting authority	public buyer node	degree; value-weighted degree; regional position	capacity, market access, and repeated purchasing role
Supplier or economic operator	supplier node	degree; betweenness; supplier turnover	market participation, dependency, or repeated concentration
Awarded contract	directed and weighted edge	value; procedure type; CPV code; date	legally traceable transactional relation
Threshold and procedure type	boundary condition on edge creation	share of open, restricted, negotiated, below-threshold, or low-value procedures	potential effect on visibility, participation, and contestability
Publication and electronic procurement duties	visibility of nodes and edges	completeness of notices; portal coverage; missing-edge rate	transparency and auditability of the market structure
Centrality	structural prominence of a node	degree; betweenness; eigenvector centrality	possible dependence, brokerage, or gatekeeping; not proof of illegality
Modularity or clustering	partition of the network into communities	modularity score; component count; intra-community density	possible territorial closure, specialised markets, or collusion risk
Regulatory oversight	countervailing or monitoring node	review links; audit findings; sanctions; complaints	connection between topology and legal accountability

Source: Author's own conceptual scheme

become nodes. The award becomes a directed edge from the authority to the supplier. The edge is weighted by contract value and labelled by procedure type, legal threshold category, CPV classification, region, funding source, and publication channel. Where subcontracting, framework agreements, joint procurement, or platform-mediated services are relevant, additional edges may be introduced. The model remains legally meaningful only if each edge can be traced back to a verifiable legal or administrative record.

Reproducibility requires a transparent inclusion protocol. The protocol must state the database used, search terms, CPV codes, time period, exclusion criteria, de-duplication rules, currency treatment, and treatment of missing values. It should also describe whether contract amendments, cancelled procedures, and framework-agreement call-offs are included. Without these steps, the network would remain a visual metaphor rather than an empirical method.

3.2 Operationalisation of Legal Variables

The causal logic must be specified before any empirical claim is made. Legal variables are not directly equal to network outcomes. They operate through mechanisms that affect visibility, participation costs, entry opportunities, and the frequency of repeated interactions. A low-value procurement regime may reduce administrative burden for small buyers. At the same time, if publication duties are limited, the observable network may display fewer visible edges and stronger local repetition. This pattern may reflect efficient local purchasing. It may also indicate reduced

contestability. Legal interpretation is therefore required at a second stage of analysis.

Procedure type should be coded as an independent legal variable. Open procedure, restricted procedure, negotiated procedure, simplified below-threshold procedure, and low-value procurement should be separated. The threshold category should be coded independently from procedure type because the same procedure may have different implications in different value bands. Publication channel should be coded as a transparency variable. Review, complaint, and audit outcomes should be coded as accountability variables. These legal variables can then be linked to network outcomes such as density, centrality, fragmentation, and supplier turnover.

The model must also distinguish between the absence of evidence and evidence of absence. If low-value contracts are not fully published, the resulting network may be incomplete. Missing data should therefore be treated as a methodological finding in its own right. In rural procurement, such incompleteness may be legally significant because it affects external oversight and market entry. It should not be silently transformed into a substantive conclusion about market structure.

3.3 Metrics and Analytical Tools

The first group of metrics describes participation. It includes the number of contracting authorities, the number of suppliers, the number and value of awards, the average number of awards per buyer, the average number of awards per supplier, and supplier

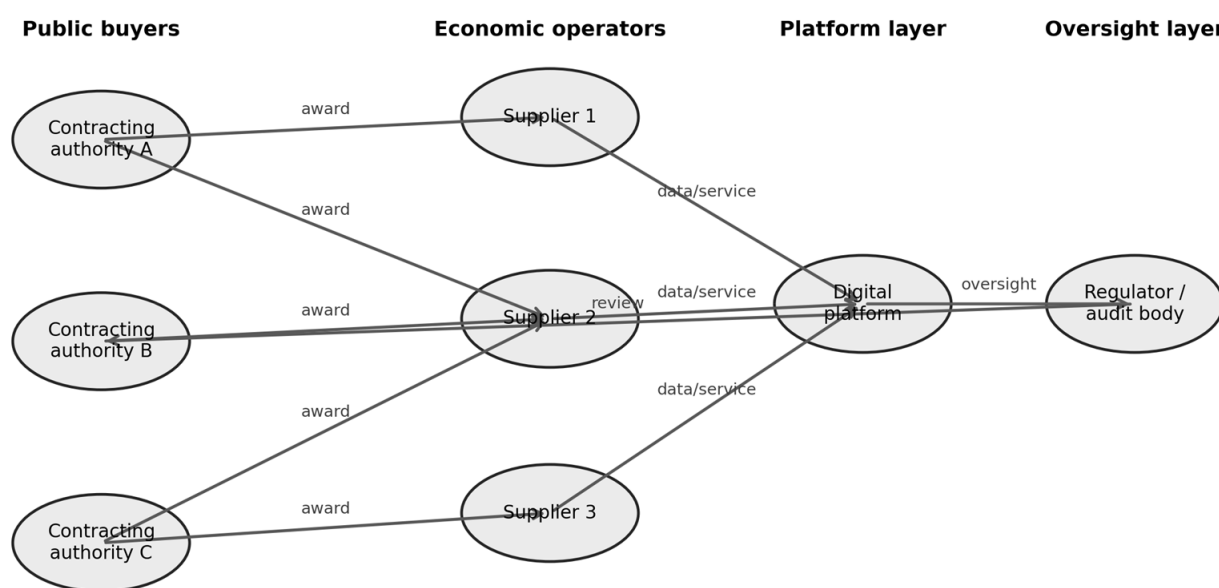


Figure 1 Schematic topology of rural procurement and platform oversight. The figure is illustrative and does not represent empirical findings

turnover. These indicators provide the descriptive baseline without which no comparative claim should be made.

The second group describes topology. Density measures how many possible buyer-supplier ties are realised. Average path length and component count describe fragmentation or integration. Degree centrality identifies frequently connected actors. Betweenness centrality identifies actors that bridge otherwise separated parts of the network. Eigenvector centrality identifies actors connected to other prominent actors. Modularity identifies communities within the network. These metrics should be reported in tables and, where appropriate, visualised as graphs.

The third group connects topology with legal risk. High centrality may indicate efficient specialisation, but it may also indicate dependence. High modularity may reflect legitimate regional specialisation, but it may also indicate closed procurement circles. A low number of suppliers per buyer may be normal for specialised rural goods, but it may also reduce contestability. A legal conclusion can be drawn only after triangulating the metric with procedure type, contract value, publication duties, market conditions, and review or audit evidence.

Technical implementation should rely on reproducible tools. Suitable tools include R packages such as *igraph* and *statnet*, Python packages such as *NetworkX*, and graph-visualisation software such as *Gephi*. The proposed design requires a codebook, a pseudonymization protocol where necessary, and scripts used to construct the graph. Where personal

data is involved, data minimization, purpose limitation, and access controls must be assessed under the GDPR.

IV Czech-Slovak Comparison as a Testable Research Design

The Czech-Slovak comparison should be presented as a proposed research design unless the full dataset is assembled and reported. A formulation suggesting that Czech procurement networks are already proven to be more integrated or that Slovak networks are already proven to be more fragmented would require concrete data. In the absence of such data, these propositions must be treated as hypotheses. The revised design, therefore, asks whether differences in legal thresholds, procedure choices, publication practices, electronic procurement infrastructure, and rural market structure are associated with different network patterns in 2022.

The comparison should proceed in three steps. First, the researcher should construct parallel national datasets according to the same inclusion criteria. Secondly, the researcher should report descriptive procurement statistics for each country. These include the number and value of contracts, distribution of procedure types, number of unique suppliers, average number of bidders where available, concentration of awards, regional distribution, and share of contracts linked to rural or CAP-related purposes. Thirdly, the researcher should compute network metrics and test whether the observed differences remain after controlling for market size, sector composition, and administrative structure.

Table 2 Proposed operationalisation for the Czech-Slovak comparison

Research element	Czech Republic	Slovakia	Network outcome to be tested
Legal framework	Act No. 134/2016 Coll.; coding of Section 6, Section 31, Sections 53-54, Section 56, and related threshold rules	Act No. 343/2015 Z. z.; coding of Section 5, Section 10, Section 66, Section 117, and related threshold rules	whether different legal categories correspond to different observable edge patterns
Core dataset	2022 rural or agrarian contracts identified through national and EU procurement data sources	2022 rural or agrarian contracts identified through national and EU procurement data sources	comparable buyer-supplier graph
Procedure variables	open, restricted, negotiated, simplified below-threshold, small-scale, or other applicable procedures	public tender, restricted procedure, negotiated procedure, below-threshold, and low-value categories	density, supplier diversity, participation, and visibility of edges
Transparency variables	publication channel, buyer profile, contract register, and availability of award notice	publication channel, buyer profile, register or summary report, and availability of award notice	missing-edge rate and auditability of network structure
Concentration variables	number of awards and value per supplier; HHI or share of top suppliers	number of awards and value per supplier; HHI or share of top suppliers	degree centrality, weighted centrality, and dependence
Fragmentation variables	regional components and cross-regional ties	regional components and cross-regional ties	component count, modularity, and average path length
Accountability variables	complaints, review decisions, audit findings, or corrective measures where available	complaints, review decisions, audit findings, or corrective measures where available	triangulation of topology with legally relevant risk evidence

Source: Author's own methodological design

The comparison must not assume that different legal categories automatically produce different network structures. The same topology may have different legal meanings in different procurement environments. A concentrated supplier network may reflect exclusionary closure, but it may also reflect specialised rural markets. A fragmented network may reflect limited transparency, but it may also reflect localised demand. The legal inference, therefore, depends on the relationship between statutory design, administrative practice, market conditions, electronic infrastructure, and data availability.

On this basis, the empirical part of a future study could test four hypotheses. H1: a higher share of open and widely published procedures is associated with greater supplier diversity and lower concentration. H2: a higher share of low-value or minimally published procedures is associated with more disconnected components and lower visibility of buyer-supplier ties. H3: high supplier centrality is legally ambiguous and requires triangulation with sector specialisation, contract value, procedure type, and review outcomes. H4: cross-regional bridges in rural procurement networks are associated with greater market contestability, unless they are concentrated in a small number of recurrent brokers.

These hypotheses are deliberately cautious. They prevent the network model from becoming a substitute for evidence. They also allow the legal comparison to identify whether observed differences result from statutory design, administrative practice, market structure, electronic infrastructure, or data availability.

V Digital Agricultural Platforms as a Connected Extension

Digital agricultural platforms are not the primary object of this article. They are included because platform-mediated relations increasingly intersect with rural markets. A farmer may access advisory services, inputs, logistics, weather data, marketplace functions, or financial services through a digital intermediary. Public authorities may also rely on digital tools for monitoring, support administration, or data collection. These relations can be modelled as a layered network, but they should not be conflated with public procurement awards.

In the platform layer, the relevant nodes include users, platform operators, service providers, data processors, regulators, and, in some cases, contracting authorities. The relevant edges include access relations, contractual terms, data flows, interoperability obligations, audit requests, and enforcement measures. Platform centrality may indicate market efficiency,

but it may also indicate dependence or gatekeeping. Legal interpretation should therefore draw on data-protection law, competition law, and digital-market regulation.

The GDPR is relevant where platform relations involve personal data or identifiable farm operators. Its principles of purpose limitation, data minimization, lawfulness, and accountability shape the permissible design of data flows. The Digital Markets Act is relevant where a platform qualifies as a gatekeeper and where contestability, fairness, interoperability, and data access are legally structured by the regulation. These instruments create countervailing legal nodes. They do not remove centrality, but they may constrain how central positions are used.

The platform extension strengthens the article only if it remains connected to the procurement framework. The connection lies in topology, not in the identity of legal regimes. In both settings, legal rules structure access, visibility and dependence. In both settings, network indicators can help identify where legal scrutiny should be focused. Yet procurement doctrine and platform regulation remain distinct bodies of law and must be interpreted separately.

VI Discussion: Doctrinal Significance and Regulatory Use

The proposed framework has doctrinal significance because it links measurable structures with legal concepts. Transparency can be examined not only as compliance with notice requirements but also as visibility of repeated market relations. Equal treatment can be examined not only as a rule applied within one procedure but also as a question of access across a sequence of awards. Proportionality can be examined in relation to the balance between administrative burden, market openness, and control intensity.

The framework also has practical significance for CAP implementation. CAP monitoring systems already require attention to performance, control, and public expenditure. A network layer could help identify peripheral municipalities, isolated suppliers, repeated single-supplier patterns, sudden increases in centrality, or clusters of high-value awards. These signals would not establish infringement. They would support risk-based audit, capacity building, and targeted legal analysis.

The language of intervention must remain cautious. Network diagnostics may support evidence-informed legal design. They may help authorities prioritise oversight. They may also improve the clarity of comparative research. They cannot, by themselves, establish collusion, discrimination, or state capture.

Those legal conclusions require additional evidence, including tender documentation, market context, correspondence, complaints, audit findings and the reasoning of review bodies or courts.

The framework further clarifies how legal reforms can be evaluated. A change in thresholds, publication duties, or electronic procurement tools can be treated as a regulatory intervention. The researcher may then compare the network structure before and after the intervention. Relevant indicators include the number of suppliers, value concentration, component count, centrality distribution, and cross-regional bridging. This creates a path for ex ante and ex post assessment, but only if the data and coding rules remain stable.

VII Conclusion

This article has presented a conceptual and methodological framework for analysing rural public procurement through legal-economic network analysis. Its primary object is rural public procurement. Its secondary extension concerns digital agricultural platforms where platform topology intersects with rural markets and regulatory oversight. The contribution is not an empirical finding about the Czech Republic or Slovakia. It is a structured research design that makes such a comparison legally and methodologically reproducible.

The proposed framework responds to a recurring difficulty in agrarian governance. Rural procurement, CAP implementation, and digital intermediation are often studied through separate legal categories. Network analysis does not replace those categories. It offers a way to examine their relational effects. By translating contracting authorities, suppliers, platforms, and regulators into legally meaningful nodes and edges, the framework can reveal patterns of concentration, fragmentation, brokerage, and oversight that remain invisible in purely transaction-based analysis.

For future empirical research, the essential task is to assemble a complete and transparent dataset. The researcher must report contract numbers, values, procedure types, supplier concentration, centrality measures, and indicators of fragmentation or integration. Until that evidence is presented, Czech-Slovak propositions should remain hypotheses. This limitation is not a weakness if it is stated clearly. It defines the article as a methodological contribution and protects it from overstating its empirical reach.

The broader normative implication is that topology can make rural procurement governance more intelligible. It can support audit prioritization, capacity building, and the design of proportionate oversight tools. It can also help connect procurement law with CAP monitoring and platform regulation. Its value lies

in disciplined translation: network indicators must be tied to legal concepts, legal evidence, and institutional context. Only then can topology become a useful instrument of EU agrarian law rather than a metaphor.

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