

The Dynamics of the EU Charter: Horizontality meets Substance

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📍 10, Via Parenzo

Speaker: Xavier Groussot , Lund University

Chair: Prof. Daniele Gallo (Luiss Guido Carli)

Abstract

The EU Charter will become binding for fifteen years in December 2024. Many publications (often in the form of edited books) that relate to its ten years birthday in 2019 pointed out that the application of the EUCFR could be better ('mention peut mieux faire'): particularly these publications often underlined that its application could be more substantive and less procedural. The EU Charter is often praised for its 'procedural strength' encapsulated in the application of Article 47 EUCFR by the CJEU? Can we say that the most recent evolution in the case law of the CJEU points towards the same conclusion soon after fifteen years of application? And what are the most interesting developments in substantive fields such as digitalization, social rights or climate change? This presentation presents the most recent evolution of the central doctrines related to the application of the EU Charter such as the doctrine of horizontal direct effect, the 'essence test' or the doctrine of balancing and proportionality. It will be done, by first focusing on the horizontal (or general) clauses of the EU Charter and then, secondly, by focusing on the application of the Charter in the digital field. Thirdly, I will present other projects that I am working on at the moment that connects to the application of the EU Charter with social rights and climate change litigations.

About the Speaker

Xavier Groussot is professor of EU Law at Lund University, Faculty of Law. He is also pro dean and the Director of the Master Programme in European Business Law. In 2009, Xavier Groussot became a guest professor at Université Panthéon-Assas (Paris II) where he is teaching the course of EU Free Movement Law within the European College of Paris. He is also guest Professor at the University of Reykjavik where he spends his research sabbatical. Professor Groussot is responsible for the faculty MOOC in European Business Law, which is the first course on this topic worldwide. His areas of research interests relate to constitutional law, economic law, procedural law, federalism and legal theory.

