

Abstract

The thesis deals with the Chapter IV named Solidarity of the Charter of Fundamental Rights of the European Union which by its innovative way of elaboration based on the principle of indivisibility of rights provides a set of social, economic and solidarity rights. In the introduction, the thesis briefly describes the concept of solidarity rights and sources of their interpretation and subsequently it defines and analyzes specific rights contained in the relevant chapter of the Charter, also taking into account secondary legislation and case law of the Court of Justice.

The second part points out concerns of certain Member States about the inclusion of solidarity rights into the Charter and its consequences concerning restrictive measures in the form of differentiation of the provisions of the Charter between rights and principles, as well as the adoption of the Protocol No. 30 on the application of the Charter of Fundamental Rights of the European Union to Poland and the United Kingdom.

The final part of the thesis examines a position of fundamental solidarity rights in the context of fundamental economic freedoms of the internal market and on specific examples from the decision-making of the Court of Justice demonstrates a shift in the perception of their relationship.

Key words: the Charter of Fundamental Rights of the European Union, fundamental right, principle