

## **The status of third country nationals in the EU - Abstract**

The thesis deals with the status of third country nationals (further referred to as TCN) in the EU. Its purpose rests in the analysis of the current immigration policy of the EU and the comparison of the different groups of immigrants coming to the Member States from third countries.

The objective thesis consists of 6 chapters. Chapter 1 is introductory. It defines the concept of migration and it determines the subject-matter of the thesis, which is the legal migration. Chapter 2 is focused on the historical development of the common asylum and immigration policy in the EU. It is divided into four subchapters, each subchapter describes certain historical period.

The heart of the thesis is contained in Chapter 3. It is divided into six subchapters, each of them deals with the specific aspect of the TCN's status (first admission and entrance on the territory of EU, freedom of movement in the EU and right to reside on the territory of Member States, the access to employment and right to equal treatment, the expulsion and withdrawal of the residence right and finally procedural guarantees). Each subchapter is divided into five other parts as it compares the above mentioned aspects according to the legal reason of the TCN's residence. Consequently the thesis differs five groups of TCN – long-term residents, family members, students, researchers and highly qualified workers.

Another division of TCNs is used in Chapter 4. Each of three subchapters considers different group of TCN according to their country of origin with the key emphasis on Turks as the group with a very special status.

Chapter 5 outlines the more general but not negligible issue of the human rights of TCN. Whereas the first subchapter deals with the protection of human rights on the Community level, the second subchapter discusses the protection of human rights on the international law level aimed especially at the European Convention on Human Rights (art. 3, 6, 8, 13 and 14)

In the concluding chapter the author evaluates the stage of the common immigration policy and she draws her conclusions from the issues discussed in the previous chapters. The author especially criticizes the heterogeneity of the whole policy and the excessive discretionary powers given to the Member States which makes the

issue concerned too complicated and difficult for TCN to be acquainted with. The author suggests that the legal regulations shall be unified for all Member States.