

# *The historical evolution of the concept of free movement of persons within the European law*

## *Abstract*

The thesis focused on what for us, citizens of the European Union means the free movement of persons and how the content of this concept has changed and is still changing, depending on the key documents adopted by the European Union and the decisions of the Court of Justice of the European Union. In the first chapter you can find the historical overview of the most important treaties and legislative acts of the European Union, which affected the evolution of the free movement. In subsequent chapters the focus is on case law of the Court, the case studies, where we see a shift in the understanding of freedom of movement of persons as a fundamental freedom

.Originally the term was used only in connection with economically active persons, i.e. workers, self-employed persons and legal entities that have benefited from freedom of establishment in Member States of the European Union.

Later, thanks to the European Union citizenship, the freedom of movement was extended to all EU citizens, including the non-working such as students, retirees or family members of citizens of the member states. Also the family members coming from the third countries were provided with the rights concerning free movement.

The purpose was to provide freedom to move and reside freely within the European Union for all EU citizens and their families according to the principle of citizenship, not on the principle of economic activity of persons.

However, this freedom cannot be unlimited, so the penultimate chapter of the thesis deals with the obstacles to free movement and its limits in the European Union law.

The last chapter is then devoted to our country. I dealt with how the possibility of working, studying or just travelling in other Member States affected the situation in the Czech Republic.

In the conclusion, I considered whether the principle of the EU citizenship is currently the dominant factor or the aspect of economic activity is still predominating. We can see in some latest Court's decisions, that this aspect remains connected with the free movement of persons very strongly. In the end I mentioned also how intensively in practice the freedom of movement is used, both in Czech Republic and throughout the European Union.