

# Rui Medeiros

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## PROFILE

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At **SÉRVULO** since 1999, Rui Medeiros is a partner in the Public Law and Arbitration department. He is a Full Professor at the Faculty of Law of the Catholic University of Portugal, where he concluded his *agrégation* exams in 2016, and at which he obtained his PhD in 1999, as well as a master's degree in 1991. He was Director of the Católica Research Centre for the Future of Law in 2013 and between 2015 and 2018, as well as Director of the Faculty of Law of the Catholic University of Portugal, from 2002 to 2005. He is a member of the European Public Law Group. Rui Medeiros was Minister for Modernisation of the Administration of the XX Constitutional Government, between October and November 2015. Member of the Council for Public Law Arbitration of the Portuguese Arbitration Association, since 2017, member of the Executive Committee of the Portuguese National Delegation of the ICC, since 2016 and member of the Council of the Commercial Arbitration Center of the Commercial Association of Lisbon, since 2015. He was President of the Monitoring Committee of the Reform to Urban Leasing, in 2013, and of the Working Group that prepared the Public Contracts Code, in 2006. He was also a member of the Committee of the Bar Association that prepared the new draft law on the State's civil liability, and of the Committee that drafted the Water Law. He is a guest speaker and author of a large number of books and articles on his areas of specialisation. He joined the Bar Association in 1990.

## RELEVANT EXPERIENCE

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Wide-ranging experience in matters relating to public law and connected areas, including constitutional and administrative law, public procurement, administrative litigation and arbitration.

Drafting of legal opinions and studies for public and private entities, both national and international, in particular

in the areas of constitutional law and administrative law.

Participation as an arbitrator or chair of the arbitration court in numerous ad hoc or institutional arbitrations, especially in the area of public law, but also in the area of private law.

Legal assistance in matters related to the conclusion and execution of public contracts/PPPs and in different regulatory areas of public law.

Representing clients before the higher courts and the constitutional court.

Drafting of legislation for various public entities in Portugal and in other Portuguese-speaking countries.

Advising in the restructuring process of some economic sectors, including advice on the preparation of the corresponding draft legislation.

Advising on the development and execution of large infrastructure projects in Angola and Mozambique.

## EXPERTISE

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- Arbitration
- Energy
- Environment
- Healthcare and Pharmaceuticals
- Public Law
- Water and Natural Resources

## RECOGNITION

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### **Chambers Europe 2024**

Dispute Resolution: Most in Demand Arbitrators - TIER 2

He is a very sophisticated and renowned practitioner.

### **Public Law - TIER 1**

Rui Medeiros is well regarded for his experience handling regulatory proceedings in relation to public-private partnerships, as well as complex administrative matters.



### **Chambers Europe 2023**

#### **Public Law - TIER 1**

Rui Medeiros is pragmatic, clear and ready to support the client on any questions and requests.

#### **Dispute Resolution: Most in Demand Arbitrators - TIER 2**

Rui Medeiros is a well-reputed arbitrator. He is appointed co-arbitrator or chair in public law cases, including tax arbitrations. He also accepts appointments on commercial cases.

### **Chambers Europe 2022**

#### **Public Law - TIER 1**

Rui Medeiros is well regarded for his experience handling regulatory proceedings in relation to PPPs, as well as complex administrative matters. 'He is very rigorous, knowledgeable and provides trustworthy advice', one client reveals.

#### **Dispute Resolution: Most in Demand Arbitrators - TIER 2**

Rui Medeiros is a well-reputed arbitrator. He is appointed co-arbitrator or chair in public law cases, including tax arbitrations. He also accepts appointments on commercial cases.

### **Chambers Europe 2021**

#### **Public Law - TIER 1**

Rui Medeiros is well regarded for his experience handling regulatory proceedings in relation to public-private partnerships, as well as complex administrative matters. Clients report that he is 'extremely competent, reliable and available'.

#### **Dispute Resolution: Most in Demand Arbitrators - TIER 2**

Rui Medeiros is a well-known practitioner with a reputation for acting as arbitrator in public law-focused arbitrations. His expertise further includes tax and commercial arbitrations.

### **Chambers Europe 2020**

#### **Public Law - TIER 1**

Rui Medeiros regularly advises on litigation and international arbitrations. He also handles public procurement procedures, infrastructure concession agreements and public-private partnerships.

#### **Dispute Resolution: Most in Demand Arbitrators - TIER 2**

Rui Medeiros is well versed in arbitration, often acting as chair in public, administrative and commercial proceedings. He also represents clients in the banking and energy sectors.

### **Chambers Europe 2019**

#### **Public Law - TIER 1**



Rui Medeiros is described as an 'excellent lawyer'. He regularly advises on contentious proceedings, with notable activity on behalf of clients in the natural resources sectors.

#### **Dispute Resolution: Most in Demand Arbitrators - TIER 2**

Public law expert Rui Medeiros is regularly appointed to serve as an arbitrator, with notable experience in disputes concerning the IP of generic pharmaceutical patents.

#### **Chambers Europe 2018**

Public Law - TIER 1

Sources highlight his availability, quick responses and 'capacity to anticipate future problems'.

#### **Chambers Europe 2017**

Public Law - TIER 1

[He has] "excellent professional qualities and high knowledge in the area of public law.

#### **Chambers Europe 2016**

Public Law - TIER 1

Rui Medeiros is known for his prowess in arbitration and highlighted by peers for his extensive experience.

#### **Chambers Europe 2015**

Public Law - TIER 1

Rui Medeiros is "an expert in public law dedicated to finding solutions that best serve his clients," according to a source. He is furthermore described as "one of the best and brightest lawyers in the country."

#### **Chambers Europe 2014**

Public Law - TIER 1

[He is] one of the best public law lawyers in Portugal; he is vastly knowledgeable and solution-oriented.

#### **Legal 500 2024**

Public Law - TIER Hall of Fame

Rui Medeiros focuses on constitutional and administrative law, public procurement, and related disputes.

#### **Legal 500 2023**

Public Law - TIER Hall of Fame

Rui Medeiros is serious and honest and has vast knowledge of various matters related to public law.



## **Legal 500 2022**

Public Law - TIER Hall of Fame

Rui Medeiros was the one who led the firm's team of lawyers, demonstrating an enormous capacity to synthesise issues, and a very practical and assertive approach in proposing solutions and legislative paths.

## **Legal 500 2021**

Public Law - TIER Hall of Fame

Rui Medeiros focuses on arbitration.

## **Legal 500 2020**

Energy and Natural Resources - TIER Recommended

Cross-border matters are an area of activity for Rui Medeiros, who has a wealth of experience in regulated sectors.

Public Law - TIER Hall of Fame

João Amaral e Almeida and Rui Medeiros are some of the best Portuguese lawyers in public law. Rui Medeiros devotes most of his practice to arbitration.

## **Legal 500 2019**

Dispute Resolution - TIER Recommended

Rui Medeiros [is recommended] for his arbitration work.

Energy and Natural Resources - TIER Recommended

Public Law - TIER Leading Individual

Rui Medeiros is noted for his arbitration work.

## **Legal 500 2018**

Energy and Natural Resources - TIER Recommended

Rui Medeiros is the name to note.

Public Law - TIER Leading Individual

Rui Medeiros is 'experienced and able to determine successful strategies'.

## **Legal 500 2017**

Energy and Natural Resources - TIER Recommended

Public Law - TIER Leading Lawyer

[He is] incredibly knowledgeable



### **Legal 500 2016**

Public Law - TIER Leading Lawyer

Energy and Natural Resources - TIER Recommended

### **Legal 500 2015**

Energy and Environment - TIER Recommended

Public Law - TIER Leading Lawyer

Rui Medeiros is arguably one of Portugal's finest public law experts.

### **Legal 500 2014**

Dispute Resolution - TIER Recommended

Energy & Environment - TIER Recommended

EU and Competition - TIER Recommended

Public Law - TIER Leading Individual

Rui Medeiros is arguably 'the leading Portuguese expert in public purchase processes and constitutional law'.

### **Best Lawyers 2024**

Administrative Law - TIER Recommended

Litigation - TIER Recommended

Arbitration and Mediation - TIER Recommended

Constitutional Law - TIER Recommended

Construction Law - TIER Recommended

Energy Law - TIER Recommended

International Arbitration - TIER Recommended

Public Law - TIER Recommended

### **Best Lawyers 2023**

Litigation - TIER Recommended

Administrative Law - TIER Recommended

Energy Law - TIER Recommended

Public Law - TIER Recommended

Arbitration and Mediation - TIER Recommended

Constitutional Law - TIER Recommended



International Arbitration - TIER Recommended

Construction Law - TIER Recommended

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Litigation - TIER Recommended

Administrative Law - TIER Recommended

Energy Law - TIER Recommended

Public Law - TIER Recommended

Arbitration and Mediation - TIER Recommended

Constitutional Law - TIER Recommended

Construction Law - TIER Recommended

### **Best Lawyers 2021**

Administrative Law - TIER Lawyer of the Year

Public Law - TIER Recommended

Energy Law - TIER Recommended

Arbitration and Mediation - TIER Recommended

Constitutional Law - TIER Recommended

Construction Law - TIER Recommended

### **Best Lawyers 2020 Global Business Edition**

Administrative Law - TIER Recommended

Arbitration and Mediation - TIER Recommended

Constitutional Law - TIER Recommended

Construction Law - TIER Recommended

Energy Law - TIER Recommended

Public Law - TIER Recommended

### **Best Lawyers 2020**

Administrative Law - TIER Recommended

Arbitration and Mediation - TIER Recommended

Constitutional Law - TIER Recommended



Construction Law - TIER Recommended

Energy Law - TIER Recommended

Public Law - TIER Recommended

### **Best Lawyers 2019**

Administrative Law - TIER Recommended

Public Law - TIER Lawyer of the Year

Arbitration and Mediation - TIER Recommended

Construction Law - TIER Recommended

### **Best Lawyers 2018**

Public Law - TIER Recommended

Administrative Law - TIER Recommended

Arbitration and Mediation - TIER Recommended

### **Best Lawyers 2017**

Administrative Law - TIER Recommended

Arbitration and Mediation - TIER Recommended

Public Law - TIER Lawyer of the Year

### **Best Lawyers 2016**

Administrative Law - TIER Recommended

Arbitration and Mediation - TIER Recommended

Public Law - TIER Recommended

### **Best Lawyers 2015**

Arbitration and Mediation - TIER Recommended

Public Law - TIER Recommended

### **Best Lawyers 2014**

Arbitration and Mediation - TIER Recommended

Public Law - TIER Lawyer of the Year





### **Chambers Global 2024**

Dispute Resolution: Most in Demand Arbitrators - TIER 2

He is a very sophisticated and renowned practitioner.

### **Chambers Global 2023**

Dispute Resolution: Most in Demand Arbitrators - TIER 2

Rui Medeiros is a well-reputed arbitrator. He is appointed co-arbitrator or chair in public law cases, including tax arbitrations. He also accepts appointments on commercial cases, with experience in arbitrations relating to pharmaceuticals IP disputes.

### **Chambers Global 2022**

Dispute Resolution: Most in Demand Arbitrators - TIER 2

Rui Medeiros is a well-reputed arbitrator. He is appointed co-arbitrator or chair in public law cases, including tax arbitrations. He also accepts appointments on commercial cases.

### **Chambers Global 2021**

Dispute Resolution: Most in Demand Arbitrators - TIER 2

Rui Medeiros is a well-known practitioner with a reputation for acting as arbitrator in public law-focused arbitrations. His expertise further includes tax and commercial arbitrations.

### **Chambers Global 2020**

Dispute Resolution: Most in Demand Arbitrators - TIER 2

Rui Medeiros is well versed in arbitration, often acting as chair in public, administrative and commercial proceedings. He also represents clients in the banking and energy sectors.

### **Chambers Global 2019**

Dispute Resolution: Most in Demand Arbitrators - TIER 2

Public law expert Rui Medeiros is regularly appointed to serve as an arbitrator, with notable experience in disputes concerning the IP of generic pharmaceutical patents.

### **Leaders League 2024**

Portugal Best Arbitrators - TIER Highly Recommended

Dispute Resolution - International Arbitration - TIER Excellent

### **Leaders League 2023**

Dispute Resolution - International Arbitration - TIER Excellent



Portugal Best Arbitrators - TIER Highly Recommended

### **Leaders League 2022**

Dispute Resolution - International Arbitration - TIER Excellent

Portugal Best Arbitrators - TIER Highly Recommended

### **Leaders League 2021**

Dispute Resolution - International Arbitration - TIER Excellent

Portugal Best Arbitrators - TIER Highly Recommended

### **Leaders League 2020**

Arbitration - TIER Excellent

### **Who's Who Legal 2021**

Government Contracts - Iberia National Leaders - TIER Recommended

### **Who's Who Legal 2020**

Government Contracts - TIER Recommended

### **Who's Who Legal 2019**

Government Contracts - TIER Recommended

## **BOOKS AND ACADEMIC ARTICLES**

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### **2022**

A tutela constitucional das relações contratuais: o caso da intervenção legislativa nos contratos de utilização de loja em centros comerciais durante a pandemia

2022 | in Liber Amicorum - Pedro Pais de Vasconcelos, Almedina

### **2021**

Despedimento coletivo: Sindicabilidade judicial da motivação empresarial

2021 | in Revista de Direito e de Estudos Sociais, Janeiro/Dezembro - Ano 2021 N 1-4.

## **2020**

Constituição Portuguesa Anotada - Volume III - Organização do Poder Político | Garantia e revisão da Constituição | Disposições finais e transitórias

2020 | (em coautoria com Jorge Miranda), Universidade Católica Portuguesa

Administrative Arbitration

2020 | in International Arbitration in Portugal, Wolters Kluwer

## **2018**

Regime de recurso das decisões arbitrais no CCP revisto: uma reflexão constitucional

2018 | in A Constituição e a Administração Pública

## **2016**

Direito Constitucional - ensinar e investigar

2016 | Lisboa: Universidade Católica Editora

O Direito Fundamental à Retribuição

2016 | Lisboa: Universidade Católica Editora

Tribunal Unificado de Patentes e Constituição

2016 | in Estudos em Homenagem ao Conselheiro Presidente Rui Moura Ramos, Vol. II, Coimbra: Edições Almedina

## **2015**

Responsabilidade civil extracontratual do Estado e demais entidades públicas

2015 | in Enciclopédia da Constituição Portuguesa, Lisboa: Quid Juris - Sociedade Editora Lda.

The Portuguese Constitution in a Global Context

2015 | Universidade Católica Editora

Compulsory Arbitration and Constitution

2015 | in Estudos em Memória do Conselheiro Artur Maurício, Coimbra Editora, pp. 1301-1330

Segurança no emprego de trabalhadores em funções públicas

2015 | in Estudos Dedicados ao Professor Doutor Bernardo da Gama Lobo Xavier, Volume III, Universidade Católica Editora

O direito disciplinar intra-parlamentar regimental

2015 | in Estudos em Homenagem a Rui Machete, Coimbra: Almedina

## **2014**

O novo mapa judiciário perante o estatuto constitucional do Ministério Público

2014 | Coimbra Editora, 2.ª Edição

**The Constitutional Court and the Crisis - Critical Essays**

2014 | Almedina

**The new directive 2014/24/EU on Public Procurement**

2014 | The new directive 2014/24/EU on Public Procurement, The new Directive 2014/24/EU on Public Procurement (eds. Luís Valadares Tavares/ Rui Medeiros/ David Coelho), Lisboa

**Defensive Internationalism and European commitment in the Portuguese Constitution**

2014 | in Estudos em Homenagem a Miguel Galvão Teles, I, Coimbra: Almedina, pp. 649-667

**Contratação coletiva e universidades públicas**

2014 | in Estudos Dedicados ao Professor Doutor Nuno José Espinosa Gomes da Silva, Volume II, Universidade Católica Editora

## **2013**

**Raízes e contexto da distinção binária entre sistemas multimunicipais e sistemas municipais no setor da água e perspetivas de futuro**

2013 | in Série de Cursos Técnicos 3 - Direito da Água, ICJP, pp. 67-87

## **2011**

**Constitucionalismo de Matriz Lusófona**

2011 | Babel

**A protecção processual do adjudicatário em face de uma recusa de visto no âmbito da fiscalização prévia de contratos pelo Tribunal de Contas**

2011 | in Revista de Contratos Públicos", n.º 1 (Janeiro-Abril 2011), pp. 31-84

**A tentativa fracassada de alargamento da competência legislativa regional na revisão de 2004 e a próxima revisão constitucional**

2011 | in Açores: uma reflexão jurídica, Coimbra Editora/ Sérvulo, pp. 21-32

**Uma revisão não consumada: a revisão constitucional de 2004 e a tentativa fracassada de alargamento da competência legislativa regional**

2011 | in Direito e Justiça - Estudos dedicados ao Professor Doutor Luís Alberto Carvalho Fernandes, III, Lisboa: UCE, 2011 (em coautoria com Armando Rocha), pp. 285-336

## **2010**

**Direito da Concorrência e Ordens Profissionais**

2010 | Coimbra Editora

O controlo de custos nas empreitadas de obras públicas através do novo regime de trabalhos de suprimento de erros e omissões e de trabalhos a mais

2010 | in Estudos de Contratação Pública - II, Coimbra Editora

Direitos, deveres, liberdades e garantias e direitos sociais: entre a unidade e a diversidade

2010 | in Estudos em homenagem ao Prof. Doutor Sérvulo Correia, Volume I, Coimbra Editora, pp. 657-683

## **2008**

Âmbito do novo regime da contratação pública à luz do princípio da concorrência

2008 | in Cadernos de Justiça Administrativa, n.º 69, Braga: Cejur, pp. 3-29

Constitution et famille(s) - Portugal

2008 | in Annuaire International de Justice Constitutionnelle XXIV, 2008 (extraits), Presses Universitaires D'Aix-Marseille, pp. 285 - 321 (texto que reproduz, com algumas atualizações e anotações aos artigos 36.º e 67.º d

## **2006**

Constituição Portuguesa Anotada - Tomo II - Organização Económica, Organização do Poder Político

2006 | Coimbra Editora (em coautoria com Jorge Miranda)

## **2005**

Constituição Portuguesa Anotada - Tomo I - Introdução Geral

2005 | Coimbra Editora (em coautoria com Jorge Miranda)

Responsabilidade Civil dos Poderes Públicos

2005 | Universidade Católica Editora

## **2004**

A contratação pública nos sectores com regime especial - água, energia, transportes e telecomunicações

2004 | La contractación pública en el horizonte de la integración europea - V Congreso Luso-Hispano de profesores de Derecho Administrativo, INAP, pp. 137-182

A força expansiva do conceito de norma fiscalizável no sistema português de fiscalização concentrada da constitucionalidade

2004 | Estudos em Homenagem ao Prof Doutor Armando M. Marques Guedes, Edição da Faculdade de Direito da Universidade de Lisboa, Coimbra Editora

## **2003**

Apreciação geral dos projectos - V Seminário de Justiça Administrativa - Responsabilidade Civil do

## Estado

2003 | Cadernos de Justiça Administrativa, n.º 40, V Seminário de Justiça Administrativa, Braga: Cejur, pp. 8-17

## 2002

### Estudos de Direito Processual Administrativo

2002 | Lex

### O Estado de Direitos Fundamentais portugueses: alcance, limites e desafios

2002 | Anuário Português de Direito Constitucional vol. II, Coimbra Editora

### Restrições aos poderes do Governo em matéria de reconhecimento e de alteração dos estatutos das fundações de direito privado

2002 | Revista da Ordem dos Advogados, Lisboa, Edição de Abril de 2012, Ano 62, pp. 347-382

## 2001

### A Carta dos Direitos Fundamentais da União Europeia, a Convenção Europeia dos Direitos do Homem e o Estado Português

2001 | in Nos 25 anos da Constituição da República Portuguesa de 1976 - Evolução Constitucional e Perspectivas Futuras, Associação Académica da Faculdade de Direito de Lisboa, pp. 227-294

### Obras Públicas - Do pagamento do Prémio pela Conclusão Antecipada da Empreitada (em coautoria com Diogo Freitas do Amaral)

2001 | Lisboa: Azeredo Perdigão & Pereira de Almeida, pp. 49-99

## 2000

### Towards a Unified Judicial Protection of Citizens in Europe (?) | Vers une protection juridictionnelle commune des citoyens en Europe (?) - Portugal

2000 | in European Public Law Series | Bibliothèque de Droit Publique Européen, Volume XIII, London: Esperia Publications Ltd, pp. 527 - 646

### Responsabilidade civil do Estado por omissão de medidas legislativas - o Caso Aquaparque

2000 | Revista de Direito e Estudos Sociais, VERBO Agosto-Dezembro - 2000 - ANO XLI (XVI da 2.ª Série) - N.ºs 3 e 4 (em coautoria com Diogo Freitas do Amaral)

## 1999

### A Decisão de Inconstitucionalidade - Os autores, o conteúdo e os efeitos da Decisão de Inconstitucionalidade da Lei

1999 | Universidade Católica Editora

### Ações de Responsabilidade - elementos do regime jurídico e contribuições para uma reforma

1999 | Cascais: Principia

### **1997**

Estatuto Político-Administrativo da Região Autónoma dos Açores anotado

1997 | Cascais: Principia (em coautoria com Jorge Pereira da Silva)

### **1993**

O Ambiente na Constituição

1993 | in Revista de Direito e de Estudos Sociais, LEX Edições Jurídicas, Janeiro-Dezembro, Anno XXXV (VIII da 2.ª Série) - N.ºs 1-2-3-4

### **1992**

Ensaio sobre a responsabilidade civil do Estado por actos legislativos

1992 | Coimbra: Livraria Almedina

### **1990**

Relações entre normas constantes de convenções internacionais e normas legislativas na Constituição de 1976

1990 | in O Direito, Ano 122.º, II (Abril-Junho), pp. 355-380