

Thesis Reviewer's Report

Student: Ama Fobi Osei-Mensah
 Title: Free movement of capital in the EU
 Supervisor: JUDr. Jana Janderová, Ph.D.
 Reviewer: JUDr. Martin Šmíd, Ph.D.
 Reviewer's job title: assistant professor, University of Pardubice

Assessment criteria

	excellent	very good	acceptable	unacceptable	N/A
Achievement of the aims of the thesis	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use of appropriate methods	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Depth of analysis (in relation to the topic)	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Structure and extent of the thesis		X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use of Czech and foreign sources (including references)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
Formal aspects (text, diagrams, charts)	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Quality of language (style, grammar, terminology)	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Usability of the results

	high	medium	low	N/A
In theory	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
In practice	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

Other comments

The presented diploma thesis deals with the free movement of capital in the EU. The aim of the thesis is to analyze the principle of the free movement of capital and the enforcement activity of the European Commission (EC) ensuring the proper application of the rules in member states. The thesis also includes the analysis of the case law of the Court of Justice (CJEU).

To fulfill the aim, author has divided the thesis into seven chapter. First four chapters are mostly theoretical, chapters 5-7 include the analysis of the jurisdiction of CJEU and actions of the EC. Sometimes it's complicated for the reader to recognize which parts of the text are theoretical (or mentioning an analysis originating in previous sources) and which parts are the genuine analysis of the author because the thesis lacks clear distinction between theoretical part and experimental part. But it's understandable given the fact that the topic itself is mostly juristic and theoretical; also, author explains the structure in chapter 1.7 in logical way.

According to the references, author uses a rich list of current foreign literature. But specially the theoretical chapters (mostly chapter 2 and 3) would deserve more frequent citations of sources (literature). Mostly EU treaties and CJEU cases are mentioned in this part of the thesis. On the other hand, the elaboration of the CJEU jurisdiction and analysis of the powers and role of EC must be appreciated.

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More attention could have been paid to the formal arrangement of the thesis (e.g. note 54 (p. 81) has different font; first paragraph of chapter 2 (p. 17) has different spacing; spacing between titles of 2nd level chapters and following texts is variable etc.).

In conclusion, the submitted thesis meet the standard requirements for diploma thesis and can be recommended for defence.

Questions and suggestions for the defence

Which recommendation mentioned in chapter 7.5 do you consider the most important and why?

Overall evaluation

I **recommend** the thesis for defence.

The proposed grade for the thesis: C

In Pardubice on 22.12.2023

Martin Šmíd