

LAW NO. 2/2008

Of 13 February

AUTHORIZING THE PRESIDENT OF THE REPUBLIC TO RENEW THE DECLARATION OF THE STATE OF SIEGE

The reasons that determined the declaration of the state of siege as formalized through Law No. 1/2008 and Presidential Decree No. 43/2008 remain valid.

Therefore, the renewal of the exceptional measures that were enacted is fully justified, particularly considering, *inter alia*, the prevailing concrete threat to the democratic constitutional order since most of the authors of the perpetrated attempts have escaped unscathed and have been moving in the national territory with weapons.

Despite the fact that national and international defence and security forces were mobilized to prevent the occurrence of possible violent incidents, renewing the declaration of the state of siege as well as the measures restricting the rights, liberties and guarantees is indispensable to the reestablishment of democratic normalcy.

On proposal of the Government, the acting President of the Republic addressed a message to the National Parliament requesting authorization to extend for an additional period of ten days the declaration of the state of siege which had been earlier on enacted by him as authorized by the afore-mentioned Law.

Both the Council of State and the Superior Council for Defence and Security have been consulted.

Articles 24 and 25 of the Constitution enable to legislate to this effect, including Law No. 1/2008 of 11 February, whose article 9.1 expressly provides for the possibility to renew the declaration of a state of siege by means of a law.

Thus, pursuant to subparagraph j) of article 95.3 of the Constitution of the Republic, the National Parliament enacts the following to have the force of law:

Article 1 Renewal of the state of siege

The President of the Republic is hereby authorized to renew, for an additional period of ten days, the declaration of the state of siege provided for in Law No. 1/2008 of 11 February and in Presidential Decree No. 43/2008 of 11 February.

Article 2 Duration

The Presidential Decree declaring the renewal of the state of siege shall expressly indicate the day and time of the dates of commencement and cessation of the state of siege.

Article 3
Scope of the renovation of the declaration of the state of siege

Excepting the duration of the state of siege, the exceptional measures to be enacted as well as their territorial scope of application shall be those contained in the initial declaration, and they shall remain in force in the exact terms as provided for in Law No. 1/2008 and in Presidential Decree No. 43/2008, both of 11 February 2008.

Article 4
Entry into force

The present law shall enter immediately into force.

Approved on 13 February 2008.

The Acting Speaker of the National Parliament,

[signed]

Vicente da Silva Guterres

Promulgated on 13 February 2008.

For publication,

The Acting President of the Republic,

Fernando Lasama de Araújo