

The Fundamental Social Rights of European Citizens—The Right of Movement and Social Welfare of Employees and Non-Employees

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Abstract

During the course of the integration of the European Union (EU), social policy was of marginal significance. Until 1997, coordination of differing social welfare laws of EU Member States was guided by the Treaty of Amsterdam. In 2000, the member states of the EU signed the Charter of Fundamental Rights of the EU to include both liberal and social rights under the list of fundamental rights and to distinguish the European model of the social market economy from the American model. With regards to the non-sovereignty character of the EU, this article will analyze the competences of the EU and discuss how it makes the social rights work well and whether it is different from a sovereign state. It will focus on the treaty of European Economic Community and its secondary legislations, which regulate the right of movement and social rights of employees and non-employees respectively. This article will point out that solidarity still does not exist among the European citizens across the many European sovereignties.

Key Words: fundamental social rights, the Charter of Fundamental Rights of the European Union, Constitutional Treaty of the European Union, freedom of movement, the EU citizenship