

Application of Directive 2004/38/EC on the right of EU citizens and their family members to move and reside freely within the territory of the Member States

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The Council took note of a report concerning the application of Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

The report, drawn up by the Commission, presents an overview of how Directive 2004/38/EC is transposed into national law and how it is applied in everyday life. It also encourages Member States to launch awareness-raising campaigns to inform EU citizens of their rights under the Directive.

The Council welcomed in particular the Commission's intention to offer information and assistance to Member States as soon as possible by issuing **guidelines** on a number of issues, such as expulsions and the fight against abuse, in order to facilitate effective application of the Directive.

In November 2008, the Council adopted conclusions on abuses and misuses of the right to free movement of persons. In the conclusions, the Council left open the possibility of a more extensive examination of the issue after the Commission submitted a report on operation of the Directive.

Moreover, these conclusions underlined the importance which EU Member States attach to protecting the right to free movement from the abuses created inter alia by illegal immigration.