

## **The impact of Directive 2004/38 upon the free movement of nationals of the European Union with regard to relevant case-law of the European Court of Justice**

This diploma thesis deals with impact of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States on the freedom of movement.

The first chapter of thesis aims to cover main points of development of the right to free movement. From the right of workers as an economic factor to the general right of every citizen of Europe. As far as the introducing of the European Union Citizenship was very important point for the development of right to free movement, this chapter also concerns evaluation of this phenomenon. Further this chapter contains analysis of the most important cases rendered by the Court of Justice of the European Union which affected the right of free movement mainly since European Union Citizenship has been established.

The second chapter is the core of this thesis. It comprises analysis of the text of Directive 2004/38. It is giving a complete elaboration on the subject of Directive, beneficiaries of rights, conditions and rights. As far as the Directive 2004/38 is repealing number of former directives and also overtaking many principles ruled by the Court of Justice of the European Union, this chapter contains a description of the main points which were included to the Directive 2004/38.

Last chapter deals with the problems which occurs within the right to free movement. Mainly the purely internal situations and the connected problem of the reverse discrimination. This part of thesis is trying to explain reasons of the reverse discrimination and is providing some opinions about possible solutions of this problem. Finally it is introducing interesting opinions of scholars and the most important cases of the Court of Justice of the European Union on the field of reverse discrimination.