

# Portugal

## MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION

### ➤ 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

**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.

**Tato Marinho Dos Santos  
 Costa Alves Dos Santos  
 (9023/13)**  
*Judgment final on 21/09/2016*

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