EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX

15 novembre 2010

Case document No 3

***Conseil européenne des Syndicats de Police* (CESP) v. Portugal**
Complaint No 60/2010

RESPONSE BY CESP TO THE GOVERNMENT'S SUBMISSIONS ON THE MERITS

Registered at Secrétariat on 12 November 2010

Conseil Européen des Syndicats de Police

Organisation Internationale Non Gouvernementale au Conseil de l'Europe

European Committee of Social Rights

European Council of Police Trade Unions (CESP) v. Portugal

Complaint nº 60/2010

Reply from the CESP to the decision presented by the Directorate-General of Justice Policy (DGPJ) through its International Relations Department (GRI).

I – PREVIOUSLY

Were it not for the fact that the Portuguese government, in letter GRI/UJC/1781, of 2010/10/15, as per documents 1 and 2 (translation first page / doc. 1) attached, had taken, through the GRI, a position that to a certain extent contradicts that essentially stated in its reply, and ASFIC being an affiliate of the CESP, we would think that we were in fact communicating for the first time. In fact, in that letter, the Portuguese government withdraws its reply because negotiations are to be held on the matter.

Regardless of such position, because it is not known and we were not informed of the withdrawal of that document, we are proceeding, even so, in compliance with that ordered in reply to that document.

It is therefore important, first and foremost, to clarify that the reply presented by the Portuguese government through the GRI contains several untruths, which are obviously not voluntary, but are due to relevant ignorance of the matter of fact and some of law, which shall be demonstrated below.

IA – THE TRUE RAISON D´ÊTRE OF THE NEED FOR HIERARCHICAL APPEALS

First and foremost, we must remember that in Portugal, as is very well known to the entity that presented the contestation, there must be an administrative act in order to begin legal proceedings. In fact, until quite recently, to exercise the right to make a claim, a vertical and horizontal finality was necessary rather than one of doctrine and in law, which became known as an administrative act.

Slowly, but fortunately, despite the actual case still being far from what would be expected, this formal inflexibility is gradually being replaced by the concept of detriment of the administrative act, as a condition of access to legal proceedings.

In any case, the lodging of the hierarchical appeals described in the contestation in a "mocking" fashion is not justified by an excess of litigation but rather by legal needs which the actual government of a country should not be unaware of, under pain of governing without knowing what is being governed. It was then a case of lending vertical finality to the act so that this could be investigated. This is then the reason for such a high number of hierarchical appeals – permitting legal objection.

Today, as we can see, the concept of detriment of the administrative act provides us with true and effective jurisdictional protection.

IB – THE INCORRECT NUMBERING OF CASES

As mentioned above and certainly by mistake, the following was stated in the defence:

"several groups of inspectors have placed legal actions before the courts; in 3 of these legal actions the Portuguese State has been acquitted and, in one of the cases where the action has reached a high court, the Northern Administrative Central Court has reaffirmed the decision given at first instance."

This statement contains two factual errors, as follows:

a) It is not true that the Ministry of Justice was acquitted in three of these cases;

It is not true that the Northern Administrative Central Court confirmed the decision of the first instance;

The cases of objections to administrative acts, now called special administrative acts,[1] that were brought are as follows:

- **Lisbon** Administrative and Tax Court, Case 2147/04.5 BELSB, 4th Unit, 2nd court
- **Viseu** Administrative and Tax Court Case 1115/04.1 BEVIS
- **Leiria** Administrative and Tax Court Case 833/04.9 BELRA
- **Coimbra** Administrative and Tax Court Case 510/04.0BECBR
- **Braga** Administrative and Tax Court Case 1035/04.0 BEBRG
- **Almada** Administrative and Tax Court Case 664/04.6 BEALM
- **Porto** Administrative and Tax Court Case 1913/04.6 BEPRT
- **Porto** Administrative and Tax Court Case 1934/04.9 BEPRT

[1] The truth is this… there are such long delays in court cases that the legal regime which was applicable to them has altered radically in the meantime;

- **Funchal** Administrative and Tax Court Case 153/04.9 BEFUN

First immediate conclusion – the cases are all from 2004, which means they have already been in progress for six years;

- The Leiria case, number 833/04.9 BELRA, the Coimbra case, 510/04.0BECBR, the Braga case, 1035/04.O BEBRG and the Funchal case, 153/04.9 BEFUN, which aim at objecting to specific acts in particular, are all pending. They have not yet even received a decision from the first instance.

In fact, there have been situations at the least "ridiculous", which it is important for this council to be aware of, in order to better gauge Portuguese justice, such as those set out below:

1. As can be seen from documents number 3 and 4 (translation first page / doc. 3), attached, on 27/09/2010, the Coimbra Administrative and Tax Court is still notifying the claimants (PJ police inspectors), to decide on a joinder request for cases brought by the Almada Administrative and Tax Court in 2005, when this Almada case ended on 15 November 2007.

2. In addition, as can be seen from analysis of documents number 5 and 6 (translation first page / doc. 5), attached, on 07/10/2010, the Viseu Administrative and Tax Court case, which case has already ended with a final decision, is notifying the claimants (PJ police inspectors), to decide on a request for joinder of cases brought by the Almada Administrative and Tax Court in 2005, when this case in Almada also ended on 15 November 2007. In other words, a joinder is being requested for cases that have already ended!!

From such an abstruse situation, it is impossible to draw any logical conclusion. But the problem is that we are dealing with the rights of workers and this must, of necessity, be logical! And of a logic that cannot condone truncated readings of a single truth and it is to be expected, in all honesty, that the Portuguese government in the negotiations it says it wishes to initiate would definitively conclude accordingly, due to the fact that those represented by the CESP are in the right.

IC – THE SUPPOSED DECISION OF 27 FEBRUARY 2009 MENTIONED IN THE CONTESTATION

The contestation expressly states that the ASFIC lost the case because it was considered inadmissible, and stated

"As results from the sentence, of 27 February 2009, "the legislation has set forth in article 79 of LOPJ a regime to be applied to this police body, with a special statute, wich contradict the said violation of the constitucional norm of article 59,

n.º 1, (c/d) of the Constitution of Portuguese Republic, as the public interest pursued by the Criminal Police, that stems from their duty and from the special "sacrifice" that is imposed on them, is compensated with a 25% supplement on the remuneration base;"

a) The aforementioned case is being appealed;

b) The specific request made in it solely concerns an appreciation of the conformity of the legal standards with the Constitution of the Portuguese Republic, under the following terms:

IV – The merit of the case

This litigation is restricted solely to the appreciation of the legal question of conformity of the "on-call and prevention regime, for 24 hours", to which all employees of the PJ – Judiciary Police are subject, with the CRP – the Constitution of the Portuguese Republic - and specifically if the aforementioned regime violates the dispositions of articles 59/1/1/c)/d); 66/1;67 and 68/ of the CRP, in articles 24 and 25/DCDH – Universal Declaration of Human Rights", and also if it infringes or not the "right to rest" guaranteed in the Constitution.

c) The competent court for appreciating the question of constitutionality is the Constitutional Court. Portugal does not have what is commonly called a "writ of amparo", as exists in Spain, which means that in practical terms all instances must be exhausted before resorting to this Court;[2]

d) Given the developments that have been seen so far, if in six years the case has still not reached the 2nd instance, it will probably only reach the Constitutional Court in another four years;

In the first place, it is stated the Judiciary Police has a special regime, *"particular statute"*. It is also stated that *"…such remuneration statute is higher them the one applied to the personal that performs public duties."*

In the second place, it is also stated that the work regime of the criminal investigation area is of a public nature, provided for in paragraph d) of article 10 of Law 12-A/2008, of 27 February, *"established by law, and not a regime of a conventional or contractual nature".*

Neither is the payment regime for employees of the Judiciary Police higher than that of other civil servants performing similar duties nor was there legislation, as was the

[2] Cf. articles 221 and ff., "*maxime*", article 223 of the C.R.P.;

obligation of the State, for any career regime for criminal investigation staff, main or auxiliary, as was the obligation of the Portuguese State.[3] But worse!

Law no. 59/2008, of 11 September, approved the Regime of Employment Contracts in Civil Service. Subsection VII of Section III of Chapter II of the aforementioned law regulates overtime, from article 158 to article 165. However, the law of ties, careers and payments, Law 12-A/2008, of 27 February (LVCR), provides for appointing, among other functions, criminal investigation employees. The justification depends on the fact that these functions belong to the *"hard core"* of civil service, indeed, on the function of sovereignty of the State.[4]

Article 80 of the LVCR lists, in a supposedly hierarchical order, the regulatory sources of nomination, the said specific tie for sovereign functions. And no. 3 of the same article states *"…in particular, matters regulated by special laws…"* those regarding *"a) structuring of special careers"* and *"d) payment supplements"*, among others, which are not reproduced here for questions of brevity.[5]

In turn, article 101 of the LVCR states that: *"Special regime careers and special positions are reviewed within 180 days so that:"*

By virtue of article 118, no. 2 of the LVCR, the time limit of 180 days began on 28 February 2008, which would have obliged the government by 31 August 2008, we repeat, 31 August 2008, to legislate on the special PJ career.

Curiously, or not, the LVCR anticipated the figure for payment supplements and did not include meal allowances nor the social benefits in the payment system concept.[6] Even more curious is the fact that the Government legislated regarding special careers in the PSP (Public Safety Police) and in the GNR (National Republican Guard) – decree-law 298/2009 and 299/2009, both of 14 October.[7] It also did so for the Armed

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[3] For all explanations from a technical and transparent point of view, consult the full, and excellent, manual by BARBOSA, Sobral, The special regime of working in criminal investigation in the PJ, in 60 FAQS, "maxime", the miserable values called prevention payment supplements, p. 43;

[4] Cf. MOURA, Paulo Veiga and ARRIMAR, Cátia, The new regimes of linking careers and payments of Civil Servants, Comments on Law no. 12-A/2008, of 27 February, p. 33;

[5] Wherefore article 80 of the LVCR covers all standardisation of sources, of ties, careers and payments;

[6] Two notes: if it is not payment in the legal sense, it cannot be computed for a salary reduction and the review of payment supplements should also of necessity have been reviewed within the time limit of 180 days counting from 28 February 2008, cf. articles 112 and 114 of the LCVR;

[7] Transcription, for further clarification, of article 23 of the GNR remuneration regime; Article 23 **Supplement to prevention and scale** 4 — The prevention supplement is additional remuneration of an exceptional nature, assigned to soldiers who are obliged to go to or remain at their place of work, in order to guarantee the functioning of the services, or whenever safety conditions or circumstances so demand.

5 — The prevention supplement is calculated according to the number of hours worked in the prevention regime and the value per hour resulting from the application of the formula $(Rm \times 12)/(52 \times n)$, where *Rm* is the amount corresponding to salary levels 8, 7 and 6 respectively, for soldiers with the position of officers, sergeants and guards, and *n* is the normal weekly working period.

6 — For the purposes of the previous paragraph, the value taken per hour is as follows:

a) During the night and at weekends and on public holidays, the value determined for the application of the formula multiplied by 2;

a) At weekends and on public holidays, but not during the night, the value determined for the application of the formula multiplied by 1.5;

a) During the night but not at weekends and on public holidays, the value determined for the application of the formula multiplied by 1.25;

d) In all other cases, the value determined by application of the formula.

7 — The monthly limit of the prevention supplement is the highest amount for the scale supplement for the respective category.

Forces in decree-law 296/2009, of 14 October, which defined the payment regime for the three branches of the Armed Forces.

Therefore, as this is not the right place for developments of a dogmatic nature, we shall restrict ourselves to the more flagrant illegalities:

1. The legislative requirements for adaptation of the special career regime for employees of the Judiciary Police to the new regime of careers, ties and payments were not complied with despite this having been done with regard to the PSP (Public Safety Police) the GNR (Republican National Guard) and the Armed Forces over a year ago!;

2. The payment supplements in force for the Judiciary Police do not respect the law of ties, careers and payments;

3. The payment regimes for similar functions, PSP and GNR, expressly provide for supplements, which are the precise application of the calculation of the overtime regime (e.g. article 23 of the GNR regime), with no such calculation existing for PJ workers;

4. The lengthiness of the cases in court and the way five years have passed, requesting joinders with extinct cases, clearly violates the right to equitable, fair and speedy proceedings, in the fair composition of litigation, not forgetting the unconstitutionality which could arise from the omission of a true “writ of amparo”;

With regard to this chapter on contestation drawn up by the GRI, for reasons of consistency and reasonability, without prejudice to the illegalities mentioned, the following conclusions, although only partial, may be drawn:

A. The contestation presented by the GRI is based on premises in fact and in law that are incorrect!

B. The Viseu Administrative and Tax Court handed down a decision of non-acceptance of merit, based on the fact that prior authorisation was not requested for working overtime, which assumes that this was qualified as overtime as to nature, while the

C. Still pending in the first instance, without any decision six years after having been taken to court, are cases numbers, 833/04.9 BELRA of the Leiria Administrative and Tax Court, 510/04.0BECBR of the Coimbra Administrative and Tax Court, of Braga, 1035/04.O BEBRG of the Braga Administrative and Tax Court and case

153/04.9 BEFUN of the Funchal Administrative and Tax Court, which are aimed at objecting to specific acts in particular.

D. The decision of 27 February 2009 corresponds to a case which discusses the violation of the Portuguese Constitution, the existing legislation obliging that all "stages" of instances be completed before recourse to the Constitutional Court;

E. As to case 2147/5 BELSB, 4th Unit, 2nd Court, it ended for this simple reason

> However, the plaintiffs, as was established above, sent 814 documents to the court in two boxes of papers (later adding a CD with the digitalised documents), without any identification having been made of any of them. In other words, assuming an attitude of omission, which goes against the applicable procedural requirements (article 78, no. 2. paragraphs d), l) and m) of the CPTA – Procedural Code for Administrative Courts). And it would be easy to present at least one detailed report.

F. In conclusion:

> From the attitude of the Plaintiffs, to the best of my knowledge, no other conclusion can be drawn than that it is intended to make the task of formal identification of the documents (814) fall on the court, as well as their relationship with the respective interested party (89 Plaintiffs) and with the facts that these same documents are intended to prove.

G. Case numbers 664/04.6 BEALM, from the Almada Administrative and Tax Court 1913/04.6 BEPRT and 1934/04.9 BEPRT, both from the Porto Administrative and Tax Court were all "abandoned" by the claimants in terms of litigation given the change of the rules of the game by the Portuguese State as to the regime of costs which increased considerably, as well as the fact that there are conflicting decisions of jurisprudence, on the fees, whether these are on the total times the number of claimants, or only on the part as a whole;

H. As can be seen in documents numbers 3 and 5, those attached, the Coimbra Administrative and Tax Court on 27/09/2010 and the Viseu Administrative and Tax Court on 07/10/2010, notified the claimants to make a decision on the request for joinder of the cases in the Almada Administrative and Tax Court, dated 2005, when this Almada case had already ended on 15 November 2007 and the Viseu case had also ended with a final decision in April 2009.

I. To understand the true dimensions of the error in reasoning with regard to the affirmations that place payment to all PJ employees higher than the majority of civil service employees, including payment supplements, consult the full and excellent manual from a technical and transparent point of view by BARBOSA, Sobral, (cf. note 3 above);

J. The government undertook to legislate on the special career regime for PJ employees by 31 August 2008, including the payment regime, but did not do so despite this having occurred with regard to the three branches of the armed forces, the PSP (Public Safety Police) and the GNR (National Republican Guard);[8]For these documents, the unions were always given a hearing, in accordance with constitutional and common law, as well as with the Revised European Social Charter;

K. The payment regimes for similar functions, PSP and GNR, expressly provide for supplements, which are the precise application of the calculation of the overtime regime (e.g. article 23 of the GNR regime), no such calculation existing for PJ employees;

L. The lengthiness of the cases in court and the way five years have passed, requesting joinders with extinct cases, clearly violates the right to equitable, fair and speedy proceedings, in the fair composition of litigation, not forgetting the unconstitutionality which could arise from the omission of a true “writ of amparo”.

Nothing has happened with the majority of the cases for approximately four years. Therefore, it seems impossible to say, as the respondent erroneously stated in its reply, that there are final decisions which support its theory.

II – *DE JURE CONDENDO* vs *DE JURE CONDITO*

[8] The Armed Forces, through decree-law 296/2009, the PSP through decree-law 299/2009 and the GNR through decree-laws 297/2009 and 298/2009, all of 14 October;

If it is true that legal decisions have been made, this would mean that there was a law which this conformed to and there would have been nothing else to negotiate. However, the respondent has already admitted that it withdraws its contestation given that it is willing to begin negotiations with the party we represent, ASFIC. We at least know that this case served for government recognition as to the need for negotiation of the matters which are the object of this complaint. This should at least signify that not everything is as it is made out to be in the contestation. If that were the case, there would be no need to negotiate that which had already been negotiated. In other words, the government of Portugal now recognises, for the first time, that there is an effective need for negotiation of these matters.

Therefore saying, effectively, that the laws mentioned in the contestation of payment of overtime are not in accordance with that which is defined for the general regime for civil servants or even for employees under a civil service regime, whether under the scope of the previous legislation or of the new situation created with the law of alteration of ties, careers and payments - law 12-A/2008, is totally gratuitous.

Obviously, unlike what was stated in the contestation, overtime cannot be confused with the on-call or prevention regimes, much less with the availability factor, etc. Naturally, all of this is not what is referred to in the Plaintiffs' petition as overtime. Nor is it admissible that an allowance – which, in effect, is not paid – as is that determined for availability for duty, be confused with or serve to assign the duty of payment for supplementary work.

We are aware that civil service employees as well as civil servants are not subject to this; they are not, nor were they ever considered to be, on duty outside of their normal working hours. In other words, the risk situation as well as the fact that, after ending their work, they are subject at any time to being recalled and they may not be absent for any leisure or other activity because they must always be available obviously carries a price that cannot be considered to be, nor confused with, overtime.

In fact, hospital employees who are exceptionally placed on a permanence or prevention regime – passive or active – are paid accordingly, regardless of whether they are called on or not and, when this is the case, they are paid clearly higher sums. We are thus in a position not to accept the sand which the Portuguese government's reply is trying to throw in the eyes of those deciding on this complaint. In fact, the claimants' truth is such that they hereby accept a face to face meeting, a confrontation, with the Portuguese government in order to make it clear who is actually speaking the truth.

For our elucidation, we have the legal documents which the respondent refers to as being standards complying with all legal regulations on negotiation. However, as we well know, the regime of working hours, which defines the methods of payment of supplementary work, is provided for in regulatory order no. 18/2002, which as such is not the object of negotiations as the respective regulations also would not be. However, even constitutionally, such matters, as they refer to payments, are of necessity and constitutionally obliged to collective bargaining which, in this case, as the Portuguese State respondent well knows, did not occur, primarily because regulatory orders are not subject to negotiation. And, the courts have yet to decide on this matter.

However, the Portuguese state respondent maintains the allegation that article 79 of the LOTJ (organic law of judicial courts), unlike articles 56 and 59 of the CRP, creates a supplement corresponding to 25% of basic pay, called the "availability factor" and that the actual and independent Remuneration Statute creates a regime higher than that established for staff performing civil service duties. But none of this is true. In fact, the distance between theoretical intentions and the practical case is so great that no comparison is even possible, which now leads the State, faced with this case, to notify its intention to begin negotiations. It is good that the State should do so and that it be prepared, if this commission is willing, to prove what it wrote, face to face, in a clear confrontation with actual cases to show that there are civil service employees that have long been earning more than PJ officers.

We are thus faced with a clear situation of law which, in the case of the legislation then revoked, was never applied to PJ inspectors and which now, with law 12-A/2008, has yet to be regulated for their actual case. It is here, under the scope of this law to be constituted that it is intended that there be real, collective bargaining which thus far has not taken place. Therefore, it is necessary that regulations on overtime – i.e. payment for overtime worked on days of mandatory weekly rest, complementary weekly rest, public holidays and outside of normal working hours – be set out in a decree-law, subject to collective bargaining, thus complying with the provisions of article 56 of the CRP and the precepts of the revised European Social Charter – article 6 of Part I.

That in terms of negotiations to be held on this matter an end be put to the violation of article 4, paragraph 2) of the Revised European Social Charter, through the consideration of and payment for overtime as such, without continuing to state that this is paid through the availability allowance, and much less that this regime is more favorable than that of other state employees.

As such, it is not admissible that there be confusion with what the petitioners here claim in their petition, given that, as mentioned above, in no way can overtime be confused with on-call services (much less with reinforcement of on-call or prevention services (active prevention), Orders no. 11/2002-SEC/DN, of 20 March and no. 24/2002-SEX/DN, of 26 June 2002), nor with prevention units.

What is required is that all of the working hours in a week – 35 hours – be used as they can and should be and as best seen fit, and that all work exceeding 35 hours per week – without limits or goals of any kind – be considered as overtime.

What the State is defending is very clear. To this end, it had the method of remuneration of supplementary work published in a regulatory order (DN 18/2002), given that only in this way could payment by time compensation be admitted – an imposition rather than a negotiated decision – making it unconstitutional. I.

All of these regulatory orders which the Portuguese State says give the grounding for the payment of overtime, in addition to the availability allowance, make up an illegally constituted law, through violation of the aforementioned article 56 of the Portuguese Constitution, whose embodiment is guaranteed in common law – law 23/2008 – which the government did not respect, such aspiration being a clear affront to article 6 of the CSER (revised European social charter).

The respondent also states that under no circumstances can a comparison be made between the tables applied for payment of what the State considers to be overtime payment with the general rule applied to employees who carry out civil service duties. In fact, here we must agree with the respondent. It is indeed true that many other employees earn far more than Judiciary Police inspectors. What is not clear is how far it can later be affirmed that the questions raised by ASFIC in this matter are not legitimate because it is the actual argument of the State, the respondent here, which embodies and upholds not only these questions but also the matter in itself, which requires discussion and negotiation towards the creation of careers in the PJ, with all of the remuneration organization and others arising from real collective bargaining, thus lending dignity to the remuneration statue of the PJ.

III – THE SCOPE OF COLLECTIVE BARGAINING

Finally, as to that stated in no. 7 in the reply from the Portuguese State, there is a wall creating major confusion or worse, a complete turnaround by the Portuguese State from a democracy to a dictatorship. In fact, what is referred to in paragraph d) of article 10 of law 12-A/2008, of 27 February cannot be taken in one way for the PJ and in another for the special careers of the PSP, of the GNR – decree-law 298/2009 and 299/2009, both of 14 October and the Armed Forces, through decree-law 296/2009, of 14 October, which defined the remuneration regime for the three branches of the Armed Forces. This dichotomy belies belief. Or is it that the PJ must have a statute even stricter than that of the armed forces? Then, what defines if the institution is or is not in a collective work regime is given to us by the CRP and not by vague, generic concepts with obtuse outlines by the respondent because such serves for it to avoid its responsibilities of negotiation with unions – in this case, with the ASFIC. On the other hand, it is difficult to understand this position while the government is also saying it wants to initiate negotiations on the subject. We confess ourselves to be confused by the “democratic” posturing of this government.

Bearing in mind the provisions of article 56 of the CRP, all matters inherent to labour legislation must be negotiated with employees through their unions, which has nothing to do with the power of the government to decide what type of ties employees working for the state shall have. In addition, negotiation cannot be confused with monitoring and much less with information, as is the timbre of this government. In fact, this is what is dealt with by law 23/98, of 26 May, which is nothing more than the passage of the principles set out in article 56 of the CRP to common law. And there is no doubt that the Government, although it has been sparing with words, has not engaged in any negotiations implying giving ground.

It is enough for the government to state that it is going to issue a certain legal document to consider the provisions of law 23/98 to have been complied with. Let us look at the example that the respondent presents in its reply - “The procedures of Law no. 23/98, of 26 May have been observed”, without however showing what it cannot – unequivocal proof of negotiation such as minutes showing the existence of the initial proposal, the counter-arguments put forward by the unions and, later, the final result arising from the negotiation process. The respondent limits itself to stating it has complied with legal procedures, i.e. it sent the initial proposal, scheduled meetings **and approved the initial version.** We call this turning a blind eye. On the other hand, it is important to note that for the first time the respondent has accepted negotiation in these matters, which had not been negotiated, so much so that it approved the

regulatory orders for overtime, completely unbeknownst to the employees. In fact, the respondent does not refer to the negotiation aspect in relation to these matters, which are of mandatory negotiation.

Thus, nothing of what was argued in the initial petition has changed, with regard to the violation of articles 4 and 6 of the CSER, so that the normal judgement of the case, with express request for the supporting documents corroborative of the negotiation regarding the orders referent to the remuneration of the overtime identified in the respondent's contestation, as follows:

- Regulatory Orders no. 11/2002-SEC/DN, of 20 March and no. 24/2002-SEX/DN and 18/2002;
- Meeting with the Minister of Justice or his legal representative on all of the material in this reply and in the complaint made, before this commission.
- Meeting with the National Director of the PJ, on the same matter.

The terms under which it was concluded for the completion of the complaint lodged for the reasons presented in the IP and those set out above, culminating in the conviction of the Portuguese State.

Branko PRAH

President of the CESP

Attached: 6 documents.