

Editorial Note

Volume X, No. 1 of the *Católica Law Review* (the first issue of 2026) is entirely dedicated to legal research in the field of Public Law – and includes five articles, one case comment, and one book review. In order to guarantee their academic and methodological quality, the five articles published in this issue of *Católica Law Review* were submitted to a double-blind peer review process, carried out by academics of recognized merit and with no link to Universidade Católica Portuguesa.

The first article presented in this issue (“Liberal Trade and President Trump: Never the Twain Shall Meet”, written by Joel Abu-Quaye and *Petros C. Mavroidis*) reflects on the customs tariff policies adopted by the United States during Donald Trump’s first and second administrations, focusing on two aspects in particular: firstly, their negative impact on free trade; secondly, the gradual but existential erosion of the role of international and transnational institutions that ensure compliance with free trade rules, with a detrimental impact on the predictability and security of international commercial transactions.

The second article included in this issue (“O Estado das Prisões Portuguesas à luz da Jurisprudência do TEDH: Crónica de um Acórdão Piloto Anunciado”, written by Filipa Aragão Homem) analyzes recent case law from the European Court of Human Rights on detention and prison conditions in Portugal (with particular emphasis on the *Petrescu v. Portugal* judgment, which criticized the state of the Portuguese prison system), as well as the absence of an effective domestic remedy to address this violation of the European Convention on Human Rights. This article includes a statistical analysis on the state of the prison system in Portugal, in order to highlight the structural problems that persist and the possibility of the European Court of Human Rights adopting a pilot judgment on this matter.

The third article in this issue of *Católica Law Review* (“Rethinking Sovereignty: The Role of the European Society in the Federal Architecture of the European Union”, written by Alberto Atelli) addresses the role of civil society as an element of the concept of European sovereignty. To this end, the article begins by analyzing the interaction between civil society, the people, and sovereignty, and then

explores how European civil society operates within the European (para-)federal process.

The fourth article included in this issue (“Genocide in the ICJ: Should States Be Obligated to Hold Each Other Accountable?”, written by António Kreiseler Albuquerque) analyzes the legal obligations of States under the Convention on the Prevention and Punishment of the Crime of Genocide, namely whether Article IX of this convention establishes an obligation to use the interstate mechanism provided for therein. After assessing the difficulties and limitations in exercising this obligation, the article concludes that, where there is evidence of genocide, there is also a legally binding obligation for States to invoke and use the international means available.

Finally, the fifth article presented in this issue (“O Princípio da Separação de Poderes e da Intervenção Judicial face à Omissão do Estado Português na Execução da Lei de Bases do Clima – Análise da Ação Popular por Inação Climática Intentada pelas Associações Ambientalistas ‘Último Recurso’, ‘Quercus’ e ‘Sciaena’ contra o Estado Português”, written by Marco Gamaliel Alves) analyzes the class action brought by three environmental associations against the Portuguese State, concerning the insufficient implementation of the *Basic Climate Law*, approved by Law No. 98/2021, of 31 December. In particular, this article analyzes in detail the course of this action, as well as the dogmatic issues raised in these proceedings, namely the principle of separation of powers and the role of the courts in ensuring compliance with legal obligations incumbent on the State (as a legislator).

In addition, this issue 1 of volume X of the *Católica Law Review* includes one case comment (“Comentário Crítico ao Acórdão do Tribunal Constitucional n.º 307/2025”), written by Mafalda Miranda Barbosa. Specifically, this latter ruling from the Portuguese Constitutional Court declared unconstitutional some of the provisions of Law No. 22/2023, of May 25th, which regulates the conditions under which medically assisted death is not punishable and amends the Portuguese Criminal Code. However, the ruling does not question the constitutional legitimacy of euthanasia, placing the issue on a political level. This view is criticized by the author in this commentary, who seeks to bring the issue from a “purely political” level to a “legal” level also.

Finally, this issue of *Católica Law Review* also includes a review of the book “Inês Bichão, *O Lóbi como Desafio Constitucional Multinível — O Elefante na Sala dos Poderes Públicos?* (Almedina, 2025)” written by Pedro Coutinho, who takes the opportunity to enter into a dialogue with the author and to reflect on the role of lobbying in the context of a plural, democratic, and global/European society.

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