



Press Office of the Constitutional Court

Press release of 24 March 2020

FURTHER MEASURES TO ENSURE THE CONTINUATION OF CONSTITUTIONAL PROCEEDINGS DURING THE COVID-19 EMERGENCY

Immediate discussion of exceptionally serious and urgent cases; deliberation on the questions established in chambers via remote connection; deferral of public hearings until after the emergency period is over, unless the parties to the proceedings ask for the Court to rule based on the case file; holding judges' meetings remotely, including those in chambers.

These are some of the further measures adopted with the [Decree of the President of the Constitutional Court issued today](#), to regulate the Court's functioning during the COVID-19 emergency.

The measures contained in the decree – adopted pursuant to a resolution of the Court, which met yesterday, 23 March 2020 – fits into the framework established by the Decree of the President of the Court of 12 March 2020 to help contrast the COVID-19 emergency. In particular, the new measures seek to limit the risk of infection due to the physical movement of people, while also ensuring that the Court can continue to perform its functions relating to constitutional justice.

The Introduction to the decree states that the current emergency requires operating “in a spirit of loyal collaboration with the other institutions of the Republic, in the common efforts to address the current situation”.

1) THE COURT'S ACTIVITIES. Considering the Constitutional Court's autonomy and the specific nature of the proceedings before it, the following working methods have been developed. These methods will apply throughout the COVID-19 emergency and, in any event, until further provision is made:

a) Remote connection to meetings in chambers. The constitutional judges will also be able to sit in chambers via remote connection. The place from where

they join the meeting remotely is to be considered part of the “chambers”, for all legal purposes.

b) Remote meetings. Remote connections may be used for all other meetings of the Court, of its judges or of its internal bodies, including meetings regarding the decision of administrative issues and meetings of the Office of the President of the Court, of the Court’s committees and of its working groups.

c) Deferral of public hearings, except where the parties to the proceedings ask the Court to rule based on the case file. All proceedings for which a public hearing has been scheduled (starting from that originally planned for 7 April 2020) will be – on a case-by-case basis – deferred, for the entire duration of the emergency, and will be discussed at a later date, including through supplementary hearings to be scheduled as soon as possible. However, cases may be decided without oral discussion, on the basis of the case file and additional brief notes, if all parties to the proceedings so request.

d) Immediate discussion of exceptionally serious cases. The methods outlined at point (c) above do not apply in exceptionally serious and urgent cases that the President, after consulting the Court, considers require immediate discussion by means of a public hearing. This hearing is to take place in full compliance with the applicable safety and prevention requirements.

2) CERTIFIED EMAIL (PEC) ADDRESS. The provisions contained in the Decree of the President of the Court of 12 March 2020 on filing documentation relating to proceedings (Measures on the conduct of proceedings before the Constitutional Court during the COVID-19 emergency) continue to apply.

3) PUBLICATION OF ALL MEASURES ON THE COURT’S WEBSITE. As all previous measures, the Decree of the President of the Court published today is also available on the Constitutional Court’s website. The Court Registry notifies all parties to pending proceedings of this Decree and inserts a copy thereof in all case files to which the new provisions apply, until further measures are adopted.

4) ONLINE UPDATES. All communications relating to the organization of the Court’s jurisdictional activity during the COVID-19 emergency will be published in real time on the Court’s website. The general public and all interested parties are kindly invited to consult it regularly.

In addition to the measures issued today, the following organizational measures continue to apply:

- a) prohibition on access to the Court's office for non-staff individuals who do not need to carry out urgent activities;
- b) closing of all offices and departments, except the Court Registry, to the public;
- c) limiting public access to, and telephone availability of, the Court's Registry, to Monday-Friday from 9:00-13:00, and allowing entry to only one person at a time;
- d) conduct of meetings in chambers in the Court's Conference Room, which will be set up so as to ensure the judges' safety as well as the availability of IT equipment for videoconferences;
- e) teleworking for all staff whose tasks are amenable to the practice;
- f) adoption, by the General Secretariat, of all preventive and safety measures required, for all staff present at the Court.

Rome, 24 March 2020