



**Doc. 12463**  
17 January 2011

## **Election of judges to the European Court of Human Rights**

(in accordance with Article 22 of the European Convention on Human Rights)

List and curricula vitae of candidates submitted by the Government of Portugal

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**Permanent Representation of Portugal  
to the Council of Europe**

No. 129  
Strasbourg 28 December 2010

Mr Secretary General,

I have the honour of forwarding to you the new list of candidates for election as judge of the European Court of Human Rights in respect of Portugal:

- Mr João Manuel da Silva Miguel
- Ms Maria Eduarda Almeida Azevedo
- Mr Paulo Sérgio Pinto de Albuquerque.

I enclose the three candidates' *curricula vitae* and a description of the national procedure for selecting candidatures.

Yours,

(signed)

Luis B. Sequeira  
Chargé d'Affaires a.i.

Mr Mateo SORINAS  
Secretary General of the Parliamentary Assembly  
of the Council of Europe

C/c Mr Philippe BOILLAT  
Director General of Human Rights and Legal Affairs  
Council of Europe

## **Description of the national procedure for selecting candidates for election as judge of the European Court of Human Rights in respect of Portugal**

The principles of freedom of candidature, publicity, transparency and non-discrimination were respected throughout the procedure for nominating candidates for election as judges of the European Court of Human Rights in respect of Portugal.

In drawing up the selection procedure, the Portuguese Government followed the Council of Europe's rules and recommendations, particularly those set out in the European Convention on Human Rights, the Decision adopted by the Ministers' Deputies at their 593<sup>rd</sup> meeting, the 12 February 2008 Opinion of the European Court of Human Rights, Parliamentary Assembly Resolution 1646 (2009) on national procedures for nomination of candidates and election of judges to the European Court of Human Rights, and the Rules of Procedure of the Parliamentary Assembly. In conformity with these texts, consideration was given to a more balanced representation of women and men in the European Court of Human Rights in drawing up the list of candidates.

The Justice Minister therefore organised a nationwide call for candidatures, accompanied by the rules governing the selection procedure, by publishing advertisements in three national newspapers (*Público* and *Diário de Notícias* on 20 November and *Expresso* on 21 November), placing an official announcement in the Official Gazette (Notice No. 21101-A/2009, published in Official Gazette No. 226, Series II, 1<sup>st</sup> Supplement of 20 November 2009, Part C), and including a news item on the website "Portal da Justiça" ([www.mj.gov.pt](http://www.mj.gov.pt)), and by further circulating these notices to the Higher Council of the Judiciary and the General Council of the Bar Association.

The Justice Minister set up an independent commission with four members appointed by the Higher Council of the Judiciary, the Higher Council of the Administrative and Fiscal Courts, the *Procuradoria-Geral da República* (Public Prosecutor's Office) and the General Council of the Portuguese Bar Association. This commission was mandated to consider the admissibility of the candidatures using the CV assessment method. The commission played an advisory role in the process of selecting the three candidates to be nominated to the Council of Europe.

31 candidatures were received (13 women and 18 men with a range of professional competences).

Among these candidates, the independent commission selected the three individuals which it considered best fulfilled the preconditions of Article 21 of the European Convention on Human Rights.

The Government accepted the whole selection proposed by the independent commission.

The list of candidates is as follows (*in alphabetical order*):

- Mr João Manuel da Silva Miguel
- Ms Maria Eduarda Almeida Azevedo
- Mr Paulo Sérgio Pinto de Albuquerque.

The Portuguese Government will transmit the list of candidates as selected to the Council of Europe in alphabetical order, accompanied by the corresponding CVs. The latter follow the model adopted by the Parliamentary Assembly and are presented in English and/or French and in electronic version.

**Mr João Manuel da Silva Miguel****CURRICULUM VITAE\*****I. Personal details**

Name, forename: da Silva Miguel, João Manuel

Sex: male

Date and place of birth: 30 March 1953 at Loulé, Algarve, Portugal

Nationality: Portuguese

**II. Education and academic and other qualifications**

Law degree (Licenciatura em direito) granted by the Faculdade de Direito (Faculty of Law), University of Lisbon, in 1977.

Examination for access to the Public Prosecution Service in 1978 and subsequent training for public prosecutor at Lisbon (Criminal and civil matters at different courts and tribunals) – 1978-1979.

**III. Professional activities****a. Judicial activities**

2010(2) - Deputy Prosecutor General (Procurador geral adjunto), National Member for Portugal at EUROJUST;

2003 - 2010 Agent of the government at the European Court of Human Rights;

2003 - 2010 Agent of the government at the Committee of Human Rights of the United Nations;

2000 -2010 Deputy Prosecutor General at the Consultative Council of the Prosecutor General's office;

1989 - 2000 Deputy District Prosecutor and District Prosecutor acting as legal adviser to the Prosecutor General's Office (Delegado do procurador da República e Procurador da Republica no Gabinete do Procurador-Geral da República);

1979 - 1989 Deputy District Prosecutor (Delegado do Procurador da República) at the tribunals of Seixal and Oeiras;

1978 -1979 Training for public prosecutor at Lisbon (Criminal and civil matters at different courts and tribunals).

**b. Non-judicial legal activities****i) in Portugal**

2009 (10) Jury member, appointed by the Council of Europe – of the section “Interpretation and application of the European Convention on Human Rights” - of the fourth edition of THEMIS Competition, an international event especially addressed to trainees of all European magistracy training institutions and schools;

2009 (6) Jury member of the European Prize “The Crystal Scales of Justice”. Created by the European Commission and the Council of Europe, its first edition took place in 2009. This prize is awarded «with a view to discovering and promoting innovative and effective practices in respect of the conduct of criminal proceedings in the Member States of the European Union and the Council of Europe and concerning court organisation, in order to improve the operation of the public system of criminal justice» ;

2009 (5/6) Chairman of examining board for candidates to become judges and prosecutors «Centro de Estudos Judiciários » (National School for magistrates);

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\* Underlined text indicates posts or missions held at present.

- 2008 (6/7) Chairman of examining board for candidates to become judges and prosecutors «Centro de Estudos Judiciários » (National School for magistrates);
- 2007 (10) Jury member of the section “Interpretation and application of the European Convention on Human Rights” of the second edition of THEMIS Competition;
- 2003 (5) Chairman of examining board for candidates to become judges and prosecutors «Centro de Estudos Judiciários » (National School for magistrates);
- 2002 (3) Jury member of the international competition held at Lisbon on international humanitarian law «Jean Pictet”;
- 2000 - 2003 Permanent collaborator of the “Boletim do Ministério da Justiça” (Bulletin of the Ministry of Justice), commenting civil and criminal judgements of the High Supreme Court;
- 1997 - 1998 Member of examining board (criminal law and criminal procedure law) for candidates seeking to become judges and prosecutors;
- 1996 - Member of the editorial board of the legal review "Revista Portuguesa de Ciência Criminal» (Portuguese Review on Criminal Science), as well as the author of a regularly “Chronicle of law” appearing on each issue of the review;
- 1985 - 2004 Member of the editorial board of the legal review "Revista do Ministério Público" (Public Prosecutor Review).

## ii) at international level

### United Nations Organisation

- 1998 - 2000 Member of the Portuguese Delegation to the Preparatory Commission for the International Criminal Court (New York);
- 1998 (6/7) Member of the Portuguese Delegation to the United Nations Diplomatic Conference of plenipotentiaries on the Establishment of an International Criminal Court (Rome, 15 June - 17 July 1998);
- 1996 - 1998 Member of the Portuguese Delegation to the Preparatory Committee on the Establishment of an International Criminal Court (New York).

## c. Non-legal professional activities

None

## IV. Activities and experience in the field of human rights

### a. Council of Europe

- 2011 - President of the Consultative Council of European Prosecutors (CCPE);
- 2003 - 2010 Agent of the government to the European Court of Human Rights;
- 2009 - 2010 Bureau member of the Steering Committee for Human Rights (CDDH) (resigned);
- 2009 Vice-chairman of the committee of experts on Effective Remedies for Excessive Length of Proceedings (DH-RE);
- 2008 - 2010 Vice-President of the Consultative Council of European Prosecutors (CCPE);
- 2006 - Delegate of the Portuguese Republic to the Consultative Council of European Prosecutors (CCPE);
- 2003 - 2010 Delegate of the Portuguese Republic to the Steering Committee for Human Rights (CDDH);
- 2003 - 2010 Delegate of the Portuguese Republic to the Committee of Experts for the improvement of procedures of the protection of human rights (DH-PR);
- 2001 - Took part in the Colloquies held in 2001 in Paris, on «Crimes against Humanity», in 2004 in Bucharest on Anniversary Conference of ten years from the into in force of the ECHR for Romania with a presentation on «La durée des procédures au Portugal et la jurisprudence de la Cour européenne des Droits de l'Homme: passé, présent et avenir», 2007 in San Marino on *Future developments at the European Court of Human Rights in the light of the*

*Wise Persons' report*), in 2008, in Bratislava, on *The role of government agents in ensuring effective human rights protection*), and in Stockholm on *Towards stronger implementation of the European Convention on Human Rights at national level*;

1996 - 2000 Chairman of the Committee of Experts on the Role of the Public Prosecution in the Criminal Justice System (PC-PR), which prepared the Recommendation n.º 2000(19) of the Committee of Ministers of the Council of Europe

### **b. United Nations Organisation**

2003 - 2010 Agent of the government to the Human Rights Committee

### **c. Others**

- Regular collaboration with the Portuguese Judicial Studies Centre in the field of “Human Rights”, including the supervision and co-ordination of Seminars on these matters, in particular orientation and coordination of seminars on the European Convention of Human Rights and the case law of the European Court of Human Rights, in the context of both initial training and permanent training of magistrates;
- Orientation and co-ordination of a Postgraduate specialised course on «European justice on Human Rights», at Coimbra University – Faculty of Law, addressed to judges, public prosecutors, lawyers, barristers, and jurists in general, in its 3rd year of organisation;
- Several and diverse interventions on «Human Rights» themes, in particular at Portuguese universities and Bar Association, addressing issues such as «Imigração, integração e direitos humanos» (Immigration, integration and Human Rights), «Dever de reserva: uma abordagem à luz dos trabalhos do Conselho da Europa e da Convenção Europeia dos Direitos do Homem» (Magistrates’ obligation of discretion: an approach taking into account the works of the Council of Europe and the European Convention on Human Rights), «Convenção Europeia dos Direitos do Homem: Sistema institucional de protecção e processo» (European Convention on Human Rights : institutional system of protection of human rights and procedure), «O processo no Tribunal Europeu dos Direitos do Homem» (The procedure at the European Court of Human Rights);
- Presentations in the framework of the «Summer Course on International human rights standards in the administration of criminal justice», held by The Organization for Security and Co-operation in Europe (OSCE), Ashgabat, Turkmenistan, from the 26 to 30 July 2010.

## **V. Public activities**

### **a. Public office**

None.

### **b. Elected posts**

None.

### **c. Posts held in a political party or movement**

None.

## **VI. Other activities**

2003 (1/3) Member of the Working Group (WG) charged with the implementation of the Rome Statute of The International Criminal Court. The bill prepared by this WG was adopted by the Parliament and became Law No 31/2004, of 22<sup>nd</sup> July 2004, on the adaptation of national criminal legislation to the Statute of the International Criminal Court, providing for the important adaptation of the Portuguese criminal law to the Statute of the International Criminal Court, typifying the conducts which constitute breaches to humanitarian law;

1995 - 2000 Participation in and coordination of activities on the organisation and motivation of the public prosecutor organisation aiming at improving the functioning of the public prosecutor’s system;

- 1991 - 2000 Representative of the Prosecutor General's Office at several national public bodies in charge of the preparation of studies and other activities in particular on the improvement of the computer science and statistics system of the Ministry of Justice, on the fight against illegal drugs («Gabinete de Estudos e Planeamento do Ministério da Justiça», «Gabinete Director da Informatização Judiciária», «Conselho Superior de Estatística», «Conselho Nacional da Toxicoddependência » etc.);
- 1990 - 1999 Representative of the Prosecutor General's Office at the "Conselho Nacional do Projecto Vida" (National Board for the Project Life); a national consultative board for the policy on drug's prevention;
- 1986 - 1989 Elected member of the High Council of the Public Prosecution Service.

## VII. Publications and other works

- 2000 - 2010 Rapporteur responsible for more than one hundred legal opinions issued by the Advisory Council, some of them published in the "Diário da República" (official gazette).

In the field of Human Rights, various works, including the following:

1. «Tribunal Europeu dos Direitos do Homem: Comentário ao caso Silva Torrado c/ Portugal» (European Court of Human Rights: Commentary on the case Silva Torrado v/ Portugal), *Revista do Ministério Público*, n.º 95, (July-September 2003), pp. 101-119;
2. «O Ministério Público no Tribunal Penal Internacional» (The Public Prosecutor at the Statute of the International Criminal Court), in *Estudos de Homenagem a Cunha Rodrigues*, Volume I, Coimbra Editora, 2001, pp. 623-659, and *in Revista Brasileira de Ciências Criminais* (Brazilian Review of Criminal Sciences), n.º 37 (January-March 2002), pp. 11-42;
3. «Justiça Penal Internacional - O Tribunal Penal Internacional» (International Criminal Justice - The International Criminal Court), *in Revista do Ministério Público*, n.º 90, (April-June 2002), pp. 57/78;
4. «Tribunal Penal Internacional - O após Roma e as consequências da ratificação» (International Criminal Court - After Rome Conference and the consequences of the ratification), *in Revista do Ministério Público*, n.º 86, 2001, pp. 27-42);
5. «A Jurisdição portuguesa perante os crimes dos Indonésios» (The Portuguese Judicial System and the crimes perpetrated by the Indonesians in East Timor), in *Daxiyangguo – Revista Portuguesa de Estudos Asiáticos* (Daxiyangguo-Portuguese Review on Asian Studies), vol. I, n.º 1, 1.º semestre de 2002, pp. 181-189;
6. «A Justiça portuguesa no exame do Tribunal Europeu dos Direitos do Homem», (The Portuguese judicial system seen by the European Court of Human Rights), *Subjudice- Justiça e Sociedade*, Lisboa, n.º 28 (April-Septembre 2004), pp. 33-38;
7. *O Tribunal Penal Internacional e a Transformação do Direito Internacional*, (The International Criminal Court and the transformation of the international law), Conferência Internacional da FDUCP/PGR /co-organizador, Lisboa, Universidade Católica Editora, 2006;
8. «Le ministère public et l'avenir : la recommandation Rec 19 et l'exemple portugais», *in* «Quel avenir pour le ministère public ?», Paris, Dalloz, Sirey, 2008, pp. 115-130;
9. «O dever de reserva: uma abordagem à luz dos trabalhos do Conselho da Europa e da Convenção Europeia dos Direitos do Homem» (Magistrates' obligation of discretion: an approach taking into account the works of the Council of Europe and the European Convention on Human Rights), in *Ciclo de Conferências «Dever de Reserva»*, edição do Conselho Distrital de Lisboa da Ordem dos Advogados, Lisboa, Maio de 2010, pp. 47-64.

## VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<b>a. Mother Tongue:</b>									
– Portuguese.....	X	..	..	X	..	..	X	..	..
<b>b. Official Languages</b>									
– English	X	..	..	..	X	..	..	X	..
– French	X	..	..	X	..	..	X	..	..
<b>c. Other languages:</b>									
– Spanish	X	..	..	..	X	..	X	..	..
– Italian	X	..	..	..	..	X	..	..	X

I declare that I will take up permanent residence in Strasbourg if elected a judge on the European Court of Human Rights

Lisbon, 3 November 2010



**Ms Maria Eduarda Azevedo**

**CURRICULUM VITAE**

**I. Personal details**

Name, forename – Azevedo, Maria Eduarda  
Sex – Female  
Date and place of birth – 17 may 1956, Malveira, Portugal  
Nationality – Portuguese

**II. Education and academic and other qualifications**

College: completed in 1973, at College Rainha Dona Leonor, Lisbon, Portugal

Graduation in Law, Law School of the University of Lisbon, June 1978

Diploma in Comparative Law, International Law School of Comparative Law of Strasbourg, en 1979-1980

Diploma in European Law, Law School of the University of Coimbra, 1983

Masters Degree in Legal and Economic Science, Law School of the University of Lisbon, 1983 with a theses on "The Common Agricultural Policy and the National Market Organizations in Portugal"

PhD in Law – Public Finance, Law School of the University of Lisbon, 2009, with a theses on "The Public-Private Partnerships: a Tool of a New Public Governance"

**III. Relevant professional activities**

***a. Description of judicial activities***

Lawyer registered at the Bar of Lisbon since 1980

***b. Description of non-judicial legal activities***

**• Teaching area**

**– Law School of the University of Lisbon**

– Lecturer (1978-1992)

Disciplines: International Economic Law; Public Finance; International Economic Relationships; Public Economy; European Law; Economic perspective of the European Integration

– Professor (2009 ...)

Disciplines: Public Finance

**– European Institute of the Law School of Lisbon**

– Professor (since 1986-1987 ...)

Disciplines: European Law; Common Policies; Common Agricultural Policy; The Third Pillar of the European Union; The Charter of Fundamental Rights of the European Union; The Convention on European Future; The "Constitutional Treaty"; Constitutionalization and Federalization in Europe: From the Origins till the Reformed Treaty

**– Economic, Financial and Tax Law Institute of the Law School of Lisbon**

– Professor (2008...)

Disciplines: The Public-Private Partnerships: The Impact on Public Finance and the Contract Matter

– **Free University of Lisbon**

– Lecturer (1982-1984)

Disciplines: Civil Law; Rights “in rem”

– Visiting Professor (1986-1987 to 1990-1991)

Disciplines: Economic Policy; Public Finance

– Professor (2009 ...)

Disciplines: European Policies; Liberty, Security and Justice Area; Public Finance

– **Catholic University of Lisbon**

– Visiting Professor (1986-1991)

Post-graduation on European Law

– **Course Coordinator in National Institute of Administration (1986 ...)**

Disciplines : European Policies ; The Charter of Fundamental Rights of the European Union; The Convention on the Future of Europe ; From the Third Pillar till a Freedom, Security and Justice Area; The Single European Currency ; The Political Agenda of the European Union on the eve of the XXIst century

– Senior Legal Researcher of Tax Studies Centre, Ministry of Finance (2002 ...)

**c. Description of non-legal professional activities**

– Member of Social Economic Association for Development (SEDES)

– Member of Portuguese Association of Parliamentary Women

**IV. Activities and experience in the field of human rights**

● Member of the Portuguese Parliament

– Member of the Parliamentary Commission on Family Affairs (1995-1999)

– Member of Parliamentary Commission on Equal Opportunities for Men and Women (1995-1999)

– President of the Sub-Commission on Violence against Women (1997-1999)

– Effective Member of the Convention on Fundamental Rights of the European Union

– Effective Member of the European Convention on the Future of Europe

● Member of the Parliamentary Assembly of the Council of Europe

– Member of the Committee on Legal Affairs and Human Rights

– Member of the Sub-Committee on Penal Law and Criminology

– Member of the Social, Health and Family Affairs Committee

– Member of the Sub-Committee on Children

– Member of the Committee on Equal Opportunities for Women and Men

– Member of the Sub-Committee on Violence against Women

● Vice-president of the Portuguese Delegation on the 4<sup>th</sup> World Conference of United Nations on Women, Beijing, 1995

**V. Public activities**

**a. Public office**

– Senior Legal Adviser of Tax Studies Centre, Ministry of Finance (1985-1989)

– Member of the Tax Reform Commission 1988-1989

– Member of the Privatisation Commission (1989-1991)

– General-Director on European Affairs, Ministry for Agriculture (1991-1995)

– Senior Legal Researcher of Tax Studies Centre, Ministry of Finance (2002 ...)

**b. Elected Posts**

- Secretary of State for Justice (1991-1995)
- Member of the Portuguese Parliament (1995-2005)
- Effective Member of the Convention on the Charter of Fundamental Rights
- Effective Member of the Convention on the Future of Europe
- Member of the Parliamentary Assembly of the Council of Europe
- Member of the Parliamentary Assembly of the Occidental European Union
- Member of the Parliamentary Assembly of OSCE

**c. Posts held in a political party or movement**

- Vice-president of *Partido Social Democrata* (1999-2002)
- Director of the Party Newspaper “*Povo Livre*” (1998-2002)
- President of the Jurisdiction Council of the Lisbon Delegation of *Partido Social Democrata* (1996-1998)

**VI. Other activities**

- Member of the Social and Economic Association for Development (SEDES)
- Member of the Portuguese Tax Association
- Member of Women Parliamentary Association
- Member of the Consultative Council of the Economic, Financial and Tax Law Institute
- Member of the Coordination Commission of the European Institute of Law School of University of Lisbon
- Member of the General Council of Institute Sá Carneiro

**VII. Publications and other works**

Author of many papers and publications, in particular:

**– Human Rights:**

- *Les Femmes et la Démocratie* (Women and Democracy), Study, UNESCO, Paris, 1993
- *La contribution de la Femme à la création de la citoyenneté européenne*, (The Contribution of women to the creation of European Citizenship), Essay, European Parliament, Brussels, 1994
- *La Démocratie Paritaire* (Parity Democracy), Study, Commission Européenne, Bruxelles, 1994
- *La Participación de las Mujeres en la Toma de Decisiones como Condición de la Democracia* (The Women participation in the decision-making process as a pre-requisite of a better democracy), Paper, Iberoamericano Summit, Santiago de Chile, 1995
- *Os Direitos Humanos e a Violência contra as Mulheres* (Human Rights and Violence against Women), Secretaria de Estado da Justiça, 1995
- *Responsabilité individuelle, garanties collectives* (Personal liability, Collective Guarantees), Fondation Nationale Entreprise et Performance pour ELF, Paper, Assemblée Nationale, Paris, 1995
- *Good Governance as a Precondition for Sustainable Development and Inter-regional Cooperation*, Paper, Seminar “Good Governance Regional Co-operation, Strengthening Democratic Institutions, Promoting Transparency, Enforcing the Rule of Law and Combating Corruption”, Bucharest, 2000
- *Trafficking in Human Beings*, Paper, 2nd. Parliamentary Forum on the Mediterranean, Rhodes, 2004
- *La cohésion sociale face aux défis démographiques* (The Social Cohesion and the Demographic Crises), Paper, Séminaire sur “Les défis des flux migratoires”, Wien, 2004
- *La vidéosurveillance des lieux publics* (video-surveillance of public places), Paper, Assemblée parlementaire du Conseil de l’Europe, 2004

**– European Affairs:**

- *A Política Agrícola Comum – uma Política Controversa na Hora da Mudança* (The Common Agricultural Policy : a controversial policy at a time of change), Coimbra, Almedina, 1996
- *Les conditions de la stabilité démocratique en Europe* (The Conditions for democratic stability in Europe), Paper Colloque le nouveau rôle des parlements nationaux dans la construction paneuropéenne, Paris, 1996
- *A Europa em Movimento : Apostas e Desafios* (Europe in movement: Risks and Challenges), Lisboa, Editorial Notícias, 1997

- Reconciliar os Cidadãos e a Europa, (Bring near the Citizens and the European Institutions), Revista do Centro Jacques Delors, 1998
- *Renovar a Aposta Europeia. Registos na Viragem do Século* (Renew the European Challenge. Registry at the turning point of the century), Lisboa, Quetzal, 1999
- *L'Asile et l'immigration dans la perspective de l'élargissement à l'Est*, (Asylum and Immigration on the perspective of European enlargement towards East), Paper Conference, Bruxelles, 2001
- *Unity in Diversity: What Political Form Should Europe Take*, Paper, 7th European Forum Berlin 2001 on "Europe in Global Competition", Herbert Quandt Foundation, 2001
- *Les parlements dans une Europe unifiée* (The Parliamentary Institutions in a Unified Europe), Paper, Colloque sur la Convention européenne – l'Avenir de l'Union Européenne, Roquebrune Cap-Martin, 2002
- *A Convenção sobre o Futuro da Europa. Reflexões e Testemunhos* (The Convention on the Future of Europe. Reflections and Evidences, Ed. PSD Parliamentary Group, 2004
- *Desenvolver a Dimensão Social Europeia* (Developping the European Social Dimension) Revista de Estudos Europeus, Ano II, nº 3, Coimbra, Almedina, 2008

**– Divers:**

- *As Eco-Taxas e a Nova Fiscalidade* (The Eco-Taxes and the new Tax Systems), the XXX Birthday of the Tax Study Centre (163-1993), 1993
- *As Parcerias Público-Privadas e as Finanças Públicas. Reflexões sobre a Moldura Orçamental*, (Public-Private Partnerships and Public Finance. Reflection on the Budgetary Regulation) Revista Finanças Públicas e Direito Fiscal, Ano 1, nº 4, 2008
- *As Parcerias Público-Privadas: Instrumento de uma Nova Governação Pública* (The Public-Private Partnerships: a Tool for a New Public Governance), Coimbra, Almedina, 2009
- *A Fiscalidade Ambiental* (The Environment and the Tax System), Cadernos de Ciência e Técnica Fiscal, 2009

### VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<b>a. First language:</b> – Portuguese	x	..	..	x	..	..	x	..	..
<b>b. Official languages:</b> – English	x	..	..	x	..	..	x	..	..
– French	x	..	..	x	..	..	x	..	..
<b>c. Other languages:</b> – Italian	x	..	..	..	x	..	..	x	..
– Spanish	..	..	..x	..	..	..x	..	..	x..

If I do not meet the level of language proficiency required for the post of judge in an official language, I confirm my intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, my term of duty if elected a judge on the Court.

If elected a judge on the Court, I confirm that I will take up permanent residence in Strasbourg.

**Mr Paulo Sérgio Pinto de Albuquerque**

**CURRICULUM VITAE**

**I. Personal details**

Name, forename: Paulo Sergio Pinto de Albuquerque  
 Sex: Male  
 Date and place of birth: 5 October 1966; Beira, Mozambique  
 Nationality: Portuguese

**II. Education and academic and other qualifications**

I have the following degrees:

*DOCTORAMENTO* (Doctorate/PhD/Doctor Juris), from the Faculty of Law of the Portuguese Catholic University, Lisbon. The degree was awarded in May 2003. My thesis focused on the structure of the trial and the appeal (based on procedural error, error of fact and error of law) in Portuguese, English, French, and German laws and the case-law of international courts.

*MESTRADO* (Master), from the Faculty of Law of the Portuguese Catholic University, Lisbon. The degree was awarded in February 1994. My thesis focused on the concept of guilt, the mistake of fact and the mistake of law in Portuguese, English, French, and German laws.

*LICENCIATURA* (Law Degree), from the Faculty of Law of the State University of Lisbon. The degree was awarded in July 1989.

First Certificate in English of the University of Cambridge, June 1984.  
*Diplôme de Langue Française* of the Alliance Française, June 1984.  
*Zertifikat Deutsch als Fremdsprache* of the Goethe – Institut, March 1989.  
*Zeugnis Zentrale Mittelstufenprüfung* of the Goethe – Institut, August 1990.

**III. Relevant professional activities**

**a. Description of judicial activities**

***Professional experience as a Judge***

I am a judge since 1992.

From 1992 to September 2004 I was a judge in the following courts:  
 The Court of Sintra, with civil, criminal and family/minors jurisdiction.  
 The Court of Nelas, with civil, criminal and family/minors jurisdiction.  
 The Court of Lagos, with civil, criminal and family/minors jurisdiction.  
 The Criminal Instruction Court of Lisbon, which controls all criminal investigations in Lisbon.  
 The Correctional Court of Lisbon, which is the trial court for all crimes punished with a penalty up to 5 years of prison.  
 The Criminal Court of Lisbon, which is trial court for all crimes punished with a penalty of over 5 years of prison. This is the most important criminal court of the country.  
 In September 2004 I took a temporary and voluntary leave from the judiciary, with the permission of the Portuguese High Council of the Judiciary. According to Portuguese law, I can return to the judiciary at any time.

I was the Presiding judge of the Courts of Nelas and Lagos and the Criminal Instruction Court of Lisbon.

I also had the task of Judge guiding the formation of other Judges, between 1996 and 1999.

I was an Auditor of Justice, and performed pre-judicial activities in the Courts of Alijó and Sintra, between 1990 and 1992.  
 This time counts for the total amount of my judicial career.

That means that for seniority purposes I have a 14 year-old judicial career, from September 1990 to September 2004.

***b. Description of non-judicial legal activities***

***Professional experience as lawyer***

– I am a Lawyer (enrolled in the Portuguese Lawyers Bar with the number 48028L) and a Jurist. Within these legal activities, I give paid advice on matters related to my field of expertise: international and European human rights law, criminal law, criminal procedure law, prison law, disciplinary law.

The most important judicial cases in which I gave my legal opinion were the criminal prosecution against a judge in Porto, the criminal prosecution against a director of an important financial institution in Lisbon, the criminal prosecution against the CEOs of a international consortium which sold two submarines to Portugal and the CEOs of their Portuguese partners in Lisbon, the criminal prosecution against a university professor in Coimbra and the criminal prosecution against a lawyer in Porto. My legal opinions were given to the defendants in all these cases.

I also gave my legal opinion to the complainant in a criminal prosecution against an important land developer in Lisbon.

***Professional experience as university professor in Portugal and abroad***

– Associate Professor at the Faculty of Law of the Catholic University, in Lisbon, Portugal. I teach courses on Criminal Law, Criminal Procedure, European Law, International Human Rights Law, International Criminal Law, Anti-Terrorism Law, Prison Law and Judicial Organization since 2004.

– Invited Professor at the High Military Studies Institute, of the Ministry of Defence, in Lisbon, Portugal. I teach short courses on criminal law and procedure at this Institute since 2007.

– Adjunct Professor at the Illinois College of Law, in Urbana-Champaign, Illinois, United States of America, since January 2009.

I was previously a Visiting Professor, at the Illinois College of Law, Urbana-Champaign, Illinois, USA, in 2006 and 2007.

I have taught courses there on European human rights law, such as:

- Markets, Government, and Corruption (Spring 2010)
- Markets, White Collar Crime, & Regulation in Europe (Spring 2009)
- Terrorism and European Human Rights Law (Spring 2007)
- Transnational Criminality and European Human Rights Law (Spring 2006)

These courses can be found in my site at the Illinois College of Law:

[www.law.uiuc.edu/faculty-admin/directory/PauloAlbuquerque](http://www.law.uiuc.edu/faculty-admin/directory/PauloAlbuquerque)

The subjects of the courses were selected in accordance with the preferences of the board of the College. My 2007, 2009 and 2010 lessons were published by the Illinois College of Law in the USA. These lessons were written in English by me and printed and sold by the College to the students. These lessons are: "Transnational criminality and European Human Rights Law- Texts and materials, 2007", "Markets, white-collar crime and regulation in Europe, 2009" and "Markets, Government, and Corruption, 2010".

– Visiting Professor at the Jiao Tong University, Shanghai, China, in September 2006. I taught there a course on Terrorism and European Human Rights law, at the request of the board of the school.

– Visiting Professor at the Ministry of Justice and the Faculty of Law, in Bissau, Guiné-Bissau, in June 2007. I taught there a course on the universal standards of fairness in criminal procedure, at the request of the Ministry of Justice and the Faculty of Law.

***International experience – activities in the Council of Europe and the European Union***

In 2004 I was designated by the Portuguese Ministry of Justice as a candidate to the position of Portuguese judge at the European Court of Human Rights. I was the first Nominee by the Sub-Committee for the nomination of judges of the Parliamentary Assembly of the Council of Europe to become the Portuguese judge at the European Court of Human Rights, in June 2004.

On June 25, 2004, the Parliamentary Assembly elected, on a second ballot, the second nominee of the Sub-Committee as the Portuguese judge.

I am an Expert of the GRECO (Group of States against Corruption), appointed by the Council of Europe to participate in the III evaluation round of Belgium on the transparency of the financing of political parties and political campaigns. The final report was presented by me and Professor Doctor Richard Ghevontian (University of Aix-Marseille). It was approved by the plenary assembly of the GRECO in May 2009.

I am also an Expert of the GRECO (Group of States against Corruption), appointed by the Council of Europe to participate in the III evaluation round of Bulgaria on the transparency of the financing of political parties and political campaigns. The final report was presented by me and Dr. Stéphane Gauvin (Deputy Head of the Legal Affairs Department of the National Committee for Campaign Accounts and Political Party Financing of France). It was approved by the plenary assembly of the GRECO in September 2010.

I was an Expert of the project "Victims of Crimes and Mediation", organized by the Portuguese, the Dutch and the Scottish Victim Support Agencies, and financially supported by the European Commission. The project lasted from 2006 to 2008. The final report was published and presented to the European Commission in 2008.

I was an Expert of the project "Crime Repression Costs in Context", organized by the University of Florence (Italy), the Foundation Giovanni Michelucci (Italy), University of Bremen (Germany), the Law Institute (Lithuania), the Labor and Corporation Sciences Institute (Portugal), The University of Barcelona (Spain), the University of Miskolc (Hungary), The Intercollege (Cyprus), the University of Ankara (Turkey) and the Center for the Study of Democracy (Bulgaria), and financially supported by the European Commission. The project lasted from 2007 to 2009. Within this project I visited prisons in Turkey, Germany and Portugal with the objective of analyzing the differences in the penitentiary system of these countries. The final report was published and presented to the European Commission in September 2010.

#### ***Legislative experience in Portugal and abroad***

I was invited by Parliament to make a critical appraisal of five legislative projects on the fight against corruption. The hearing at the National Parliament as an expert on this issue took place in May 2010.

I was also invited by Parliament to make a critical appraisal of one project on the fight against domestic violence. The hearing audition at the National Parliament as an expert on this issue took place in March 2009.

I was a Member of the Ministry of Justice Taskforce for the Penal Reform. This commission had the task to prepare two legislative projects to reform the Criminal Code and the Criminal Procedure Code. The commission worked from September 2005 to March 2007. The final report of the commission was the basis for two governmental projects to change those codes, which were later approved by Parliament in July 2007. These two laws (Law n.º 57/2007 reforming the Criminal Code and Law n.º 48/2007 reforming the Criminal Procedure Code) are today in force.

I provided legal assistance to the Portuguese Ministry of Internal Affairs (Secretary of State for Internal Affairs), in the period of 1989 to 1990. I worked as an independent professional, giving legal advice to the cabinet of the Secretary of State.

I provided legal assistance to the Max-Planck Institute for International Penal law of Freiburg in the preparation of a study for the reform of the legal remedies system in Germany, at the request of Minister of Justice Professor Dr. Herta Gmelin-Däubler. This study was published in Germany by the Max-Planck Institute in a book called "Rechtsmittel in Strafrecht", in 2000.

#### ***c. Description of non-legal professional activities***

None.

#### **IV. Activities and experience in the field of human rights**

##### ***Experience as human rights activist***

I am member No. 1348 of Amnesty International-Portugal since 1989. (Amnesty International-Portugal is the national branch of Amnesty International.)

I am a member of the National Administration Board of Amnesty International-Portugal, elected for a term of two years, starting in April 2008, and reelected in April 2010 for a new term of two years. NOTE: All my functions in the board will cease immediately if I am elected judge at the European Court of Human Rights.

Within the remit of competence of the board of AI-Portugal I am co-responsible for many activities which have a direct impact on the human rights situation in Portugal and other countries, such as the Portuguese speaking countries.

Here are some of the most important activities:

In 2010:

- Forum of Education for Human Rights and Intercultural Dialogue, with the support of the Council of Europe and CIVICUS
- Letter sent to the Portuguese Minister of Foreign Affairs on the improvement of the human rights situation in Afghanistan and the accomplishment of the "Afghanistan compact" program (letter sent before the NATO summit)
- International conference on renditions and secret detentions, in Lisbon, with among others, MEP Ana Gomes and MEP Professor Leonidas Donskis.
- Seminar about Nazi Propaganda regarding awareness about the dangers of extremism and extremist propaganda (International Holocaust Remembrance Day)
- Campaign "Violence is not a Women's Secret" in partnership with Women's Secret
- Public simulation of an "Ideal" Millennium Development Goals Summit with university and high school students
- Awareness actions in schools regarding freedom of speech (World Press Freedom Day)
- Awareness actions against homophobia in high schools
- "Red Hand Day" – awareness campaign in 50 public elementary schools regarding the problem of children soldiers
- Participation on the Global March Against Hunger
- Public action marking the Massacre of Tiananmen Square
- Conference on the International Justice Day
- "Stand Up United Campaign" during the 2010 World Cup
- Launch of the results of a study on trafficking of human beings in Portugal, with a focus on trafficking for labor and sexual exploitation and organ-trafficking
- Launch of the project "Dancing with the Difference", promoting social awareness of problems of handicapped people
- Implementation of three extensive Human Rights educational programs for two national police forces and prison wardens
- WOOK (Work on own country) document on the proposals for a new Reform Law of the Criminal Procedure Code sent to Parliament and Government
- Letter sent to Portuguese MPs on the approval of a Resolution of Parliament on extreme poverty as a human rights violation

In 2009:

- "Demand Dignity" campaign, with a special focus on forced relocation of persons in Kenya, Zimbabwe and Angola
- Publication of the first report on poverty perceptions in Portugal, in cooperation with REAPN and SOCIUS/ISEG
- Launch of the "Movement of Outrage Against Poverty and Social Exclusion" which included a blog that monitors poverty and social exclusion in Portugal
- Creation of a Social Responsibility Group and corporate responsibility, aiming at making Portuguese corporations aware of the Human Rights consequences of their business options and stimulating them to make strategic Human Rights friendly business options
- Public actions about forced evictions in Angola and launch of a petition to collect ten thousand signatures which were delivered to the Angolan Ambassador
- Presentation of a study about female genital mutilation with APF and Associação Guineense Uallado Folei (International Day of Zero Tolerance to Female Genital Mutilation)
- Action about gender violence and poverty with APF, IMVF and Objectivo 2015 (International Women's Day)
- Implementation of the Project "A weapon is not a toy" involving 53 schools and more than 8500 students
- Launch of the study "Racism and Xenophobia in Portugal after 9/11" produced by NUMENA and Amnesty International Portugal

- Awareness actions regarding racial discrimination in three football games, in partnership with the Portuguese League of Professional Football
- Direct Support given to two former Guantanamo prisoners received by the Portuguese Government (action in partnership with the Centre for Constitutional Rights and Reprieve)
- Series of conferences on the death penalty with Joaquin José Martínez, former death convict in the USA, in Lisbon and Porto
- Simulation of a United Nations General Assembly to debate a worldwide moratorium to the death penalty, which involved three schools and more than 180 students (World Day Against Death Penalty)
- Public action to mark the International Day for Mine Awareness and Assistance in Mine Action
- Public action to mark the International Day for the Eradication of Poverty
- Participation in the event "Cities for Life, Cities against Death Penalty"
- WOOK (Work on own country) document on the proposal for a new Arms Law sent to Parliament and Government

In 2008:

- Letter sent to the Portuguese Prime-Minister asking for a complete ban of renditions and secret detentions and any cooperation with such policies of the US
- Letter sent by AI and other NGOs to the Portuguese Foreign Affairs Minister on the closing of the prison of Guantanamo
- Lobbying for the petition to end illegal arrests sent to the North-American authorities (1.200 Members of Parliament around the world signed the petition)
- Street action representing rendition flights
- Publication of the book "We are born free"
- Campaign "Control Arms" to convince Members of Parliament to sign the Declaration in Support of a Global Arms Trade Treaty, which was later sent to the Chairman of the Committee on Disarmament and International Security of the United Nations
- Joint action from Amnesty International, Peace Studies (Coimbra University) and the Permanent Observatory on Production, Trade and Proliferation of Small Arms of the National Commission for Justice and Peace to mark the Global Week Against Armed Violence
- Disclosure of an interactive game on AI Portugal site and an arms quiz under the international action regarding the "Control Arms" campaign
- Contribution to the preparation of the National Action Plan for the implementation of UN's Security Council Resolution 1325
- Implementation of the project "Safe Schools for Girls" within the international campaign SVAW (Stop Violence Against Women)
- Partnership with Fox Channel for the divulgation of the series 'Matrioshki', within the campaign against trafficking of women for sexual exploitation
- Action on sexual trafficking and prostitution rings in the National School of Journalism (International Day for the Elimination of Violence Against Women)
- Actions of awareness regarding racial discrimination in four football games in partnership with the Portuguese League of Professional Football
- Actions, campaigns and media awareness on the Beijing 2008 Olympic Games and the human rights situation in China
- Simulation of a United Nations General Assembly to debate a worldwide moratorium to the death penalty, which involved ten schools and more than 1000 students (World Day Against Death Penalty)
- Participation on the "Stand Up Against Poverty" initiative, in cooperation with other NGOs (International Day for the Eradication of Poverty)
- Preparation of recommendations to all candidates before the 2008 Angolan elections
- Preparation of recommendations to the Community of Portuguese speaking Countries (CPLP) electoral observers of the 2008 Angolan elections
- Regular sending of recommendations regarding the ICC (International Criminal Court) to civil society organizations in Portuguese speaking Countries
- Letter and lobby campaign directed to the Members of Parliament, Prime Minister and Ministry of Home Affairs regarding the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- Letter and lobby campaign directed to the Parliamentary Groups and Prime Minister regarding the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance
- Public Position in favor of receiving former Guantanamo prisoners in Portugal
- Appeal to the Ministry of Foreign Affairs to take action regarding the events in the Democratic Republic of Congo (North Kivu, in particular) and asking for the creation of safe humanitarian corridors

- WOOK (Work on own country) document on the proposal for a new Migration Law sent to the Members of Parliament, Prime Minister and Ministry of Home Affairs
- WOOK (Work on own country) document on the proposal for a new Prison Law sent to the Members of Parliament, Prime Minister and Ministry of Home Affairs
- WOOK (Work on own country) document on the proposals for a new Internal Security Law, a new Criminal Investigation Law and a new Judiciary Police Law sent to the Members of Parliament, Prime Minister and Ministry of Home Affairs

### ***Human rights experience on the side of victims of crime***

I am member nº 386 of the Portuguese Association For Victim Support since 2007. (APAV is affiliated to Victim Support Europe.)

My function has been to support the initiatives of the board of APAV, directed at three special categories of victims (children, elderly people and women). My most important intervention consisted in the preparation and elaboration of the project "Victim support and mediation". Within this project I was responsible for a course on criminal justice and mediation to lawyers and public servants with the aim of preparing them to become criminal mediators.

### ***Record as speaker in human rights conferences and seminars***

In the last 15 years I intervened in many collective conferences and gave many individual seminars on issues related to human rights, both in Portugal and abroad.

These are some of the most important conferences and seminars where I spoke:

- What is the universal jurisdiction of human rights? –From the Soering case to the Medvedyev case (in Portuguese)  
International Conference on the Universal Jurisdiction of Human Rights organized by the School of judges and public prosecutors, CEJ, Lisbon, December 2010.
- Changes in the Criminal Procedure Code in 2010 (in Portuguese).  
Conference organized by the committee of judges, public prosecutors and lawyers of the judicial district of Sintra, October 2010.
- Serving criminal justice (in Portuguese).  
Conference in memory of Justice Maia Gonçalves, organized by the Supreme Court, Lisbon, September 2010.
- The coming Reform of Penal Procedure (in Portuguese).  
Conference organized by the Public Prosecutors Union, Lisbon, March 2010.
- Jorge de Figueiredo Dias – A Life dedicated to Justice and to Portugal. (in Portuguese)  
Conference in celebration of Professor Doctor Jorge de Figueiredo Dias' career, organized by the Lawyers Bar, in Viseu, January 2010.
- Criminal prevention, territory and the quality of police action (in Portuguese).  
International conference organized by the GNR (National Guard Police) School – Queluz, December 2009.
- The consequences of the right to liberty in the constitutional laws of Brazil and Portugal (in Portuguese).  
International conference organized by the Brazilian Academy of Human Rights, Victoria, state of Espírito Santo, Brazil, November 2009.
- "Torture, Ill-treatment and Forced Labor – recent trends of the jurisprudence on Articles 3 and 4 of the European Convention on Human Rights" in 2009 (in Portuguese).  
Seminar: The European Convention on Human Rights, Faculty of Law, University of Coimbra, Portugal, October 2009.
- Problems and solutions in the penal code reform (in Portuguese).  
Seminar organized by the Lawyers Bar, Coimbra, Portugal, May 2009.
- Problems and solutions in the criminal procedure reform (in Portuguese).  
Seminar organized by the Lawyers Bar, Viseu, Portugal, March 2009.
- The legal means for the fight against the traffic of drugs (in English).  
Seminar organized by the Public Institute for Labor Sciences, Lisbon, February 2009.
- "The judge and the prison system" (in English).  
Seminar organized by the University of Bremen, Germany, November 2008.
- "Torture, Ill-treatment and Forced Labor – recent trends of the jurisprudence on Articles 3 and 4 of the European Convention on Human Rights" in 2008 (in Portuguese).  
Seminar: The European Convention on Human Rights, Faculty of Law, University of Coimbra, Portugal, October 2008.

- “The criminal justice system and the new law on prisons” (in Portuguese).  
Seminar organized by the National Lawyers Bar Association, Lisbon, October 2008.
- “The police in face of the new criminal justice system” (in Portuguese).  
Seminar organized by the Judiciary Police (Polícia Judiciária), Loures, July 2008.
- “The protection of victims within the criminal justice system” (in English).  
International Conference, organized by the Portuguese Association for Victim Support, Lisbon, July 2008.
- “The jurisprudence of the European Court of Human Rights on the right to freedom (article 5 of the ECHR)” (in English).  
Seminar organized by the University of Ankara, Turkey, May 2008.
- “The limits of criminal responsibility in the fight against terrorism” (in Portuguese).  
Seminar organized by the Police and Internal Security Sciences Institute, Ministry of Internal Affairs, Lisbon, January 2008.
- “The criminal justice reform and the prison system in Portugal and in Europe” (in English).  
International Seminar organized by the Faculty of Law of the University of Barcelona, Spain, November 2007.
- “The criminal liability of corporations – a critic of the new Criminal Code” (in Portuguese).  
Conference: “The penal reform in debate”, organized by the Autonomous University, Lisbon, Portugal, November 2007.
- “Torture, Ill-treatment and Forced Labor – recent trends of the jurisprudence on Articles 3 and 4 of the European Convention on Human Rights” in 2007 (presented in Portuguese)  
Seminar: The European Convention on Human Rights, Faculty of Law, University of Coimbra, Portugal, October 2007.
- “New technologies and ethical dilemmas” (in English).  
International conference: “Visions for Europe: Crime, Policing and Justice in the XXI Century”, organized by CEPOL (European Police College, Hampshire, United Kingdom) and the Criminal Police and Criminal Sciences Institute, Course 2007/01, Loures, Portugal, June 2007.
- “The New Challenges Facing the Criminal Law in the XXI Century” (in Portuguese).  
Keynote speaker in Spanish-Portuguese Conference: “The New Challenges Facing the Criminal Law in the XXI Century”, Autonomous University, Lisbon, Portugal, May 2007.
- “The Constitutional and Legal Protection of the Freedom of the Press” (in Portuguese).  
Conference: “Freedom of Speech”, organized by the Labor and Corporation Sciences Institute, Public University of Lisbon, Lisbon, Portugal, May 2007.
- “The Founding Principles of the Portuguese Criminal Procedure – What lies ahead?” (in Portuguese)  
German-Portuguese Conference: “The 20th Anniversary of the Portuguese Criminal Procedure Code”, organized by the Law School of the Public University of Minho, Braga, Portugal, March 2007.
- “The Victim and the Penal Reform” (in Portuguese).  
Seminar organized by the Portuguese Victim Support Association, Lisbon, Portugal, February 2007.
- “The Reform of the Criminal Procedure Code: Convergences and Divergences” (in Portuguese).  
Seminar organized by the National Association of Young Lawyers, Porto, Portugal, November 2006.
- “Ethics and Deontology in a Prison Environment: Specificities and Limits” (in Portuguese).  
First National Conference: “Health in a Prison Environment”, organized by the Ministry of Justice and the *Santa Casa da Misericórdia*, Porto, Portugal, November 2006.
- “The Judicial System and the New Instruments for the Prevention and Repression of Serious Criminality” (in Portuguese).  
Seminar organized by the Faculty of Law of the New University of Lisbon and the Observatory of Security, Organized Criminality and Terrorism, Lisbon, Portugal, October 2006.
- “The mechanisms of consensus and opportunity, again” (in Portuguese).  
Conference: “Diversion and Alternatives to Prison”, organized by the Centre for Judiciary Studies, Ministry of Justice, Lisbon, Portugal, May 2006.
- “The criminal liability of moral persons” (in Portuguese). Conference: “The Ante-Project of Reform of the Penal Code”, organized by the Faculty of Law of the Lusíada University, Lisbon, Portugal, May 2006.
- “The role of the defence lawyer in criminal procedure” (in Portuguese).  
Seminar organized by the Lawyer’s Bar Association, Funchal, Madeira, Portugal, April 2006.  
“The reform of the investigative phase and the alternative forms of criminal procedure” (in Portuguese).  
French-Portuguese Conference: “Justice in Crisis”, organized by the Faculty of Law of the Lusíada University, Porto, Portugal, April 2006.
- “The Trial in the First Instance in the Statute of Rome” (in Portuguese).  
International Conference: “The International Criminal Court and the Transformation of International Law”, organized by the Faculty of Law of the Catholic University, Lisbon, Portugal, March 2006.
- “The role of the European Court of Human Rights on the defence of the rights of the inmates” (in Portuguese).  
Conference: “Human Rights in Portuguese Prisons”, organized by Humana Global, University of Coimbra, Coimbra, Portugal, March 2006.

- "Justice and Home Affairs in the European Union" (in English).  
Seminar organized by the Department of Political Science, University of Illinois, Urbana-Champaign, IL, USA, February 2006
- "Torture and the ambit of the competence of the European Court of Human Rights" (in English).  
Seminar organized by the Centre for Global Studies, University of Illinois, Urbana-Champaign, IL, USA, February 2006.
- "Terrorism and the European Union" (in English).  
Seminar organized by the European Union Centre, University of Illinois, Urbana-Champaign, IL, USA, January 2006.
- "Criminal Investigation" (in Portuguese).  
Conference: "The Penal Reform", organized by the Newspaper "Primeiro de Janeiro", Porto, Portugal, November 2005.
- "Immigration and Criminal Policy in Portugal" (in Portuguese).  
Conference: "Immigration in Portugal", organized by the High Commissioner for Immigration and Ethnic Minorities, Lisbon, Portugal, March 2005.
- "What is criminal policy, why do we need it and how can we build it?" (in Portuguese).  
Conference: "The Future of Criminal Policy in Portugal", organized by the Francisco Sá Carneiro Institute, Lisbon, Portugal, November 2004.
- "The Future of Prison" (in Portuguese).  
International Conference: "Beyond Prison", organized by the Anthropology Department of the Public University of Minho, Braga, Portugal, November 2004.
- "Terrorism, Non-judicial Detention and Penal Reform: a Human Rights Perspective" (in English).  
International Conference: "Prisons and Penal Policy: International Perspectives", organized by the City University, Islington, London, UK, June 2004.  
International Conference: "Criminal Procedure Law: Challenges in the 21st century", organized by the Legal and Judicial Training Centre, Macau, China, December 2004.
- "The Future of Penitentiary Studies" (in Portuguese).  
Conference: "Penitentiary Studies", organized by the Catholic University, Lisbon, Portugal, May 2004.
- "The Portuguese Criminal Procedure and the European Standards" – the situation in 2001 (in German).  
22nd Meeting of the German Academy of Judges (*Deutsche Richterakademie*), Trier, Germany, September 2001.
- "The Portuguese Criminal Procedure and the European Standards" – the situation in 2000 (in German).  
21st Meeting of the German Academy of Judges (*Deutsche Richterakademie*), Wustrau, Germany, July 2000.
- "The Portuguese Criminal Procedure and the European Standards"- the situation in 1999 (in German).  
20th Meeting of the German Academy of Judges (*Deutsche Richterakademie*), Trier, Germany, September 1999.
- "Portuguese Report on Appeals and Remedies in Criminal Law" (in German).  
International conference, organised by the German Federal Ministry of Justice, Bonn, Germany, May 1999.
- "The Absence of the Defendant at the Trial in the Common Criminal Procedure, A Proposal of Reform of the Criminal Procedure Code" (in Portuguese).
- Conference in honor of Professor Doctor Manuel Cavaleiro de Ferreira, organized by the Catholic University, Lisbon, March 1996.
- "Some Problems of Neo-Criminalization on the Field of Crimes of Common Danger and Crimes against the Security of Communications in the Penal Reform of 1995" (in Portuguese).  
Portuguese-Spanish Conference: "The Penal Reforms in Portugal and Spain", organized by the Portuguese Public Prosecutors Union, Tavira, December 1995.
- "Crimes of Common Danger and against the Security of Communications in the Penal Reform" (in Portuguese).  
Conference: "The Reform of the Penal Code", organized by the *Centro de Estudos Judiciários* (Centre for Judiciary Studies), Ministry of Justice, Lisbon, November 1995.

In March 2006, I also organized an International Conference "The International Criminal Court and the Transformation of International Law", with the International Criminal Court Prosecutor Dr Luís Moreno-Ocampo and Judge Dr. Sylvia Steiner, and other experts international law, in Lisbon. The papers of this conference were published in 2007 in a book in Portuguese, with the same title of the conference.

## **V. Public activities**

### **a. Public office**

See above the description of my judicial activities.

### **b. Elected posts**

None.

### **c. Posts held in a political party or movement**

None.

## **VI. Other activities**

### **a. Field**

I have a weekly page on human rights issues in *Diário de Notícias* (Daily News).

*Diário de Notícias* is the most important daily newspaper of Portugal. It was founded in 1864 and has its headquarters in Lisbon.

My page is called “Estado de Direito” (translated in English Rule of Law, in French *État de Droit*, in Italian *Stato di Diritto*)

I have also written in the two most important national weekly newspapers, *Expresso* (Express) and *O Sol* (The Sun).

### **b. Duration**

My weekly page on human rights issues in *Diário de Notícias* started in March 2009.

### **c. Functions**

The purpose and function of my articles are to discuss actual problems of the Portuguese society and of the international community from a human rights perspective, conveying to the general public in a simple and clear language the standards of the European Court of Human Rights, the Parliamentary Assembly of the Council of Europe and the United Nations.

These are some of the human rights issues dealt with in my articles:

The Universal Declaration on Human Rights, in *Diário de Notícias*, 10 December 2010.

Incoherent penal laws, in *Diário de Notícias*, 3 December 2010.

Gender Violence, in *Diário de Notícias*, 26 November 2010.

Human rights in Afghanistan, in *Diário de Notícias*, 19 November 2010.

The anniversary of the European Convention on Human Rights, in *Diário de Notícias*, 5 November 2010.

Unequal Justice System in Portugal, in *Diário de Notícias*, 29 October 2010.

Electronic surveillance, in *Diário de Notícias*, 8 October 2010.

Human rights in Brasil, in *Diário de Notícias*, 1 October 2010.

Roma people in Europe, in *Diário de Notícias*, 17 September 2010.

Continued Crime, in *Diário de Notícias*, 10 September 2010.

A democratic Public Prosecution, in *Diário de Notícias*, 27 August 2010.

New justice, in *Diário de Notícias*, 20 August 2010.

Justice for victims, in *Diário de Notícias*, 13 August 2010.

The role of the Public Prosecution, in *Diário de Notícias*, 6 August 2010.

Constitutional reform, in *Diário de Notícias*, de 23 July 2010.

Human rights in the portuguese speaking countries, in *Diário de Notícias*, de 16 July 2010.

Captured Freedom, in *Diário de Notícias*, 9 July 2010.

The immunity of politicians, in *Diário de Notícias*, 25 June 2010.

Formalistic justice, in *Diário de Notícias*, 11 June 2010.

Corruption is the cancer of democracy, in *Diário de Notícias*, 5 June 2010.

Retroactive taxes, in *Diário de Notícias*, 28 May 2010.  
Open war, in *Diário de Notícias*, 7 May 2010.  
Prohibited financing of political parties, in *Diário de Notícias*, 16 April 2010.  
Restricted freedom to vote, in *Diário de Notícias*, 19 March 2010.  
Abuse of power, in *Expresso*, 13 February 2010.  
Journalists and the secrecy of justice, in *Diário de Notícias*, 22 January 2010.  
Disrespect for Parliament, in *Diário de Notícias*, 11 December 2009.  
Predator attacks on women, in *Diário de Notícias*, 4 December 2009.  
Duties of the public prosecution, in *Expresso*, 28 November 2009.  
Transparency in politics, in *Diário de Notícias*, 30 October 2009.  
International injustice, in *Diário de Notícias*, 9 October 2009.  
Censorship in Portugal, in *Diário de Notícias*, 11 September 2009.  
Electoral fraud, in *Diário de Notícias*, 4 September 2009.  
Twice raped, in *Diário de Notícias*, 28 August 2009.  
Ungoverned prisons, in *Diário de Notícias*, 14 August 2009.  
Legislative chaos, in *Diário de Notícias*, 7 August 2009.  
Online crime, in *Diário de Notícias*, 10 July 2009.  
The honor of politicians and the freedom of the press, in *Diário de Notícias*, 5 June 2009.  
Unprotected children, in *Diário de Notícias*, 29 May 2009.  
Unprotected workers, in *Diário de Notícias*, 15 May 2009.  
Epidemics without law, in *Diário de Notícias*, 8 May 2009.  
Fiscal penalties, in *Diário de Notícias*, 24 April 2009.  
Illicit enrichment, in *Diário de Notícias*, de 10 April 2009.  
Discrimination of Roma children in schools, in *Diário de Notícias*, 20 March 2009.  
For a fairer criminal policy, written with Justice MANUEL SIMAS SANTOS, Judge of the Supreme Court, in *Expresso*, 7 February 2009.  
Actual rules on financing of political parties favor corruption, in *Expresso*, 29 November 2008.  
The financial crises and the penal law, in *Sol*, 8 November 2008.  
Phone tapping without defense, in *Expresso*, 8 March 2008.  
Freedom of the press and phone tapping, in *Sol*, 5 October 2007.

All these articles and many others are on the internet and can be downloaded from:  
[www.ucp.pt/site/custom/template/ucptplminisite.asp?sspageID=3737&lang=1](http://www.ucp.pt/site/custom/template/ucptplminisite.asp?sspageID=3737&lang=1)

## VII. Publications and other works

In 2010 I have published two new books:

**Commentary to Penal Laws** (written in Portuguese, *Comentário de Leis Penais*), First volume, Lisbon, UCE Publishing House, 2010, 902 pages.

This book collects and annotates 112 penal laws and decrees in force in Portugal. The oldest penal law dates back to 1936. This book is the result of the work of 30 judges and public prosecutors, over a period of 2 years. I have coordinated this group and have also annotated all penal laws related to electoral crimes (11 laws, including the law on the European parliament election, the law on the presidential election, the law on the parliamentary election, the law on the regional election, the law on local elections, and the law of the financing of political parties). The second volume will be published on January 2011.

**Commentary of the Criminal Code in the light of the Constitution of the Republic and the European Convention on Human Rights** (written in Portuguese, *Comentário do Código penal à luz da Constituição da República e da Convenção Europeia dos Direitos do Homem*), Second renewed edition, Lisbon, UCE Publishing House, 2010, 1600 pages.

This second edition has 278 quotations of the jurisprudence of the European Court of Human Rights, as it is announced on the cover of the book.

The book deals specifically with the jurisprudence of the European Court of Human Rights on such issues as the right to life (cases referred in the annotations of article 131), the prohibition of torture and ill-treatment (cases referred in the annotations of articles 132, 243 and 244), the prohibition of slavery and the trafficking of human beings (cases referred in the annotations of article 160), the freedom of expression and of the press (cases referred in the annotations of articles 180 and 181) and the principle of legality (cases referred in the annotations of article 1).

**Commentary of the Criminal Procedure Code in the light of the Constitution of the Republic and the European Convention on Human Rights** (written in Portuguese, *Comentário do Código de processo penal*

*à luz da Constituição da República e da Convenção Europeia dos Direitos do Homem*), Third renewed Edition, Lisbon, UCE, 2009, 1600 pages.

This third edition has 1162 quotations of the jurisprudence of the European Court of Human Rights, as it is announced on the cover of the book.

The book deals specifically with the jurisprudence of the European Court of Human Rights on such issues as the time and space limits of State jurisdiction (the annotations to article 5), the rights of detainees (cases referred in the annotations of article 191), the rights of accused persons (cases referred in the annotations of articles 8, 62, 92, 311 and 312), the right to privacy (cases referred in the annotations of articles 171, 178 and 189), the right to have one's conviction reviewed (cases referred in the annotations of articles 399 and 400), and the right not to be tried twice for the same crime (cases referred in the annotations of article 449).

The book is sold with a CD which has the annotated lists of all the decisions of the European Court of Human Rights, the Constitutional Court and the Supreme Court quoted in the Commentary.

**The International Criminal Court and the Transformation of International Law**, International Conference (co-editor with João Miguel), (written in Portuguese, *O Tribunal Penal Internacional e a Transformação do Direito Internacional, Conferência Internacional*), Lisbon, UCE, 2006, 342 pages.

**Portuguese and European Prison Law** (written in Portuguese, *Direito Prisional Português e Europeu*), Coimbra, Coimbra Publishing House, 2006, 434 pages.

**The Reform of Criminal Justice in Portugal and Europe** (written in Portuguese, *A Reforma da Justiça Criminal em Portugal e na Europa*), Coimbra, Almedina Publishing House, 2003, 1176 pages. This is a part of my doctorate thesis.

**Introduction to the Actual Discussion on the Problem of Guilt in Criminal Law** (written in Portuguese, *Introdução à Actual Discussão sobre o Problema da Culpa em Direito Penal*), Coimbra, Almedina Publishing House, 1994, 118 pages. This is a part of my masters thesis.

**Penal Procedure Law, Legal Projects**, 2 volumes (written in Portuguese, the first volume with 538 pages and the second volume with 754 pages), Coimbra, Almedina, 2006.

**“Portuguese Report”** (written in German, *Landesbericht Portugal*). In Monika Becker und Jörg Kinzig (eds.), *Rechtsmittel im Strafrecht, Eine international vergleichende Untersuchung zur Rechtswirklichkeit und Effizienz von Rechtsmittel*, Band 1/1, Freiburg im Breisgau, edition iuscrim, 2000, pp. 319-377. This is a report on the Portuguese system of penal procedure appeals.

**“An endless Mistake, Remarks on the Concept of Criminal Guilt of Jakobs”** (written in German, *Ein unausrottbares Mißverständnis, Bemerkungen zum strafrechtlichen Schuldbegriff von Jakobs*). In *Zeitschrift für die Gesamte Strafrechtswissenschaft*, N. 110 (1998), pp. 640-657. This is the most important penal law journal in Germany.

This article deals with the concept of guilt of a well known German professor, Gunther Jakobs. The article was prepared while I was in the Max-Planck Institute for penal law, in Freiburg, Germany, studying for my PhD thesis.

The publication of this article was approved by the former director of the Institute and the Zeitschrift, Professor Doctor Hans Heinrich Jescheck.

## VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<b>a. First language:</b>	x			x			x		
Portuguese.....	..	..	..	..	..	..	..	..	..
<b>b. Official languages:</b>									
– English	x	..	..	x	..	..	x	..	..
– French	x	..	..	x	..	..	x	..	..
<b>c. Other languages:</b>									
German.....	x	..	..	..	x	..	..	x	..
Spanish.....	x	..	..	..	..	X	..	x	..
Italian.....	x	..	..	..	..	x	..	..	x

**IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language [the second], please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court**

Due to my knowledge of both official languages of the Court, I do not need any language class.

**X. Other relevant information**

The Portuguese Supreme Court has published four decisions of harmonization of the jurisprudence based on my books on penal law and penal procedure law, quoting directly from them.

These decisions are given by the plenary of all 18 Judges of the criminal sections.

These decisions are binding for all Portuguese Courts.

In decision 8/2010, published on September 29, 2010, the Supreme Court established binding jurisprudence for all Portuguese courts, following my opinion on the exclusive parliamentary remit to decriminalise a conduct, such as the fiscal infraction foreseen in article 107 of the RGIT.

In decision 3/2010, published on February 4, 2010, the Supreme Court established binding jurisprudence for all Portuguese courts, following my opinion on the aggravated theft of things transported by users of public transports.

In decision 14/2009, published on November 20, 2009, the Portuguese Supreme Court established binding jurisprudence for all Portuguese courts, following my opinion on the ambit of conditional release.

In decision 13/2009, published on November 6, 2009, the Portuguese Supreme Court established binding jurisprudence for all Portuguese courts, following my opinion on the powers of the public prosecution regarding the disclosure of phone-tapping documents.

My books are also frequently quoted in ordinary appeal decisions of the Portuguese Constitutional Court and the Portuguese Supreme Court.

Just to mention only the most important decisions which refer to my books:

**From the jurisprudence of the Supreme Court:**

In 2009:

Final decision of 7 January 2009 (case file 548/98)  
Final decision of 21 January 2009 (case file 322/08)  
Final decision of 18 February 2009 (case file 109/09)  
Final decision of 18 February 2009 (case file 242/09)  
Final decision of 12 March 2009 (case file 723/03)  
Final decision of 19 March 2009 (case file 09P0240)  
Final decision of 25 March 2009 (case file 610/09)  
Final decision of 29 April 2009 (case file 329/09)  
Final decision of 14 May 2009 (case file 6/03)  
Final decision of 27 May 2009 (case file 55/01)  
Final decision of 18 June 2009 (case file 81/04)  
Final decision of 1 July 2009 (case file 279/96)  
Final decision of 17 September 2009 (case file 207/08)  
Final decision of 29 October 2009 (case file 18/06)  
Final decision of 4 November 2009 (case file 97/06)  
Final decision of 18 November 2009 (case file 947/06)  
Final decision of 25 November 2009 (case file 220/02)  
Final decision of 17 December 2009 (case file 693/05)  
Final decision of 17 December 2009 (case file 330/04)

In 2010:

Final decision of 7 January 2010 (case file 922/01)  
Final decision of 27 January 2010 (case file 543/08)

Final decision of 24 February 2010 (case file 151/99)  
 Final decision of 25 February 2010 (case file 108/08)  
 Final decision of 3 March 2010 (case file 138/02)  
 Final decision of 18 March 2010 (case file 538/00)  
 Final decision of 25 March 2010 (case file 544/08)  
 Final decision of 15 April 2010 (case file 154/01)  
 Final decision of 5 May 2010 (case file 407/99)  
 Final decision of 19 May 2010 (case file 696/05)  
 Final decision of 27 May 2010 (case file 18/07)  
 Final decision of 27 May 2010 (case file 775/09)  
 Final decision of 8 June 2010 (case file 681/97)  
 Final decision of 17 June 2010 (case file 703/08)  
 Final decision of 23 June 2010 (case file 1/07)  
 Final decision of 30 June 2010 (case file 91/09)  
 Final decision of 30 June 2010 (case file 169/07)  
 Final decision of 14 July 2010 (case file 149/07)  
 Final decision of 14 July 2010 (case file 364/09)  
 Final decision of 8 September 2010 (case file 378/06)

#### **From the Constitutional Court jurisprudence:**

In 2008:

Final Decision of the Constitutional Court 209/2008, of 4 April 2008  
 Final Decision of the Constitutional Court 226/2008, of 21 April 2008  
 Final Decision of the Constitutional Court 428/2008, of 4 August 2008  
 Final Decision of the Constitutional Court 489/2008, of 7 October 2008  
 Final Decision of the Constitutional Court 537/2008, of 11 November 2008  
 Final Decision of the Constitutional Court 593/2008, of 10 December 2008  
 Final Decision of the Constitutional Court 596/2008, of 10 December 2008

In 2009:

Final Decision of the Constitutional Court 21/2009, of 14 January 2009  
 Final Decision of the Constitutional Court 127/2009, of 12 March 2009  
 Final Decision of the Constitutional Court 141/2009, of 24 March 2009  
 Final Decision of the Constitutional Court 162/2009, of 25 March 2009  
 Final Decision of the Constitutional Court 194/2009, of 28 April 2009  
 Final Decision of the Constitutional Court 236/2009, of 12 May 2009  
 Final Decision of the Constitutional Court 427/2009, of 28 August 2009  
 Final Decision of the Constitutional Court 429/2009, of 14 August 2009  
 Final Decision of the Constitutional Court 590/2009, of 18 November 2009  
 Final Decision of the Constitutional Court 603/2009, of 2 December 2009

In 2010:

Final Decision of the Constitutional Court 105/2010, of 4 March 2010, where it is written: *Translation: The jurisprudence and the doctrine have discussed if n.º 2 of article 669 of the CPC is applicable in penal procedure, it has even been published recently a Commentary of the Criminal Procedure Code, largely disseminated, in which the opinion of the contested decision has been accepted (see in this direction, PAULO PINTO DE ALBUQUERQUE, Commentary of the Criminal Procedure Code, First edition, 2007, and Second edition 2008, p. 969). (the underline is mine). Original: “a jurisprudência e a doutrina têm vindo a discutir se o n.º 2 do artigo 669º do CPC é aplicável em sede de processo penal, tendo sido, aliás, recentemente publicado comentário à lei processual penal, largamente difundido, nos termos da qual se sufraga precisamente o entendimento acolhido pela decisão recorrida (nesse sentido, ver PAULO PINTO DE ALBUQUERQUE, Comentário do Código de Processo Penal, 1ª edição – 2007 e 2ª edição 2008, p. 969)”.*

Final Decision of the Constitutional Court 119/2010, of 26 March 2010  
 Final Decision of the Constitutional Court 133/2010, of 14 April 2010  
 Final Decision of the Constitutional Court 160/2010, of 27 April 2010  
 Final Decision of the Constitutional Court 471/2010, of 7 December 2010

All these decisions are on the internet and can be downloaded from the sites of the Portuguese Supreme Court and Constitutional Court jurisprudence ([www.dgsi.pt](http://www.dgsi.pt)).

**XI. Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court**

I confirm that I will take up permanent residence in Strasbourg if elected.