

# **Local referendum**

## **Abstract**

This thesis examines local referendum, the only instrument of direct democracy commonly used in the Czech Republic. Local referendum allows residents to influence public life and decide on important issues affecting municipal politics. Unlike municipal elections, it focuses on individual decision about the future of a local authority. The main purpose of this thesis is to provide analysis of the legislation, including some proposals for its improvement, and explore relevant case-law. The thesis consists of an introduction, nine parts and a conclusion. Part One gives the brief overview of direct democracy, its forms and advantages and disadvantages of this arrangement in comparison to representative democracy. Part Two describes corresponding international and constitutional legislation, as well as and composition of Local Referendum Act, the main legal source regulating this issue. Part Three specifies the areas where local referendums can be held. Part Four focuses on the most frequent subjects of local referendums that fall under the independent competence of municipalities. The part also depicts issues that local referendum cannot cover, defined by Local Referendum Act. Part Five deals with the suffrage and exclusions for some residents not entitled to vote. Part Six explores all conditions preparatory committee has to fulfill in order to call a local referendum. Special attention is given to citizen support for committee's proposal, review procedures of municipal authorities and setting the voting day. Part Seven specifies quorum of participation that leads to binding force of the decision in local referendum and analyses relationship between the size of municipality and the voter turnout. In Part Eight all types of judicial review procedures at administrative courts are enumerated. Part Nine shows real use of local referendums in practice, based on statistics between 2006 and 2023. In conclusion the author assesses efficiency of legal regulation and presents several proposals for amendments.

## **Keywords:**

local referendum, direct democracy, local self-government