



Press Office of the Constitutional Court

Press release of 18 November 2020

COVID-19 EMERGENCY: THE CHALLENGES TO THE SUSPENSION OF THE LIMITATION PERIOD ARE UNFOUNDED

The Constitutional Court, meeting in chambers today, examined questions as to the constitutionality of extending the applicability of measures suspending limitation periods – established under Decree-laws Nos. 18 and 23 of 2020, issued to contrast the COVID-19 emergency – also to trials for crimes committed before the entry into force of those new provisions. According to the Ordinary Courts of Siena, Spoleto and Rome, retroactively suspending the limitation period (for the same amount of time as the suspension of the procedural time-limits: 9 April – 11 May 2020) violates the principle of non-retroactivity of less favourable criminal law.

Pending filing of the judgment, the Press Office of the Constitutional Court informs the public that the questions have been declared unfounded.

The Court stated that the challenged provisions do not contrast with Article 25(2) of the Constitution or with the supranational legal provisions referred to under Article 117(1) of the Constitution.

The judgment will be filed in the coming weeks.

Rome, 18 November 2020