



### **THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION AND THE METHODS FOLLOWED TO SAFEGUARD ITS EFFECTIVENESS**

The paper explores the different ways of understanding the effectiveness of EU Charter of fundamental rights, particularly on the level of the sources of law and on the level of theory of interpretation. The author, thus, highlights the theoretical and reconstructive limits met by the formal-abstract approaches which compare the Charter to the other sources of EU law, including the Lisbon Treaty.

Following, the paper focuses on the position of the Charter within the Italian legal or, particularly der after the decision n. 269/2017 issued by the Constitutional Court.

In conclusion, the author analyses the possible reactions of both the Court of Justice of the European Union and the national judges following the above-mentioned judgement, in particular because it states that in the circumstances where a joint violation of the Charter and the Constitution occurs, judges have to refer the case to the Constitutional Court, even if the question raised is about a contrast with a self-executing EU provision.