# Award-winning collaboration: limits and possibilities

GARÇÃO, João Vasconcelos [1]

GARÇÃO, João Vasconcelos – **Award-winning collaboration: limits and possibilities**. Multidisciplinary Core scientific journal of knowledge. Year 1. Vol. 8. pp. 210-227. September 2016. ISSN. 2448-0959

**SUMMARY**

The award-winning collaboration, also known as snitch or tipoff effective, is an Institute of the Criminal and Criminal Procedural Rights, in which, an author of crime that collaborates with justice, with research, and denounces the associates are entitled to receive some benefits. The award-winning collaboration is a means of obtaining evidence for accountability from the top of the hierarchy of the criminal organization. In this study, you can analyze your fitness forward the need to seek effective means of proof regarding this criminal organization, disengage with greater precision the authorship and the materiality of crime and in particular about the role of the public prosecution as holder of the criminal action in their agreements. This article aims to refer on the possibilities and limits of award-winning collaboration, seeking to understand the legal precepts and the problems this issue.

**Keywords:** test, the role of the public prosecutor and the materiality and authorship of the crime.

## 1. INTRODUCTION

The new law of criminal organization brought innovations compared to the legal context, detail the concepts of the investigative instruments and procedures. In 2013, the new law came into effect of criminal organizations (Law: 12,850/13), which dealt with the award-winning collaboration with more details. Hence arises the question whether the new law was sufficient to exhaust all the questions on the topic, the definition, requirements, benefits, the competence and the procedure of the award-winning collaboration.

Nowadays, the Brazilian justice system institutions seek various ways to minimize the negative impact that cause crime in their fellow citizens in order to make it tolerable levels of functional deviation from their public officials, especially those of higher rank.

This scholarly work aims at the study of law. 12,850/13, which deals with criminal organizations in Brazil, means of obtaining evidence, criminal offenses and criminal procedure related to note in this context, as well as observe current reviews found in the doctrine, as the recent sanction of law (02.08.2013), and promoting logical connections between the various articles, including belonging to previous legislation and other laws. From the systematic approach of the elements of law No. 12,850/13 noted that this brought to the legal concepts, boundaries and clarifications about the possibilities of Government action in combating organized crime in the country.

This study on the law. 12,850/13, which deals with criminal organizations in Brazil, aims to build a systematic analysis of this, considering that its sanction implies directly in conceptual character more

practical news geared to the action of the powers of the State in defense of public safety.

Noting recent criticisms found in the doctrine and promoting logical connections between the various articles, including belonging to previous legislation, it was realized that the new legal text is of paramount importance to the investigatory and procedural also action, where does the work of police officers and Prosecutor.

First, it will be a brief legal context of the national legislation that had this theme as its main focus. Then, based on the comments, as the new law of criminal organizations is structured.

Search with the contents of this work, allow the critical analysis of recent legislation and thus see which paths that can be pinched by the work of agents of the State for the sake of public safety.

The scope of this study is to analyse and contextualise some of the devices found in the award-winning collaboration Institute, notably found in current Federal law nº 12,850/2013, which deals with criminal organizations. In particular, the award-winning collaboration Institute, formerly named snitch, and its role in criminal proceedings. The award-winning collaboration has been used on a large scale today, as a means of discovery of new evidence, the understanding of the modus operandi of criminal organizations, and the criminality of new elements, especially the heads of the structure of the organization.

The strand article, based on rule of law prevailing legal, notably, in Federal law 12,850/13, versa, specifically, in spite of the award-winning Collaboration and its developments: Evidence, the **role of the public prosecutor and the materiality and authorship of the crim**e.

## 2. ANALYSIS of the AWARD-WINNING COLLABORATION the LAW: 12,850/13

The judge, at the request of the parties and in compliance with the legal requirements, can grant legal forgiveness, reduced sentence or replacement by restrictive rights penalty if the defendant employee contribute effectively and voluntarily with the investigation and criminal prosecution (art. 4 of the Law of criminal organization).

This device is the same tuning fork of law No. 9,807/99 (law of protection of victims, witnesses and accused collaborators) as regards requirements for the granting of the benefit, taking into account, in any case, the personality of the employee, the nature, circumstances, gravity and the social impact of the criminal suit and the effectiveness of cooperation. In addition, the developer's rights were also configured as this law.

As a result of the effectiveness of collaboration expected one or more of those listed in the items of art. Fourth, they are: the identification of the other co-authors and participants of criminal organization and criminal offences committed by them; the revelation of the hierarchical structure and Division of tasks of the criminal organization; the prevention of criminal offenses arising out of the activities of the criminal organization; the total or partial recovery of product or advantage of criminal infractions committed by the criminal organization; the location of any victim with their physical integrity preserved. These are the requirements for collaboration be considered useful and effective from the point of view of research and process.

It is noteworthy that no enforceable judgment will be rendered exclusively on the basis of statements made by the defendant, as provided for in art. Fourth, paragraph 16, of the Act.

With respect to the right to silence guaranteed constitutionally have the developer's statements did not constitute waiver of such a right, the statements are required and given from voluntary action, facts that the chance of waiver to the right, after all the defendant developer assumed a form of witness to be your information.

## 3. THE EVIDENTIARY PROCEDURE

Meets examine, preliminarily, the concept of evidence, which can be defined as an instrument through which the judge form its conviction regarding the occurrence or inocorrência of the facts at issue in the process.

The evidentiary procedure, in turn, can be defined as an activity composed of a set of successive and coordinated acts, whereby the judge seeks to reconstitute the facts reported in the process by the parties.

According to Guilherme de Souza Nucci-11th Edition – fl. 1,021, ***in verbis***:

*"Evidential issues consists of five distinct periods:*

*-Taking of evidence consisting in search of evidence;*

*-Filing of proof by which indicates the magistrate the means of evidence used by the parties;*

*-Admission of consistent evidence in granting or not, by the judge, the evidence presented;*

*– Production of proof that is configured as the means by which the object of the race is introduced in the process;*

*– Assessment of evidence whereby the judge evaluates the evidence. ”*

## 3.1. VALUATION OF PROOF IN PROCEEDINGS RELATING TO THE AWARD-WINNING COLLABORATION

As can be seen, by analyzing the statements incriminating the corréu, it should be noted that the defendant did not pay the commitment to telling the truth in his questioning and are in situation of beneficiary, beneficiary may be procedural.

In line with the accepted, the magistrate shall consider the following elements to the valuation of this evidence: the truth of the confession, the absence of hatred in any of the demonstrations, the homogeneity and consistency of their statements, the lack of purpose to mitigate or even eliminate his own criminal

liability and the confirmation of the collaboration by other evidence.

Should the judge consider, on valuation of the statement provided by protected person, the following assumptions:

-If the directions didn't fool the witness;

-If the witness not to trick the mind.

In relation to perception and the transmission of the notice, should be analysed the development and quality of the mental faculties of the witness, the functioning of the senses of the witnesses, the conditions in which produced the perception, under physical and psychological plan, the characteristics of the object perceived, perceptions of time, distance and volume, in addition to the conditions of transmission of the notice.

Regarding the sincerity of the statement, it should be noted the presence or not of any interest that may influence conscious or unconscious on the will of the deponent, the existence of dubious reports and individual consideration of each witness.

The valuation of police testimony, in turn, must meet two elements: the lack of interest in warding off possible unlawfulness in their endeavours and proof of your statement by other evidence, unless it is impossible to do so. Such requirements must be observed due to the possibility of the fear the investigation influence the impartiality of the words of the officers involved.

Maintain that, in recent years, in proceedings for determination of organized crime, a marked tendency regarding the valuation of circumstantial evidence.

The first of the requirements to be considered by the judge is the sure existence of fact indiciante. The second, deals with the exclusion of chance, because there is the possibility of a false connection between the evidence and the fact determined, the judge must substantiate their persuasion. Yet, one has the chance of tampering of the fact. You also need to pay attention to the analysis of the lack of evidence. Finally, the judge must consider the existence of causal link between the fact and the indicated, the plurality of indicia and the convergence or agreement of these.

## 4. THE AGREEMENT MADE WITH THE PROSECUTOR

According to the law/12,850 13, art. 4th and following the representatives of the public prosecution service must meet the following requirements for the submission of the agreements:

1-Willingness of the dev-compelling initiative is the need of the State agents to respect the free will of the investigated in relation to a possible tipoff in the pre-trial discovery phase.

2-Relevance of the statements of the investigated-must keep a causal link with the positive results produced in the ongoing criminal investigation.

3-cooperation made effectively-the accused need to collaborate permanently with the authorities, putting

himself entirely at your disposal for the elucidation of the facts investigated.

4-Developer's Personality, nature, severity and social repercussion of the criminal suit are compatible with the Institute.

Register that the proposal for the application of the award-winning collaboration should be reserved for a subject that develop similar functions to those today developed by prosecutors in criminal proceedings.

**4.1 – ENTITLEMENT to the AWARD-WINNING COLLABORATION AGREEMENT**

The legal competence to undertake on behalf of the State in the award-winning collaboration agreement is only the Public Ministry (MP), although subject to judicial control. This stems from the fact that, according to the Constitution, the constitutional competence to promote (or) criminal action against anyone. This jurisdiction is provided for in article 129, paragraph I, of the Constitution, according to which the institutional function of the Public Ministry is "to promote, privately, the public prosecution, in accordance with the law".

Consequently, only who can present the Judiciary prosecution against someone and ask for the enforcement of the penalty is who can also ask that the penalty be applied or not to be, to a lesser extent, due to the award-winning collaboration agreement.

The police and other investigative bodies (such as the parliamentary committees of inquiry (Pics) and administrative bodies which process possibly criminal facts, like the recipe, environmental agencies, courts of Auditors etc.) do not have legal authorization to settle snitch for the same reasons above exposed. If the police and these bodies do not have the task of promoting a prosecution, cannot commit to granting advantages to the developer.

The unique legitimacy of the Public Ministry to formalize collaboration agreement awarded stems also from the simple fact that, if the agreement was signed with the rat by another public entity and the MP didn't agree with him, this could render the Snitch without taking into account the advantages it offered. In addition, as the prosecution is the author of criminal action and as the evidence gathered by the police and other investigative bodies are meant primarily to the MP, it is he who must evaluate the usefulness of the information of the rat and the relevance of them for clarification of the facts.

This does not mean that the police and those organs have no important role in the panorama of award-winning collaboration. On the contrary, in ideal conditions, police and Prosecutors must work together in order to gather as much evidence as possible for the clarification of crimes. The police can help locate possible collaborator, helping to persuade him to perform the tipoff (through proof of his involvement in the offense) and, above all, should collaborate in the discovery of other evidence to confirm and secure the information provided by the informer. In different ways, the same applies to other public agencies that can uncover the crimes. Everyone must act in order to defend the harmonic society, in obedience to the laws.

Therefore, the law lays down in 2013/12,850 art. 4, paragraph 6, that the negotiation of cooperation with the investigation and his lawyer may have the participation of police and Prosecutors.

The law 12,850/2013 confirms this understanding, to provide that the award-winning collaboration will be brought to the judge's analysis "at the request of the parties" (art.. 4), and only the Prosecutor is a party to the criminal proceedings against the accused. Paragraph 2 of this article allows the police propose the application of the benefits of collaboration to the judge, but the proposal (which the law calls "representation") must be approved by prosecutors.

It should be stressed, the role of the MP in the award-winning collaboration is fruitful and indispensable.

## 4.2. THE ROLE OF THE PUBLIC PROSECUTION SERVICE-MP IN THE AWARD-WINNING COLLABORATION AGREEMENTS

Award-winning collaboration, here is the hot topic. Although it may be analyzed under different perspectives, now search check the limits of action of prosecution and defence in the context of the award-winning collaboration for the purpose of combating criminal organization, prepared in the law No. 12,850/2013.

The Institute is planned between articles 4 and 7 of the Act. It is, in the words of Ronaldo Batista pinto (2013, P. 25), the "(...) possibility that holds the offender to obtain judicial pardon or reduction of sentence (or its replacement), since that effectively and volunteer, assist in obtaining the results laid down in law ".

Although several issues of law nº. 12,850/2013 can be object of criticism, there's no denying his effort in bringing a more detailed bill when it comes to the subject of the award-winning collaboration (with regard to form and content), with the forecast of a section devoted to the topic.

So undeniable that all statutory snitch, the most complete and detailed is the Law of criminal organizations (paragraph. 12,850/13, arts. 4 to 6).

The legitimized for the award-winning collaboration agreement are set out in article 4, paragraph 6, of law No.. 12,850/2013.

The judge will not participate in the negotiations between the parties for the formalization of the collaboration agreement, which will take place between the Chief of police, investigated and the Defender with the manifestation of the public prosecution, or, as the case may be, between the Prosecutor and the investigation or accused and his advocate.

Still, the cited standards have on the chances of tipoff and its major consequences, but little or nothing feature about the form of negotiation, its participants and limits. Hence the difficulties encountered by both the prosecution and the defense when their performance practice in negotiating agreements for formalization of the collaboration agreement awarded.

As for the defense, the first to be made with respect to interest itself in the conclusion of the agreement, explaining to the accused. Once confirmed the mentioned interest, it is understood that his performance in key negotiations with the Prosecutor as to the terms of the deal to be concluded.

In this sense, David Teixeira de Azevedo (1999, p. 7) teaches:

*"Meets, but the lawyer to choose the best means and the most formidable defense exercise modes of customer, taking care to apply all your training, talent, intelligence and legal knowledge – all the more so in the case of tipoff – that the collaboration agreement is as clear, strict and limited as possible, and approved in order to bind the signatories and the judicial authority that the ratification ensuring the benefits legally, in its better and more extended expression. "*

The prosecution, for its part, must also analyze interest in the conclusion of the agreement, especially the results that can be obtained for criminal prosecution with the effectuation of the award-winning collaboration. It should also restrict its use to those severe cases and, so as not to trivialize the application of the Institute.

= With the disclosure of the agreements concluded in the framework of the so-called "operation Carwash", one of the provisions has called enough attention, to relate to the "waiver" lifting material on competence and nullities. By way of example, let's take a look at the below clause of the contract ' operation car wash "– fl. 09, ***in verbis***:

"Clause 12-09 sheet-the AWARD-WINNING COLLABORATION of PAULO ROBERTO COSTA (CAR WASH). The defense will waive all habeas corpus impetrados within 48 hours, giving up exercise also of procedural defenses, including discussions about competence and nullities. ”

Arises, then the second question, would it be possible prosecution and defense chancelarem the "resignation" of such rights? Would be such matters within the scope of discretion of the developer?

To answer such a question, the doctrine has about the nullities, and it is important to differentiate between relative and absolute nullity proceedings:

As a rule of absolute nullity proceedings, the gravity of the atypical challenges presented during proceedings leading to the annulment of the Act, regardless of any claim of the party concerned, and can be recognized by the judge ex officio or in any degree of jurisdiction. Being alleged by the party, does not require demonstration of prejudice, are manifest or assumed, as some prefer. The examples usually lead to the violation of constitutional principles, especially the right of defence and the contradictory. In this line, is null the process without defender; the absence of a closing argument (or of the oral debates); When conflict occurs between theses different defendants, but with the same Attorney; forensics made by a single unofficial expert etc. Also enters the field of absolute nullity proceedings the sentence (and all acts) issued by judge absolutely incompetent.

Specifically about the absolute nullities, Julius Fabbrini Mirabete (2008, p. 57). Explains*: (...) Are characteristics of absolute nullity proceedings: a) either party may was intending to them, regardless of whether or not interest; b) judge himself should declare them, regardless of provocation; c) are insanáveis; d) Parties may not have them.*

In this way, the only way to make such a clause is penal procedural theory away from its application with respect to matters of public policy that are outside the scope of discretion of the developer.

In fact, astonishing that the prosecutors, tax law, also seek the conclusion of clause as seen above.

In that sense, it's the law the limit of the defense and the prosecution, should consider the entire carcase ever built by doctrine. The non-observance of these precepts is unacceptable and should not lead to their approval by the magistrate or later invalidation of the agreement so concluded by the judiciary.

**5-the importance of collaboration in CLARIFICATION of the authorship and MATERIALITY**

The award-winning collaboration Institute, currently laid down in article 4, "caput" and following Federal law, 12,850 August 2, 2013 is the result of an undeniable ripening by the legislator, infra, by recognizing that the "persecutor State alone, is unable to unravel the circumstances, materiality or the authorship of some criminal offences, in particular those related to organised crime.

This is not now, because as better doctrine, already existed in the homeland planning, other institutes, such as the Snitch, provided for in a number of special laws, which always sought to ameliorate the sanction to be assigned to staff members who voluntarily help the state judge in resolving certain conflicts.

However, what we see with the institution of the award-winning collaboration, is actually a qualification to the snitch. This is because, as legal provision, the award-winning collaboration, depending on the situation, you may even extinguish the criminality of the rat through the judicial pardon, pursuant to article 107, IX, of the Penal Code, which never before contemplated by doctrine and jurisprudence out homeland.

In this sense, what this article tries to get, is in fact, draw attention to the other colleagues who work in the criminal field, about the importance that should be dispensed to the award-winning collaboration, not only for being an entitlement to the investigated/mostly denounced for extolling the participation of lawyer, giving due and earned value, as a central figure in the realization of agreement before the implementation of the Public Ministry , as well as to the police authority.

You can tell that old idea that the lawyer should at all costs to deny the facts or participation in favor of his client, be retrograde. You see, in a current context of preventive law and responsible, especially in the criminal area, the lawyer, even in case of the duty provided for in article 6, III, of the law 8,078/90 (consumer Code), giving your client, all the tools and possibilities offered by the law, for its effective defense, what ever would mean, miraculous.

So, when the legislator obliges, in all acts, confirmation and implementation of collaboration, participation and legal assistance, as putting the art. Fourth, in its paragraph 15 (fifteen), represents nothing more than a true tribute to art. 133 of the Constitution of the Federative Republic of Brazil, enacted in 1988, which provides for the figure of the lawyer as essential and indispensable to the administration of Justice.

That is in line with what I already had the current Republican Letter, the new law (12,850/13), which deals with the award-winning collaboration, unlike the old snitch, understands clearly that the figure of the lawyer not only represents the best interests of the alleged infringer, but mainly recognizes the legality of the agreement itself, chancelando what to Judge States, represents an exception to duty/obligation to punish.

It is no less, that currently we are witnessing, in various media, the dismantling of criminal organizations, by virtue of the tipoff of a single member, which effectively contributes to the chop shop of "qualified gang", since, with the help of his lawyer, acknowledged the benefit granted by law.

Thus, the award-winning collaboration, might serve to benefit the assisted in various ways, and extinguishing his criminality, reducing the custodial sentence by up to 2/3 (two thirds), replacing it with restrictive of rights, suspending for up to 6 (six) months the deadline for bidding of complaint, or even leave the prosecution to offer it, in total exception to the principle of obligatory governing public criminal actions as explicit art. 4, "caput", §3, paragraph 4 and paragraph 5, of the law that defines criminal organisation and rules on the criminal investigation.

Note that, as the law requires, before that it was the organ of the application of private prosecutors, when observed under the aspect of real "bargain", in order to grant some benefits, among them, his own criminal transaction, provided for in art. 76 of law 9,099/95, today, passing through the sieve of the own investigated, reversing all the "polarity" of the legal relationship.

As well as recognize their entitlement to benefit, grant to the rat, the time and the way to use it, including, if so better understand, deliver fractional way, information to the holder of the prosecution or police authority, according to the proposals, pursuant to art. 4, § 2 and § 6 of the law 13/12,850, configuring, ultimately, true "trading desk".

For all this, one cannot fail to point out, even though succinct manner, about the importance of the figure of the lawyer receives with the edition of the Law 13/12,850, received with new tools that will bring inevitable changes the old conceptions of litigation law firm under criminal, as well as, ressaltarão the role of passing management take over the criminal prosecution barrister in particular the pre-trial discovery phase ", which is nothing more than a positive exception the old adversarial process adopted by the pure systematics, and should be" applauded "by the class of lawyers.

The award-winning collaboration is adopted where the procedure encounters difficulties not only in the research stage, due to the complexity of the crimes, but, especially, because it often is related to the policy, a fact that reinforces the complexity the conduct of police investigations.

The law provides that the whistle-blowers need to identify the other co-authors of the criminal organization and, consequently, the crimes committed by them and need to return the embezzled money. In return, the investigated that collaborates with the relevant information can receive benefits, such as reduced sentence or even a pardon.

It is important to stress that the Institute treated in this article being of utmost relevance to the brazilian society that is experiencing a set of injustices. Thus, this Office should not be trivialized, because it is an effective instrument to combat serious crimes.

It should be noted that the Institute will be valid only after the approval of the Declaration, and since the rat can add relevant information that the authorities did not possess. According to the prosecution, this cooperation will bring information to the process, which the authorities would never have access to or maybe would take time to receive. Having one more peculiarity necessary and extremely important for the society and particularly to effectively bypass the authorship and materiality of the crime.

The Snitch boosted investigations. Whistle-blowers are committed to tell about everything you know about the crimes that took part and also to provide evidence, in addition to the return of funds obtained illegally.

The benefit, would receive a reduced sentence at the end of proceedings in court. Some remained trapped until collaborate and others collaborated with the Snitch even though in freedom. Second reading of newspaper, magazine and television newscast, seems that the main whistle-blowers was the former Director of supply Paulo Roberto Costa, Petrobras, in which described the operation of the corruption scheme and quoted politicians and businessmen involved with deviations. Regarding the resources that had to be returned were approximately $ 26,000,000 and real estate.

Another rat is Nestor Cerveró, former Director of the International area of Petrobras and BR distribuidora, denounces that paid $ 6,000,000 to the President of the Senate Renan Calheiros, and – Senator Jader Barbalho. Also accused the Senator Delcídio Amaral, for which he would have been with other $ 2,000,000, and the banker Andre Esteves, owner of the BTG.

Includes also, Júlio Calderon, who admitted to having paid bribes to keep business with Petrobras, indicating transfers to the PT and the PMDB. This was the first to accuse the Mayor, Eduardo Cunha, received $ 5,000,000.

These are recorded information arising from interpretations of news to newspapers, both read like (television) and notably of readings of dealings with the representative of the public prosecutor and of the court decisions already handed down. Thus, infers, irretorquivelmente, the Office of award-winning collaboration is extremely important in the clarification of the authorship and materiality of the crime.

## 6-FINAL THOUGHTS

Is clear, and even expected, the diversity of opinions on the structure of law doctrines, its legality and even of its constitutionality. The absence of jurisprudence solidified is another element that hampers a safe practice analysis in relation to the concrete effects of the law. However, it is undeniable the wide use of the legislation studied, in an effort for greater clarification and understanding of the structures of the criminal organizations operating in the country. Larger example of law enforcement referred to is in the case of "car wash Operation" conducted by the Federal Court. In this, the Federal Prosecutor and the Federal Police, on several occasions, made use of the award-winning collaboration as a means to reach new

facts and evidence.

It is necessary a meticulous analysis of the law in question, in order to correct possible failures or gaps left by the legislator, in view of the constitutional principles governing criminal proceedings. Anyway, the law of criminal organizations has been a great assist public authorities in combating organized crime, and its improvement is important objective in the fight against crime.

12,850/2013 law was enacted with the purpose of starting the fight against criminal organizations operating in Brazil. In the body of your text is found the definition of criminal organization, in addition to the means of criminal investigation relating to such offences, procedures to be taken and the means of

taking evidence. This last topic is the award-winning collaboration, called snitch by 9,034/1995 law, which was repealed by the one that is the subject of this piece.

The award-winning collaboration has been a means of obtaining evidence in some of the biggest and most relevant criminal actions in process in the country. However, there is still great doctrinal and jurisprudential divergence regarding the proper implementation of the law in the process. This study comes out to meet this need, discussing the doctrine and checking out the points of agreement and contention between authors who so far pored in the study of this legislation. More specifically, the paragraphs were dissected sixth to tenth article of law room, which features on the award-winning collaboration.

The approach to the topic, award-winning collaboration, current and relevant, considering that before the increase of organized crime is highlighted importance and urgency to the study and research on an essential gathering evidence of crimes committed by powerful organizations.

Highlight also that this topic, award-winning collaboration, it is feasible, Yes, emphatically, contributes to the criminal justice system of the effective and rapid response in cases of complex crimes committed by criminal organizations, which often only with the collaboration of corréus and participate it is possible to advance in the clarification of certain crimes.

It is extremely important to analyze the contribution that the competent authorities are reaching through the award-winning collaboration, notably, as evidence and in search of the real truth. An Institute that was initiated by the Philippines and ordinances that came on current media gaining space.

It was through the "operation car wash", already referred to as the biggest case of corruption that Brazil faced, suspicious of people of important imprint and involved with money laundering, fraud in tenders and overpricing. The investigated decided to collaborate with the law, is the possibility of receiving a more lenient sentence or for fear of being arrested pre-emptively for a while. According to Federal Judge Sergio Live, responsible for processes arising from the operation, the award-winning collaborations are the best way to solve financial and business crimes.

In the words of a master: Ronaldo Batista Pinto "award-**winning Collaboration is effective means of evidence and is crime-fighting weapo**n. "Fifth Edition-fl. 18.

## 7-BIBLIOGRAPHY

CUNHA, Roger Sanches. Award-winning collaboration-Comments on the new law on Organized Crime-Law nº 12,850/2013-Ed. Jus Podium, 2nd Edition, 2014.

GRECO'S SON, Vicente. Comments to Criminal Organisation law – Law No. 12,850/13-Vicente Greco Son. -São Paulo: Saraiva, 2014.

Lima, Brazilian Renato. Criminal procedure manual-Single Volume, 2nd Edition .3rd, Salvador, 2014.

NUCCI, Guilherme de Souza. Criminal and procedural criminal laws commented. 8th Ed. Rio de Janeiro: forensics, 2014.

Brazil. Constitution of the Federative Republic of Brazil of 1988.

Decree No. 5,105, of 12 March 2004.

Law No. 7,492, of 16 June 1986

Law No. 8,072, of 25 July 1990.

Law No. 8,137, of 27 December 1990.

Law nº 8,884, of 11 June 1994.

Law No. 9,034, of 3 May 1995.

Law No. 9,080, 19 July 1995.

Law No. 9,269, of 2 April 1996.

Law nº 9,613, of 3 March 1998.

Law No. 9,807, of 13 July 1999.

Law No. 10,149, of 21 December 2000.

Law No. 11,343, of 23 August 2006.

Law n° 12,529, of 30 November 2011.

Law No. 12,683, of 9 July 2012.

**Law No. 12,850, of 2 August 2013.**

OLIVEIRA, Eugenio Pacelli. Course of criminal proceedings. 18. Ed. rev. and ampl. Current. According to the law n° 12,830, 12,850 and 12,878, all of 2013.

[1] Lawyer, post graduate in criminal law and criminal procedure at Universidade Tiradentes. Contact: autor@nucleodoconhecimento.com.br