

Grand Chamber hearing concerning the right not to be tried twice for the same offence due to the initiation of three proceedings against the vice-chairman of the board of directors of a bank

The European Court of Human Rights is holding a **Grand Chamber**¹ hearing today **Wednesday 17 September 2025 at 9.15 a.m.** in the case of **Jesus Pinhal v. Portugal** (application nos. 48047/15 and 2276/20).

The case concerns three sets of proceedings brought against the applicant by the criminal-law authorities, the Securities Market Commission and the Bank of Portugal, respectively, for criminal and administrative offences committed while he was Vice-Chairman of the Board of Directors of a bank, Banco Comercial Português, S.A.

After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage. A recording of the hearing will be available this afternoon on the Court's internet site (www.echr.coe.int).

The applicant, Filipe de Jesus Pinhal, is a Portuguese national who was born in 1946 and lives in Lisbon (Portugal).

The applicant complains that he was prosecuted three times for the same acts. He relies in this connection on Article 4 of Protocol No. 7 (right not to be tried or punished twice) to the European Convention on Human Rights and Articles 6 (right to a fair trial) and 7 (no punishment without law) of the Convention.

Procedure

The application was lodged with the European Court of Human Rights on 24 September 2015.

In its [judgment](#) of 8 October 2024, the Court held unanimously that there had been no violation of Article 4 of Protocol No. 7 to the Convention and declared the remainder of the application inadmissible.

The applicant requested that the case be referred to the Grand Chamber under Article 43 (referral to the Grand Chamber) and on 17 mars 2025 the panel of the Grand Chamber accepted that request.

The Italian Government and the European Criminal Bar were granted leave to intervene in the written proceedings as third parties.

Composition of the Court

The case will be heard by a Grand Chamber, composed as follows:

Mattias Guyomar (France), *President*,

¹ Under Article 43 of the European Convention on Human Rights, within three months from the date of a Chamber judgment, any party to the case may, in exceptional cases, request that the case be referred to the 17-judges Grand Chamber of the Court. In that event, a panel of five judges considers whether the case raises a serious question affecting the interpretation or application of the Convention or its protocols, or a serious issue of general importance, in which case the Grand Chamber will deliver a final judgment. If no such question or issue arises, the panel will reject the request, at which point the judgment becomes final. Otherwise Chamber judgments become final on the expiry of the three-month period or earlier if the parties declare that they do not intend to make a request to refer.

Arnfinn Bårdsen (Norway),
Ivana Jelić (Montenegro),
Lado Chanturia (Georgia),
Ioannis Ktistakis (Greece),
Kateřina Šimáčková (the Czech Republic),
Lətif Hüseynov (Azerbaijan),
Darian Pavli (Albania),
Erik Wennerström (Sweden),
Raffaele Sabato (Italy),
Lorraine Schembri Orland (Malta),
Andreas Zünd (Switzerland),
Alain Chablais (Liechtenstein),
Artūrs Kučs (Latvia),
András Jakab (Austria),
Anna Adamska-Gallant (Poland), *judges*,
João Manuel da Silva Miguel (Portugal), *ad hoc judge*,
Georgios A. Serghides (Cyprus),
Vasilka Sancin (Slovenia),
Mateja Đurović (Serbia),
Diana Sârcu (the Republic of Moldova), *substitute judges*,

and also Abel Campos, *Deputy Registrar*.

Representatives of the parties

Government

Helena Carvalho Martins Leitão, *Agent*,
Ana Garcia Marques, *Co-Agent*,
Hélio Rigor Rodrigues, *Counsel*;

Applicant

Vânia Costa Ramos and Constança Calçada Soares, *Counsel*,

Third party

Government of Italy

Lorenzo D'ascia, *Agent*,
Francesco Montanaro and Cecilia De Nicola, *Advisers*,

European Criminal Bar Association (ECBA)

Amedeo Barletta, *Vice-Chair*,
Andreas Alexios Anagnostakis, *Counsel*

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.