

The thesis analyzes the regulation of pension insurance of migrant persons under European Community law and international agreements on social security. It describes negative consequences of cross-border migration for pension claims of these persons that result from persisting differences and territorial limits in national legislations of particular states. Both Community law, in the concrete Council Regulations (EEC) No 1408/71 and No 574/72, and international agreements on social security try to reduce the negative consequences of migration that may cause a serious obstacle to free movement of persons by establishing rules for coordination. The first part of the thesis analyzes Community legislation in this field, describes its evolution and defines its personal and material scope and basic principles. The main attention is focused on the detailed interpretation of the Council Regulations' No. 1408/71 and No. 574/72 provisions, which regulate old-age, disability and survivors' pensions. It compares these provisions and the new Council Regulation No. 883/2004, which will replace the current Regulation No. 1408/71 in the future. The analysis is supported by the many cases of the European Court of Justice. The second part of the thesis deals with the coordination of national pension systems from the point of view of international social security conventions. Attention is focused on international agreements concluded by former Czechoslovakia and by the Czech Republic. The third part explains the mutual relationship of Community law and international social security conventions, and describes the development of the European Court of Justice case-law in this area. In the final part of the thesis, a recent development in Community law is evaluated, pros and cons of the new Council Regulation No. 883/2004 are pointed out and some possibilities for further legal development are drawn.