

<b>Simpósio S026/ Symposium S026</b>	
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<b>NEGOTIATED CRIMINAL JUSTICE: TENSIONS BETWEEN PROCEDURAL EFFICIENCY AND RIGHTS GARANTEE</b>	
<b>RESUMO DO SIMPÓSIO / SYMPOSIUM SUMMARY</b>	
<p>Negotiated Justice is being gaining relevance in the field of Criminal Law in the last decades, even in continental Europeans criminal procedure systems, either influenced by the north American Criminal procedure system, or the legislative work of the Council of Europe and European Union entities. Signalized as advantages the increase of Criminal Justice system’s efficiency – mainly regarding the investigation and legal persecution of the ‘organized crime’ - and the procedural promptness they harness, the traditional procedural doctrine faces a wide range of new challenges, namely concerning the safeguard of legal subject’s rights and guarantees (regardless of being companies or humans). The dialectical tension between the efficient administration of Justice and the preservation of Defendant’s rights puts on a heightened relevance, thus the importance of a rigorous definition of the ‘lesion point’ accepted by the State, its Criminal Policy ratio and their social consequences. Portugal is not immune to this movement, already known public defenses of a national ‘colaboração premiada’ implementation; but the Portuguese constitutional and infraconstitutional legal frameworks allow or may allow in the future negotiated Justice legal solutions? What solutions are we considering? Following which strategies and to what price the Portuguese Republic can pursue these objectives?</p>	