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Filip Dorssemont, Klaus Lörcher, Stefan Clauwaert and Mélanie Schmitt (Eds.), *The Charter of Fundamental Rights of the European Union and the Employment Relation*. Oxford: Hart Publishing. xx + 685 pages. ISBN 9781509922659. GBP 125.

The Charter of Fundamental Rights of the European Union (CFR) was first proclaimed twenty years ago in December 2000 and was given legal effect by the Treaty of Lisbon in 2009. The CFR was to make fundamental rights visible within the EU legal framework. It was the first time the EU had given a text containing fundamental *social* rights the status of primary law. For European labour law scholars, the CFR was considered to signify a process of deconstruction of the traditional hierarchy of rights within EU law which prioritises economic over social rights. Academic commentaries writing in the 2000s hoped that the CFR's provisions, particularly those contained in the "Solidarity Chapter" (Title IV) could be used to develop a unifying ideology and normalisation of social standards, particularly when set against the backdrop of the European Commission's shift to new forms of governance in social policy-making as part of the Lisbon and Europe2020 Strategies.

The Charter of Fundamental Rights of the European Union and the Employment Relation is the third book in a 'European human rights trilogy' produced by the European Trade Union Institute's (ETUI) well-regarded Transnational Trade Union Rights network. The first two books in the series analysed the European Convention on Human Rights and the employment relation, and the European Social Charter and the employment relation. The current book contributes to an increasing quantity of academic literature on the CFR by taking stock of the last twenty years and assessing whether the CFR has lived up to the expectations placed in it. The conclusions are mixed. While the CFR has had some positive effects by requiring the EU legislator to consider fundamental rights in the adoption and implementation of EU law, the overall verdict is that the CFR in the area of social rights has fallen short of the hopes placed in it, particularly in the sphere of collective labour rights.

The book stands out for its comprehensive study of the CFR and its (positive and negative) effect on social rights. The contributors are distinguished and have expert academic and practical knowledge of the field. The book's origins in the ETUI mean that the contributors provide, where appropriate, examples of real problems in the world of work from a number of different Member States, as well as guidance to trade unions, NGOs and others on how to make use of the CFR to increase social rights' protection.

The book is split into two parts. Seven chapters in Part I explore the CFR's history and future; its field of application and limitations; and its treatment by the EU courts (both at a national and EU level). Part II of the book provides a commentary on twenty specific rights guaranteed by the CFR which affect the employment relation. The chapters in this part consider the CFR's provisions within the broader context of the European Social Charter and the European Convention on Human Rights in order to offer an accessible and well-structured analysis of individual provisions, their scope and enforcement. The commentary – encyclopaedic in breadth and depth – also engages with relevant secondary literature and case law in order to provide a nuanced conclusion of the CFR's impact on social rights.

Three themes are recurring. First, the CFR's limited scope of application and complex nature have led to question marks over its purpose and added value as a protector of social rights. Second, the CJEU is critiqued for limiting the CFR's effectiveness and turning it into "a shield: a set of guarantees that neither the Union nor the EU Member States [...] may ignore" when it could have used it as "a sword, a tool to dynamise the exercise by the European Commission [...] of its competences in the social field". Two areas of decision-making in particular are criticised: (1) the exclusion of a review of the compatibility with the CFR of the austerity measures demanded of some Member States in response to the 2008 economic and financial crises; and (2) the recognition of the fundamental freedom in article 16 CFR to

conduct a business to the detriment of social rights. The latter, in particular, is considered “to prevent Member States from doing what they are supposed to do, *id est* promoting the fundamental (workers) rights of the Charter.” (p. 640) Third, and more positively, there is a recognition that the CFR is still bedding in and developing. Since its proclamation twenty years ago, the CFR has succeeded in making social rights visible within the EU legal framework. The contributors to this book are generally hopeful that the European Pillar of Social Rights may provide new impetus for the EU institutions to use the CFR as a tool to encourage social rights’ protection within the framework of EU law.

In offering a comprehensive analysis of the CFR’s development and impact to date, this book highlights those areas in which the CFR could make a positive difference. It is to be hoped that the editors will consider regular updates, at a minimum to the chapters in Part II, as the CFR’s provisions continue to be interpreted and applied. Regular stock-taking would ensure that this book remains a lasting reference work for labour law and non-labour law scholars alike.

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