

EU CHARTER OF FUNDAMENTAL RIGHTS

When does it apply and where to go in case of violation?

**THE CHARTER
DOES NOT
APPLY**

Fundamental rights are guaranteed by national constitutional systems and their obligation under the European Convention on Human Rights.

When the fundamental rights issue does not involve the implementation of EU legislation, the Charter does not apply.

**NATIONAL
COURT**

**EUROPEAN
COURT
OF
HUMAN RIGHTS**

STRASBOURG



**FUNDAMENTAL
RIGHTS
VIOLATION
BY
A MEMBER STATE**

When the fundamental rights issue involves the implementation of EU legislation, the Charter applies.
(e.g. a national authority applies an EU regulation)

**NATIONAL
COURT**

REFERRAL BY NATIONAL COURT

**RULING ON THE
APPLICATION OF
THE EUROPEAN
CONVENTION
FOR THE PROTECTION
OF HUMAN RIGHTS
AND
FUNDAMENTAL
FREEDOMS**



INFRINGEMENT PROCEDURE

**THE CHARTER
APPLIES**