



## Ordine internazionale e diritti umani

International Legal Order and Human Rights  
Ordenamiento Jurídico Internacional y Derechos Humanos  
Ordre juridique international et Droits de l'Homme

### **BINDING EFFECTS OF THE ECtHR'S RULINGS FOR THE NATIONAL JUDGES IN THE LIGHT OF THE INNOVATIONS INTRODUCED BY THE JUDGMENT N. 43 OF 2008**

This study examines the binding effects of the ECtHR's rulings for the national judges. The research looks for the legal basis of these binding effects by analyzing the relevant constitutional case-law, with particular regard to the judgments 49/2015 and 43/2018. This contribution stresses that the latter judgment almost partially departed from the previous doctrine of the Constitutional Court.