

The Principle of Solidarity in the EU

**An Analysis with Special Focus on the
Common European Asylum System**

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Solidarity in Question?

- **Main problem** with solidarity:
 - often used as illusive statement, but also enshrined in the treaties – not clear what this principle entails exactly in the different policy sectors
- “normative weakness”
- Value, statement or general principle in EU law?
- Obligations?

- **Importance:**
 - Unsustainable crisis Management (especially during ‘Refugee Crisis’)
 - Secondary legislation in CEAS mostly not solidary

Research Questions

- Is the principle of solidarity itself justiciable?
 - Asylum policy – energy policy
- How is the principle of solidarity operationalised in the CEAS and are those mechanisms sufficient for the solidarity standards in light of a possible constitutional principle?
 - Dublin III Regulation
 - Temporary Protection Directive
 - Relocation Decisions

Research Questions

- How can the solidarity mechanisms in the new pact be evaluated in light of this?
 - Still only “ad hoc-solidarity measures”?
- Does the horizontal solidarity principle also include a dimension of solidarity towards third country nationals?



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Thank you for your
attention!