**LUIZ OTAVIO DE OLIVEIRA ROCHA**

**DATOS PERSONALES**

FECHA Y LUGAR DE NACIMIENTO:

* BRAZILIAN, BORN IN BAURU/SÃO PAULO, AUGUST 17, 1960. MARITAL STATUS: SINGLE.

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**FORMACIÓN ACADÉMICA**

* LAW GRADUATE – LAW SCHOOL OF BAURU/BRAZIL (INSTITUIÇÃO TOLEDO DE ENSINO).
* DOCTORAL CANDIDATE IN INTERNATIONAL CRIMINAL LAW – LAW SCHOOL OF MADRID/SPAIN (UNIVERSIDAD COMPLUTENSE DE MADRID).

PROSECUTOR IN SÃO PAULO/BRAZIL, BEFORE THE STATE COURT OF CRIMINAL APPEALS OF SÃO PAULO.

**EXPERIENCIA ACADÉMICA Y PROFESIONAL**

* REGISTRY ASSISTANT UNTIL 1984.
* MEMBER OF THE SÃO PAULO STATE PUBLIC MINISTRY SINCE 1984.
* WORKING BEFORE THE STATE COURT OF CRIMINAL APPEALS OF SÃO PAULO SINCE JUNE 2, 2002.
* ASSOCIATE MEMBER OF THE BRAZILIAN INSTITUTE OF CRIMINAL SCIENCES.
* FOUNDER AND VICE-PRESIDENT OF THE INTERNATIONAL CRIMINAL LAW CENTRE (CEDICI/SÃO PAULO).
* GUEST LECTURER TO THE SPECIALIZATION COURSE ON LAW MATTERS AT THE ESCOLA SUPERIOR DO MINISTÉRIO PÚBLICO DO ESTADO DE SÃO PAULO.
* PROFESSOR OF INTERNATIONAL LAW AT THE FACULDADE DE DIREITO DA UNIVERSIDADE PAULISTA-UNIP (SECOND SEMESTER)
* GUEST PROFESSOR OF THE LATO SENSU POSTGRADUATE COURSE ON CRIMINAL LAW AT THE FACULDADE DE DIREITO DA ALTA PAULISTA-FADAP (TUPÃ-SP).
* GUEST PROFESSOR OF THE INSTITUTO DE ENSINO JURÍDICO PROFESSOR LUIZ FLÁVIO GOMES-IELF (SÃO PAULO-SP).
* PROFESSOR OF PUBLIC INTERNATIONAL LAW AT THE FACULDADE DE DIREITO DE BAURU (INSTITUIÇÃO TOLEDO DE ENSINO-ITE, BAURU-SP).

**PUBLICACIONES DE LIBROS (EN ESPAÑOL, PORTUGUES Y BRASILEÑO)**

* BOOK RELATING TO BAIL WITHIN THE BRAZILIAN LEGAL SYSTEM - INCLUDING AN ANALYSIS OF THE USA BAIL SYSTEM - (“FIANÇA CRIMINAL E LIBERDADE PROVISÓRIA”), WRITTEN WITH MARCO ANTONIO GARCIA BAZ, EDITORA REVISTA DOS TRIBUNAIS LTDA, SÃO PAULO-BRAZIL, 288 PAGES, IN THE 2ND EDITION.
* BOOK RELATING TO THE EXPANSION OF PENAL LAW CRIME AS A CONSEQUENCE OF POSTINDUSTRIAL SOCIETY’S CRIMINAL POLICY (“A EXPANSÃO DO DIREITO PENAL – ASPECTOS DA POLÍTICA CRIMINAL NAS SOCIEDADES PÓS-INDUSTRIAIS”), TRANSLATED - AND NOTED - FROM THE ORIGINAL IN SPANISH BY JOSÉ-MARÍA SILVA SÁNCHEZ, EDITORA REVISTA DOS TRIBUNAIS, OCTOBER, 2002, SÃO PAULO-SP.
* MONOGRAPH RELATING TO THE APPLICABILITY OF TERRITORIAL LAW UNDER THE EFFECTS OF GLOBALIZATION (“A VIGÊNCIA DA LEI NO ESPAÇO: EFEITOS DA GLOBALIZAÇÃO”), PUBLISHED BY ED. FORENSE, SÃO PAULO, BRAZIL, IN THE BOOK “ESTUDOS DE DIREITO PENAL – ASPECTOS PRÁTICOS E POLÊMICOS”, OCTOBER, 2003, SÃO PAULO-SP.

**ARTICULOS PUBLICADOS**

* ARTICLE CONCERNING THE STREET CHILDREN OF BRAZIL – NEWSPAPER “ATRIBUNA”, SANTOS-SP, 1989.
* ARTICLE RELATING TO PROVISIONAL FREEDOM GIVEN UNDER BAIL (“LIBERDADE PROVISÓRIA É CONCEDIDA SOB FIANÇA”) – NEWSPAPER “O ESTADO DE SÃO PAULO”, FEBRUARY 1, 1992, PAGE 8.
* ARTICLE RELATING TO THE CRIMINAL PRINCIPLE OF PROPORTIONALITY AND ITS SIGNIFICANCE AS A CONTROL INSTRUMENT IN CRIMINAL LAW APPLICATION (“O PRINCIPIO DE PROPORCIONALIDADE COMO INSTRUMENTO DE CONTROLE DAS NORMAIS PENAIS”), REVISTA DOS TRIBUNAIS, NO 772, FEBRUARY, 2000, PAGES 463 TO 479.
* ARTICLE RELATING TO BRAZILIAN PROCEDURAL REFORM PROJECTS AND THE INTERNATIONAL LAW APPROACH AND COMPARISON (“A REFORMA PROCESSUAL E O DIREITO COMPARADO”), BOLETIM DO IBCCRIM, YEAR 8, NO 92, JULY, 2000.
* ARTICLE RELATING TO BRAZILIAN UNDERCOVER AGENTS, NEW LAW AND ORGANIZED CRIME (“OS AGENTES INFILTRADOS E O CRIME ORGANIZADO”), ON THE WEBSITE WWW.DIREITOCRIMINAL.COM.BR, MANAGED BY PROFESSOR LUIZ FLÁVIO GOMES, AUGUST, 2000.
* ARTICLE RELATING TO THE DEVELOPMENT OF OBJECTIVE IMPUTATION DOCTRINE ON CRIMINAL LAW (“A IMPORTÂNCIA DA TEORIA DA IMPUTAÇÃO OBJETIVA NA EVOLUÇÃO DA DOGMÁTICA DO DIREITO PENAL”), CADERNO JURÍDICO Nº 1, ESCOLA SUPERIOR DO MINISTÉRIO PÚBLICO DO ESTADO DE SÃO PAULO, APRIL, 2001, PAGES 53 TO 69.
* ARTICLE RELATING TO BRAZILIAN UNDERCOVER AGENTS AND NEW LAW (“AGENTE INFILTRADO: INOVAÇÃO DA LEI 10.217/2001”), REVISTA JURÍDICA, ESCOLA SUPERIOR DO MINISTÉRIO PÚBLICO DE SÃO PAULO, YEAR 1, NO 1, JANUARY-JUNE, 2001 (ALSO ON REVISTA IBERO-AMERICANA DE CIÊNCIAS PENAIS, VOL. NO 3, FASCICLE 5, PAGE 50, JANUARY-APRIL, 2002, PORTO ALEGRE-RS, COORDINATED BY ANDRÉ LUÍS CALLEGARI, NEREU JOSÉ GIACOMOLLI AND PEDRO KREBS AND ON THE WEBSITE WWW.DIREITOCRIMINAL.COM.BR, MANAGED BY THE INSTITUTO BRASILEIRO DE CIÊNCIAS CRIMINAIS-IBCCRIM SINCE 19.06.2001).
* ARTICLE RELATING TO TAX LAW AND BRAZILIAN CRIME (“O TIPO PENAL DO PARÁGRAFO ÚNICO DO ARTIGO 1O DA LEI 8.137: UMA INTERPRETAÇÃO À LUZ DOS PRINCÍPIOS DA LEGALIDADE E DA PROPORCIONALIDADE”), ON THE WEBSITE WWW.DIREITOCRIMINAL.COM.BR, SEPTEMBER, 2001.
* ARTICLE RELATING TO BAIL AND NEW CONSUMER PROTECTION LEGISLATION (“A FIANÇA E A NOVA LEGISLAÇÃO DE PROTEÇÃO AO CONSUMIDOR”), REVISTA “JUSTITIA”, VOL. 160, 1992, PAGES 102 TO 121.
* ARTICLE RELATING TO MAYORS AND THE OBLIGATION TO GOVERN STRICTILY UNDER THE LAWS (“OS PREFEITOS MUNICIPAIS E A OBRIGATORIEDADE DE CUMPRIMENTO ÀS LEIS”), BOLETIM DO INSTITUTO BRASILEIRO DE CIÊNCIAS CRIMINAIS-IBCCRIM, NO 60, NOVEMBER, 1997, PAGES 3 TO 4.
* ARTICLE RELATING TO TRAFFIC FELONY AND NEW BRAZILIAN LAW (“CÓDIGO BRASILEIRO DE TRÂNSITO: PRIMEIRAS IMPRESSÕES”), BOLETIM DO INSTITUTO BRASILEIRO DE CIÊNCIAS CRIMINAIS - IBCCRIM, NO 61, DECEMBER, 1997, PAGES 6 TO 8.
* ARTICLE RELATING TO THE CRIMINAL PRINCIPLES OF PROPORTIONALITY PERSONAL DIGNITY AND THEIR SIGNIFICANCE AS CONTROL INSTRUMENTS IN CRIMINAL LAW APPLICATION (“O PRINCIPIO DE PROPORCIONALIDADE COMO INSTRUMENTO DE CONTROLE DAS NORMAIS PENAIS: ESPECIAL REFERÊNCIA AO PRINCÍPIO DE DIGNIDADE DA PESSOA HUMANA”), TO BE PUBLISHED SOON IN THE MAGAZINE LAW OF “FACULDADE DE DIREITO DE BAURU (INSTITUIÇÃO TOLEDO DE ENSINO-ITE)” (LAW SCHOOL).
* ARTICLE RELATING TO MARCH 11TH, 2004 TERRORIST ATTACK IN MADRI (“MADRI, FEIA E TRISTE”), PUBLISHED IN “JORNAL DA CIDADE”, DAILY NEWSPAPER FROM BAURU-SP, MARCH 12TH, 2004.
* SPAIN: ARTICLE RELATING TO THE CRIMINAL PRINCIPLE OF PROPORTIONALITY AND ITS SIGNIFICANCE AS A CONTROL INSTRUMENT IN CRIMINAL LAW APPLICATION, FOCUSING ON THE ETA SUPPORTERS PARTY’S ACTIVITIES (“EL PRINCIPIO DE PROPORCIONALIDAD Y EL CONTROL CONSTITUCIONAL DE LAS NORMAS PENALES: EL AMPARO A LA MESA DE HERRI BATASUNA”), “CUADERNOS DE POLÍTICA CRIMINAL (INSTITUTO UNIVERSITARIO DE CRIMINOLOGÍA – UNIVERSIDAD COMPLUTENSE DE MADRID)”, NO 70, OCT/NOV/DEC-2000, ED. EDERSA, MADRID, PAGES 219 TO 244.
* MEXICO: ARTICLE RELATING TO VICTIM PROVISION WITHIN THE “RULES OF PROCEDURE AND EVIDENCES” INSTRUMENT, FOR THE APPLICATION OF THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT (“LAS VÍCTIMAS DESDE LA PERSPECTIVA DEL ESTATUTO DEL TRIBUNAL PENAL INTERNACIONAL Y LAS REGLAS DE PROCEDIMIENTO Y PRUEBA”), 50 PAGES, TO BE PUBLISHED IN THE ANNALS OF THE INTERNATIONAL LAW CONGRESS ORGANIZED BY UNIVERSIDAD DE GUADALAJARA E INSTITUTO DE CIENCIAS PENALES Y POLÍTICA CRIMINAL, SEPTEMBER-2001, PUERTO VALLARTA-JALISCO, MEXICO.
* SPAIN: ARTICLE RELATING TO ADAPTATION PROCESS TO ROME STATUTE OF THE INTERNAL LAW OF THE STATES PARTIES (“EL TPI Y LA LEGISLACIÓN BRASILEÑA), TO BE PUBLISHED SOON IN UNIVERSITY OF SALAMANCA LAW MAGAZINE (“LA LEY - ACTUALIDAD PENAL”), SALAMANCA, SPAIN.

**MAIN AND RECENT LECTURES AND CLASSES ON INTERNATIONAL LAW, CRIMINAL LAW, HUMANITARIAN LAW AND INTERNATIONAL CRIMININAL JURISDICTION**

* LECTURE AT THE NON-GOVERNMENTAL ORGANIZATION INTERED, MADRID/SPAIN, FEBRUARY 1, 2000, RELATING STREET CHILDREN OF BRAZIL.
* LECTURE TO THE SPECIALIZATION COURSE ON TAX LAW CRIMES AT THE ESCOLA SUPERIOR DO MINISTÉRIO PÚBLICO DO ESTADO DE SÃO PAULO, GIVEN IN SOROCABA-SP, JUNE 26, 2001.
* LECTURE AT III INTERNATIONAL LAW CONGRESS, ORGANIZED BY GUADALAJARA LAW SCHOOL, PUERTO VALLARTA/JALISCO, MEXICO, SEPTEMBER 27, 2001, RELATING TO INTERNATIONAL CRIMINAL COURT AND ITS VICTIMS PROTECTION UNIT.
* PARTICIPATION IN A TV PROGRAMME ON SPONSORING, BY THE CHANNEL TV–COMUNITÁRIA DE SÃO PAULO, APPROACHING SEVERAL QUESTIONS ABOUT TAX LAW CRIMES, JUNE 16, 2002, SÃO BERNARDO DO CAMPO-SP.
* CLASSES OF INTERNATIONAL LAW AT THE FACULDADE DE DIREITO DA UNIVERSIDADE PAULISTA-UNIP, FROM JULY TO DECEMBER, 2001, SÃO PAULO.
* LECTURE AT THE FACULDADE DE DIREITO DA ALTA PAULISTA, MAY 4, 2002, TUPÃ-SP, RELATING TO INTERNATIONAL CRIMINAL COURT-ICC.
* LECTURE FOR PROFESSOR LUIZ FLÁVIO GOMES’ LAW COURSES (SHOWN BY THE TV JUSTICE CHANNEL IN BRAZIL), RELATING TO INTERNATIONAL CRIMINAL COURT-ICC, WITH THE FEDERAL JUDGE SYLVIA HELENA DE FIGUEIREDO STEINER, ELECTED AS A PERMANENT MEMBER OF THE INTERNATIONAL CRIMINAL COURT (DURING THE FIRST RESUMED SESSION OF THE ASSEMBLY OF STATES PARTIES, HELD FROM 3 TO 7 FEBRUARY 2003), FEBRUARY 15, 2003, SÃO PAULO-CAPITAL.
* LECTURE AT THE “FACULDADES INTEGRADAS CLARETIANAS”, APRIL 29, 2003, RIO CLARO-SP, RELATING TO MAIN EFFECTS OF GLOBALIZATION ON CRIMINAL LAW.
* CLASSES OF INTERNATIONAL LAW AT THE “FACULDADE DE DIREITO DE BAURU (INSTITUIÇÃO TOLEDO DE ENSINO-ITE)”.
* LECTURE AT THE “FACULDADE DE DIREITO DE BAURU (INSTITUIÇÃO TOLEDO DE ENSINO-ITE)”, MAY 24, 2003, RELATING TO MAIN EFFECTS OF GLOBALIZATION ON CRIMINAL LAW.
* LECTURES AT THE FACULDADE DE DIREITO DA ALTA PAULISTA, TUPÃ-SP, JUNE 27-28, 2003, RELATING TO MAIN DIFFERENCES BETWEEN “COMMON LAW” AND “CIVIL LAW” LEGAL SYSTEMS.

**PROSECUTOR EXPERIENCE**

* WORKING ON CRIMINAL CASES SINCE 1984 IN SEVERAL CITIES OF SÃO PAULO STATE.
* WORKING ON CRIMINAL CASES IN SÃO PAULO-CAPITAL SINCE 1990, INVOLVING INTERNATIONAL DRUG TRAFFICKERS AND THE MOST SERIOUS CRIMES OF THE BRAZILIAN PENAL CODE.
* WORKED FROM 1988 TO 1990 AS ASSISTANT AND MAIN PROSECUTOR IN CASES INVOLVING LARGE CRIMES AGAINST THE ENVIRONMENT IN GUARUJÁ AND CUBATÃO (BOTH CITIES LOCATED ON SEASIDE OF SÃO PAULO).
* WORKED FROM 1994 TO 1996 AS ASSESSOR/CONSULTANT TO THE GENERAL PROSECUTOR OF SÃO PAULO STATE, IN CASES INVOLVING POLITICAL AND CORRUPTION CRIMES COMMITTED BY MAYORS.
* WORKED FROM 2001 TO 2002 AS A MEMBER OF THE SPECIALIZED GROUP OF PROSECUTORS DESIGNED TO ASSIST THE GENERAL PROSECUTOR OF SÃO PAULO IN CASES OF TAX LAW CRIME COMMITTED IN SÃO PAULO-CAPITAL.
* WORKING AS AN ASSISTANT PROSECUTOR IN APPEALS HELD BY THE STATE COURT OF CRIMINAL APPEALS OF SÃO PAULO (“TRIBUNAL DE ALÇADA CRIMINAL DE SÃO PAULO”).

**OTHER ABILITIES**

* PROFICIENCY IN ENGLISH - “CERTIFICATE PRE-ADVANCED”, AWARDED BY THE HAMSTEAD ENGLISH SCHOOL – LONDON/ENGLAND.
* PROFICIENCY IN SPANISH - “HIGH GRADUATION” (DELE) AWARDED BY THE EDUCATION MINISTRY OF SPAIN IN 2000 AFTER EXAMINATION IN MADRID/SPAIN.
* EXCELLENT ANALYTICAL AND COMPUTER SKILLS - HARDWARE (PERSONAL COMPUTERS) AND SOFTWARE (WINWORD/MICROSOFT OFFICE).