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Title: The solidarity principle as a founding principle of the EU in the health sector.

Funds Available: If selected for the presentation the candidate will cover every expenses with its own funds from the Insubria University.

In the framework of the first topic selected for the conference - the founding Principles of the European Union – the proposed paper will analyse the solidarity principle as applicable to the health sector in the EU. Starting from the growing competences of the European Union in the health sector for the protection of public health, the paper will discuss the judgment of the Court of Justice of the European Union dated 22 Novembre 2022, case C-69/21, in which thanks to the solidarity principle the right of private life and the right of residence on medical grounds has been extended to third country nationals (Russian citizen) based on a reasoning about the protection of fundamental rights. Indeed the applicant was suffering from a serious illness and was in need for medical treatment for pain relief. The Court evaluation consequently conclude that Member State of the EU could not impose to the applicant the return to his home country based on the prohibition of inhuman or degrading treatment.

Firstly, the paper proposed will analyse the legitimacy of the legal basis for the unceasing growing of competences, even in subject – like health sector - which were originally reserved to Member States.

Finally, the paper will suggest few considerations about the extension of the EU law, also thanks to the Bruxelles effect, and the application of the Chart of Fundamental Rights to citizens of third States.