

Portugal

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION

➡ *Overcrowding, conditions of detention and rights in detention*

Inhuman and degrading treatment of the applicant due to **overcrowding** and **poor material conditions of detention**, as well as the **absence of an effective remedy** to complain about the situation and to obtain redress.

Petrescu (23190/17)

Judgment final on 03/12/2019

Enhanced supervision
Status of execution

Preventive detention of the applicant who was declared not criminally responsible owing to his mental disorder in inadequate conditions and without appropriate assistance and care revealing a structural problem in the context of enforcing preventive detention measures in prison facilities.

Miranda Magro (30138/21)

Judgment final on 09/04/2024

Enhanced supervision
Status of execution

Continued imposition of high security regime in prison and restrictive measures for a particularly long duration and without demonstrating that it remained necessary.

Fernandes (33023/17)

Judgment final on 16/01/2024

Enhanced supervision
Status of execution

➡ *Lawfulness of detention*

Violation of the right to liberty and security due to the **excessive duration of the review of the legality of the applicant's pre-trial detention**.

Martins O'Neill Pedrosa

(55214/15)

Judgment final on 14/05/2017

Standard supervision
Status of execution

➡ *Access to a court*

Impossibility to have access to court for the examination of the cassation complaint due to a restrictive interpretation of a procedural rule by the Supreme Court.

Meggi Cala (24086/11)

Judgment final on 02/05/2016

Standard supervision
Status of execution

➡ *Fairness of judicial proceedings*

Failure of the Court of appeal to hear, in 2007, the accused in person in criminal proceedings instituted against her for threats and insults and resulting in her conviction to 265 hours of community service.

Moreira Ferreira (19808/08)

Judgment final on 05/10/2011

Standard supervision
Status of execution

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION

Unfairness of the disciplinary proceedings against magistrates due to insufficient control by the Supreme Court of the sanctions imposed by the High Council for the Judiciary.

Ramos Nunes de Carvalho e Sá (55391/13)

Judgment final on 06/11/2018

Standard supervision
Status of execution

➡ Length of judicial proceedings

Excessive length of judicial proceedings revealing a structural problem in the administration of justice and lack of an effective compensatory remedy.

Vicente Cardoso (30130/10)

Judgment final on 12/03/2013

Enhanced supervision
Status of execution

➡ Enforcement of domestic judicial decisions

Unlawful tax enforcement procedure due to the tax authorities' and administrative courts' disregard of an acquittal in criminal proceedings for tax fraud.

Melo Tadeu (27785/10)

Judgment final on 23/03/2015

Standard supervision
Status of execution

➡ Freedom of expression

Criminal conviction for aggravated defamation and causing offence to a legal person, sentencing the applicant to payment of a fine and compensation for non-pecuniary damage

Almeida Arroja (47238/19)

Judgment final on 19/06/2024

Standard supervision
Status of execution