USD 4.8 m returned to Brazil

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Bern. In response to a request for mutual legal assistance, Switzerland is today returning assets worth around USD 4.8 million to Brazil. These are funds embezzled by former Brazilian judge Nicolau Dos Santos Neto and his wife.

The judicial authorities in Geneva froze the assets as part of criminal proceedings which began in 1999, and in response to a request for mutual legal assistance filed by Brazil in 2000. Nicolau Dos Santos Neto, the former President of the Regional Labour Tribunal of Sao Paulo, was convicted in two separate trials in Brazil of money laundering, misappropriating public funds, accepting bribes, and fraud. Money earmarked for the construction of a new court building was diverted by Dos Santos Neto to an account in Geneva.

Following criminal proceedings in Switzerland, on 13 January 2010 the Geneva Cantonal Police Court ordered that the assets brought to Switzerland by the former judge be seized. Nicolau Dos Santos Neto and his wife subsequently appealed the decision to the Federal Supreme Court. However, in its 21 August 2012 ruling, the Supreme Court upheld the decisions of the courts of lower instance, clearing the way for the funds to be returned to Brazil.

The sum of USD 4.8 million has now been transferred to the Federative Republic of Brazil. The Federal Supreme Court also ordered that Nicolau Dos Santos Neto should pay a replacement value of USD 2.1 million to Brazil.

Contact / questions
Ingrid Ryser, Federal Office of Justice, T +41 31 322 48 48, Contact
Yves Bertossa, Office of the Public Prosecutor, T +41 22 327 64 64