

Propinoduto (Principal - Agent) / Rodrigo Silveirinha Correa Case

Case ID:

ARW-157

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Brazil

Position of Public Official(s) (yrs in office):

Deputy Head of Tax Collection Office, Tax Officials (1990s, exact years unspecified)

Jurisdiction of Asset Recovery:

Switzerland

Jurisdiction of Asset Recovery ? Description:

Location of Recovery Effort, Asset Location / Alleged Asset Location

Asset Recovery Start:

2002

Asset Recovery End:

Ongoing

UNCAC Offenses Implicated:

Art.19

Money laundering Implicated:

No

Legal Basis for Asset Recovery:

Actions Initiated by Foreign Jurisdiction

Intl.Cooperation: MLAT/Letter of Request?:

Unknown

Basis for Intl Cooperation:

Cooperation in investigation but mechanism unknown

Status of Asset Recovery :

Ongoing

Stage in Asset Recovery Chain:

On Appeal

Agreement for Returned Assets:

Unknown

Agreement for Returned Assets - Description:

Unspecified

Case Summary:

According to the 2011 U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs' International Narcotics Control Strategy Report, \$30 million was repatriated from Switzerland to Brazil in the Propinoduto case. (Source: U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs' International Narcotics Control Strategy Report, Vol. I (March 2011), at 154.) According to a Brazillian Justice Ministry statement, on November 26, 2009, the Brazilian Justice Minister announced that Switzerland had agreed to return \$30 million to Brazil, and the only remaining issue was what tools of repatriation (bilateral convention or Merida treaty) but hoped to have money in Brazilian treasury by 2010. (Source: Noticias, Lavagem de Dinheiro, Ministerio da Justica, Brasil,

"Brasil consegue repatriacao de cerca de U.S. \$30 milhoes na Suica," November 26, 2009.) According to the press announcement, the investigation of the "Propinoduto" case began about 2003 and culminated in the conviction of several people who allegedly received kickbacks from companies in exchange for tax benefits. The Brazilian government opened investigations after detecting suspicious deposits in Swiss banks belonging to tax officials assigned to the Tax Administration of Rio de Janeiro. The money will be returned to the coffers of the Union, with the possibility of it being passed on to the government of Rio de Janeiro, according to the Ministry announcement.

Disposition of Criminal Case(s):

According to the International Centre for Asset Recovery's Case Study on Mr. Correa's case, he was convicted in Brazil of criminal charges related to the Propinoduto case. (Source: "Rodrigo Silveirinha Correa" Case Study, at <http://www.assetrecovery.org/kc/node/bb4181b0-f78b-11dd-aec1-9dfae7b42ba1.1>.)

Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):

State Prosecutor, State of Rio de Janeiro

Jurisdiction of Origin: Courts Involved:

Superior Court of Justice, 6th Chamber

Jurisdiction of Asset Recovery: Investigative Agency:

Ministry of Justice, Department of Asset Recovery and International Legal Cooperation

Documents:

Propinoduto_Five_Swiss_Bankers_Associated_Press_Tribune_Sep_18_2008.pdf

Propinoduto_Switzerland_Repatriation_Nov_26_2009.pdf

Propinoduto_US_State_Department_Intl_Narcotics_Control_Rept_Brazil_Mar_2011.pdf

Documents Links:

Other Sources:

Noticias, Lavagem de Dinheiro, Ministerio da Justica, Brasil, "Brasil consegue repatriacao de cerca de U.S. \$30 milhoes na Suica," last accessed October 1, 2010 at <http://portal.mj.gov.br/data/Pages/MJ7FABCBFCITEMID8A1481F26CDD463488D2B...> U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs' International Narcotics Control Strategy Report, Vol. I (March 2011), at 154, accessed at <http://www.state.gov/documents/organization/156575.pdf>. Gabriella Broggi, "5 Swiss bankers convicted in Brazil money case," Associated Press, Sept. 18, 2008, in "Rodrigo Silveirinha Correa" Case Study by International Centre for Asset Recovery', at <http://www.assetrecovery.org/kc/node/bb4181b0-f78b-11dd-aec1-9dfae7b42ba1.1>.