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Data: 20/02/2019

Versão: Online

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## Brazilian lawyers react to Sérgio Moro's replacement

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Brazilian practitioners have said that Luiz Antônio Bonat, who will replace Sérgio Moro as the new judge in charge of Operation Car Wash, will be just as tough as his predecessor, but more discreet.

[In a statement on 8 February](#), Brazil's Administrative Council of the Federal Regional Court of the 4th Region (TRF) announced that Bonat, 64, will assume the post left by Moro as

a judge in the 13th Federal Court of Curitiba at the beginning of March. Bonat is currently a judge in the 21st Federal Court of Paraná and specialises in social security matters.

In his new role, Bonat will oversee Operation Car Wash, the sprawling investigation into corruption tied to Brazil's state-controlled oil company Petrobras, which Moro had been in charge of since it began in 2014. Moro became Brazil's [new justice and public security minister in January](#).

Before taking up his new role in March, Bonat will temporarily replace federal judge Fernando Quadros da Silva in the Supplementary Court of Paraná until 19 February, according to the 8 February statement.

Bonat was selected for the role according to the TRF's internal process, which selects from the most senior judges. In January, the TRF [put Bonat and the names of four other senior judges forward to potentially replace Moro](#) and gave them a two-day deadline to withdraw from the running. Bonat, having been a federal judge for 25 years, was selected because of his seniority, the TRF said in the 8 February statement. The 232 federal judges who work under the TRF could have disputed this selection, [according to reports](#).

Isabel Franco at Koury Lopes Advogados in São Paulo questioned TRF's decision to select Bonat because of his seniority, especially in light of Operation Car Wash's significance. Franco said that the TRF should have selected a judge that has handled money laundering and corruption cases instead. "It might have been useful to seek a judge with more experience in these areas," she said.

### Who is Bonat?

Though Bonat has spent most of the past few years working on public security cases, he also has experience working on other matters.

As a judge at the Federal Court of Criciúma in 2002, Bonat [fined engineering company J Bez Batti Engenharia 10,000 reais](#) (\$2,700) for extracting sand in an ecological site without government authority. J Bez Batti Engenharia was the first company in Brazil to be held criminally liable for violating environmental laws. Bonat also presided over the trials of several individuals tied to the [2003 Banestado tax evasion scandal](#), where approximately \$30 billion was sent to the US in illegal remittances.

Not much is known about what Bonat was like when he oversaw the Banestado case; however, [João Daniel Rassi](#) at [Siqueira Castro Advogados](#) in São Paulo said that public officials who worked with Bonat on other criminal cases emphasised his determination in combating corruption and described him as a “hard-line” judge.

Eduardo Reale Ferrari at Reale e Moreira Porto Advogados Associados in São Paulo said that Bonat’s past work shows he is a “technical and low-profile judge”. Ferrari also said that the senior judge has the “correct attitude” towards investigations and that he “always follows the law and tries to reach a fair decision”.

### **How will Moro and Bonat differ?**

Moro became a federal judge in 2002 and spent the majority of his career overseeing high-profile financial crime cases in direct contrast to Bonat, who has presided over public security cases for the majority of his tenure. Notwithstanding, lawyers said they expect Bonat to be just as aggressive as Moro in investigating corruption cases, though they said it is too early to tell.

And there is evidence for this. In [a book Bonat co-authored in 2007](#), he describes corruption as a serious problem requiring “high enforcement” and “strong cooperation” among enforcement authorities in different jurisdictions.

Rogério Fernando Taffarello at Mattos Filho in São Paulo said that he therefore expects Bonat to have a tough approach on white-collar investigations and for Operation Car Wash to continue in the same way it did under Moro, echoing what lawyers told GIR [when news that the federal judge was set to become Brazil's new justice minister first became public](#). Though he expects continuity, Taffarello said he hopes the new Operation Car Wash judge will apply the law with judicial independence and with a “careful look” at the applicable constitutional rights of the relevant individuals and companies. Moro was [previously reprimanded by Supreme Court judges](#) for overstepping his powers.

Moro and Bonat also [share an admiration for the same man](#) – Italian prosecutor Giovanni Falcone. Falcone spent most of life trying to [overthrow the Sicilian mafia](#). He was assassinated in 1992.

But Moro and Bonat differ in other ways. Unlike Moro, who was dubbed a “media darling” by fellow jurists, lawyers said that Bonat is reluctant to be in the spotlight. Lawyers said that Bonat’s discreetness is a good quality for a judge and would be welcomed by the legal community who often saw Moro as being far too outspoken and media friendly.

### **Expected challenges**

Lawyers said Bonat may feel the pressure to continue the pace of Operation Car Wash. Moro set a very speedy pace for the investigation, which within four years saw 175 people sent to jail.

But Bonat faces other challenges. As Moro's replacement, Bonat will be closely watched by Brazilians. André Gustavo Isola Fonseca from Felsberg Advogados in São Paulo said that Bonat will find it difficult to meet citizen's expectations while ensuring he performs his duties well.

Another challenge Bonat will face is becoming acquainted with the growing number of investigations that Operation Car Wash has spawned. The investigation shows no sign of abating and continues to ensnare some of Brazil's most prominent politicians and companies.

But Taffarello said Bonat's main challenge will be the same as it was for Moro: to correctly apply the law to complex cases without weakening the due process rights of individuals and companies.

<https://globalinvestigationsreview.com/article/1180349/brazilian-lawyers-react-to-sergio-moro%E2%80%99s-replacement>