GARRIGUES



Eduardo Torres-Dulce

Of counsel

Madrid

Abogado colegiado nº 27.220

I. Colegio de la Abogacía de Madrid

Plaza de Colón, 2

28046 Madrid (Spain)

Tel: +34 91 514 52 00

Fax: +34 91 399 24 08

Criminal Law and Internal Investigations

Eduardo Torres-Dulce has been an of counsel at Garrigues since 2015. He became a full member of the Spanish Royal Academy of Jurisprudence and Legislation in 2022.

Torres-Dulce is a key figure in the field of criminal liability of legal entities and economic criminal law. At Garrigues, he provides advice and issues legal opinions on matters relating to economic criminal law.

After graduating from Universidad Complutense de Madrid, in 1975 he passed the competitive examination for the Judicial College and opted for a career in the prosecution service. He has held the positions of Court Prosecutor with the Supreme Court and Head of the Criminal Law Panel, Member of the Council of Prosecutors and Court Prosecutor with the Constitutional Court, among others. He was Chief Public Prosecutor from 2012 to 2014.

Economic criminal law forms the core of his academic work and teaching activities, both on programs created by him (such as the Economic Criminal Law module at Instituto de Empresa and the ICADE School of Legal Practice) and at the centers where he teaches classes (CEU Luis Vives, Universidad Autónoma, Escuela Judicial de Barcelona, Centro de Estudios Jurídicos de Madrid, etc).

Experience

Eduardo Torres-Dulce has been a public prosecutor since he passed the state examination in 1975, having worked in the Public Prosecutor’s Offices in Seville, Guadalajara (Deputy Chief Public Prosecutor) and Madrid and in the Public Prosecutor’s Office at the Constitutional Court. In September 1996, he was appointed Public Prosecutor in the Supreme Court Chamber and Chief Public Prosecutor of the Technical Secretariat of the Central Public Prosecutor’s Office, a position which he held until 2000 when he was appointed Chief Public Prosecutor of the Criminal Law Chamber of the Court. He held this position until 2005, when he returned to the Public Prosecutor’s Office at the Constitutional Court, where he remained until being appointed Chief Public Prosecutor in January 2012, a position from which he resigned in December 2014, returning to his previous job as Public Prosecutor with the Constitutional Court. On September 1, 2015, he requested a sabbatical from his career as a Public Prosecutor and accepted Garrigues’ offer to work as Of Counsel with the firm in the Litigation and Arbitration Department, with a special emphasis on criminal law.

While Chief Public Prosecutor, he was appointed as a Member ex officio of the Council of State, during which time he participated in the latter's plenary sessions.

Similarly, during his term as Chief Public Prosecutor, he has participated and intervened in international forums such as the Assemblies of the AIAMP and the Ibero-American Association of Public Prosecutors, as well as in the Consultative Forums of European Public Prosecutors organized in cooperation with Eurojust, and in the Nadal Network with the same individuals.

As a public prosecutor, he was chosen for three terms by direct election by other public prosecutors as Member of the Council of Public Prosecutors (Consejo Fiscal) and among the different reports and opinions with respect to positions that are freely elected within the profession as public prosecutor, in his first term as Member of the Council of Public Prosecutors he collaborated on the publication of the first White Paper of the Public Prosecutor's Office that was published by the Ministry of Justice in 1997. In the same way, as Chief Public Prosecutor he encouraged the preparation of a new White Paper of the Public Prosecutor's Office which was published in 2013. In addition, under his direction the Technical Secretariat prepared the publication by the Official Gazette of the compilation of all Circulars, Consultations and Instructions issued by the Chief Public Prosecutor from the time of the official publication of the Annual Reports that are presented to the King in the opening ceremony of the judicial year.

He has also been involved in pre-legislative tasks and was appointed member of the Procedural Law Reform Commission in the 1980s.

One of the things that Eduardo has tried to combine with his duties as a Public Prosecutor has been the teaching of law. Thus, he has held the position of guest lecturer in Criminal Law at CEU Luis Vives, attached to the Law Faculty of the Universidad Autónoma since the end of the 1970s to the mid-1980s. Similarly, at the beginning of the 1980s he created and taught the subject of Economic Criminal Law at the Instituto de Empresa. In the mid-1980s, under the guidance of Enrique Ruiz-Vadillo, he helped set up the Escuela de Práctica Jurídica at ICADE, being appointed lecturer in the Practice of Criminal Procedure until the School ceased to exist at the end of the 1990s. In the mid-1980s, he also created, directed and was lecturer in the Department of Motoring Criminal Law in the university degree in Insurance Science set up by MAPFRE, at the Universidad Pontificia, Salamanca. He returned to the Law Faculty of the Universidad Autónoma, Madrid, teaching in the Criminal Law Department on the Practical Legal Studies Course set up by the latter.

He has also taught at the Escuela Judicial in Barcelona and at the Centro de Estudios Jurídicos in Madrid, especially in the courses for the training of judges and public prosecutors that have entered these careers by passing a public examination.

He is the holder of the Gran Cruz de San Raimundo de Peñafort.

He has been a Full Member of the Spanish Royal Academy of Jurisprudence and Legislation since November 2022.

Academic background

Degree in Law, Universidad Complutense, Madrid (1972).

Publications

Among his many publications, particularly noteworthy is his contribution, as co-author, to the various editions of Commentaries on the Criminal Code and on the Organic Law of the Constitutional Court, both published by Colex. He has also co-authored commentaries on the Spanish Constitution with respect to article 124 relating to the Public Prosecutor's Office, coordinated by Mª Emilia Casas and Miguel Rodríguez-Piñero and published by La Ley. Co-author of the chapter on The Public Prosecutor in The Jurist's Trade, coordinated by Luis Mª Díaz-Picazo and published by Siglo XXI.

He has participated in a great many conferences and seminars, in turn giving rise to various publications and offprints, notably speaking on the 2015 Reform of the Criminal Code at the Faculty of Law of Universidad de Valencia and the Valencia Bar Association, on the Idea of Justice in the Spanish Constitution at the Faculty of Law of Universidad Francisco de Vitoria, and on the Criminal Liability of Legal Entities in the 2015 Reform of the Criminal Code at Fundación Ramón Areces, also published in issue 13 of the Foundation's Journal.

He is a member of the Editorial Board of La Ley, part of the Wolters-Kluwer group, as well as of the Editorial Board of the Abogados Journal published by the General Council of the Spanish Legal Profession. He is also a member of a working group at Círculo de Empresarios which is currently preparing a document on Justice Reform.