



MINISTÉRIO DA JUSTIÇA E SEGURANÇA PÚBLICA UNINDO FORÇAS COM ESTADOS E O DISTRITO FEDERAL

MINISTÉRIO DA
JUSTIÇA E
SEGURANÇA PÚBLICA





THE CENTRAL AUTHORITY OF BRAZIL

“LEGAL AND PRACTICAL CONSIDERATIONS REGARDING INDICATIVE EXTRADITION ISSUES IN THE LIGHT OF THE ANTICIPATED WORK UNDER THE MECHANISM FOR REVIEW OF THE IMPLEMENTATION OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND THE PROTOCOLS THERETO”

**WORKING GROUP ON INTERNATIONAL COOPERATION
VIENNA, JUNE 5 AND 6 2024**



THE BRAZILIAN CENTRAL AUTHORITY IS:
THE DEPARTMENT OF ASSETS RECOVERY AND INTERNATIONAL LEGAL COOPERATION
(DEPARTAMENTO DE RECUPERAÇÃO DE ATIVOS E COOPERAÇÃO JURÍDICA INTERNACIONAL – DRCI)

EXECUTIVE BRANCH

JUDICIAL BRANCH

PARLIAMENT

MINISTRY OF JUSTICE AND PUBLIC SECURITY



NATIONAL SECRETARIAT OF JUSTICE



**DEPARTMENT OF ASSETS RECOVERY AND
INTERNATIONAL LEGAL COOPERATION**

(DRCI)

IN A NUTSHELL:

DRCI IS THE **CENTRAL AUTHORITY** FOR EVERY REQUEST REGARDING **CIVIL, ADMINISTRATIVE, CRIMINAL, EXTRADITION OR TRANSFER OF SENTENCED PERSONS**

UNITS THAT FORM THE BRAZILIAN CENTRAL AUTHORITY (DRCI):

DIRECTOR

- GENERAL-COORDINATION FOR COOPERATION IN CRIMINAL MATTERS;
 - (COORDINATION OF ASSETS RECOVERY)
- GENERAL-COORDINATION FOR COOPERATION IN CIVIL MATTERS;
- GENERAL-COORDINATION FOR EXTRADITION AND TRANSFER OF SENTENCED PERSONS;
- GENERAL-COORDINATION FOR TREATIES AND INTERNATIONAL FORA;
- GENERAL-COORDINATION FOR INSTITUTIONAL ARTICULATION;
- GENERAL-COORDINATION FOR ADOPTION AND INTERNATIONAL ABDUCTION.

A light blue world map with white lines connecting various points across the globe, representing a global network or extradition process. The map is centered on the Atlantic Ocean.

THE BRAZILIAN PROCEDURE

EXTRADITION



OUTGOING EXTRADITION REQUEST



A light blue world map with white lines connecting various points across the continents, symbolizing global connectivity and international cooperation. The map is centered on the Atlantic Ocean.

**OTHER KINDS OF INTERNATIONAL LEGAL COOPERATION
THAT CAN BE USED WHEN EXTRADITION IS NOT POSSIBLE**

**TRANSFER OF PROCEEDINGS; AND
TRANSFER OF THE ENFORCEMENT OF THE SENTENCE.**

EXTRADITION ISSUES FOR DISCUSSION

- **MORE THAN ONE EXTRADITION REQUEST FOR THE SAME PERSON;**
- **DUAL NATIONALITY OF INDIVIDUALS FACING AN EXTRADITION REQUEST;**
- **DETENTION CONDITIONS AND THEIR IMPACT ON THE EXTRADITION REQUEST.**

RECOMMENDATIONS

- **State Parties should consider including alternative measures to extradition in their national legal frameworks such as temporary surrender, transfer of proceedings and transfer of enforcement of the sentence in order to grant more than only one of the concurrent extradition requests;**
- **State Parties should also include these measures in their domestic law in order to comply with the ‘aut dedere aut judicare’ principle and to avoid impunity;**
- **In order to observe non-refoulement international obligations, there must be a clear and effective exchange of information between the requested and the requesting State in order to fulfill legal requirements and assurances, based not on general legislative and structural measures but on the detention conditions of each particular case.**



THANK YOU!

RODRIGO ANTONIO GONZAGA SAGASTUME

GENERAL-COORDINATOR FOR EXTRADITION AND TRANSFER OF SENTENCED PERSONS

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