

[Seal]

29 February 2016
A. J.-MIRE-2016-19374



REPUBLIC OF PANAMA
Ministry of Foreign Relations

PANAMA 4, PANAMA

Dear Prosecutor:

I am pleased to contact you with reference to note PGN-FSAI-3407-15 dated 17 December 2015 by means of which you sent Official Notice No. 11414-15 dated 16 December 2015 by the Special Prosecutor against Organized Crime, requesting the Judicial Authorities of the United States of America to proceed with the Provisional arrest for the Purpose of Extradition of the US (Puerto Rican) citizen **OSCAR IVÁN RIVERA RIVERA**, passport No. [REDACTED], born on [REDACTED] by virtue of a precautionary measure of arrest issued by such investigative agency based on Arrest Warrant No. 052-15 dated 25 August 2015.

Regarding this matter, by way of note NG-16-031 dated 12 February 2016, the Embassy of Panama in Washington sent a Diplomatic Note dated 10 February 2016, based on which the State Department advised that, as of this date, the provisional arrest of Mr. **OSCAR IVÁN RIVERA RIVERA** can not proceed considering that the documentation which was provided lacks sufficient facts connecting the aforementioned person with the charges of money laundering and which provided some suggestions to once again reiterate such request, which we are sending to you in the attached note.

While sending you the referenced note, I would like to take this opportunity to reiterate my consideration.

Yours sincerely,

[Signature]

NADIA MONTENEGRO DE DETRESNO
Deputy General Director of
Legal Affairs and Treaties

To the Honorable Miss
DIGNA M. ATENCIO BONILLA
Senior Prosecutor for International Affairs at
the Office of the Attorney General of the Nation

Attachment: as specified

NMD/ov

PUBLIC MINISTRY
OFFICE OF THE ATTORNEY GENERAL OF THE NATION
Archive and Correspondence

Control No. 1215
Received on this present 3rd day of March 2016
Time: 11:04 AM Via messenger

[Signature]
Received



REPUBLICA DE PANAMA
Ministerio de Relaciones Exteriores

29 de febrero de 2016
A. J. - MIRE-2016-19374

PANAMA 4, PANAMA

Señora Fiscal:

Tengo el agrado de dirigirme a usted, en ocasión de hacer referencia a la nota PGN-FSAI-3407-15 de 17 de diciembre de 2015, mediante la cual remitió el Oficio N°.11414-15 de 16 de diciembre de 2015, de la Fiscalía Especializada Contra la Delincuencia Organizada, con el cual solicita a las Autoridades Judiciales de los Estados Unidos de América, la detención Preventiva con Fines de Extradición del ciudadano estadounidense (puertorriqueño) **OSCAR IVÁN RIVERA RIVERA**, con pasaporte N° [REDACTED], nacido el [REDACTED], en virtud de medida cautelar privativa de libertad dictada por dicha agencia de instrucción mediante Resolución de detención N°.052-15 de 25 de agosto de 2015.

Sobre el particular, mediante nota NG-16-031 de 12 de febrero de 2016, la Embajada de Panamá en Washington remitió la nota diplomática de fecha 10 de febrero de 2016, mediante la cual el Departamento de Estado informó que a la fecha no procede la detención preventiva del señor **OSCAR IVÁN RIVERA RIVERA** toda vez que no encuentran en la documentación aportada, suficientes hechos que ligen al precitado con los cargos de lavado de dinero, y emiten algunas sugerencias para volver a reiterar dicha solicitud, la cual remitimos en la nota adjunta.

Al remitir la nota de la referencia, aprovecho la oportunidad para reiterarle las seguridades de mi consideración.

NADIA MONTENEGRO DE DETRESNO
Subdirectora General de
Asuntos Jurídicos y Tratados

A la Honorable Señora
DIGNA M. ATENCIO BONILLA
Fiscal Superior de Asuntos Internacionales a.i.
Procuraduría General de la Nación

Adj. lo indicado

NMD/ov

MINISTERIO PÚBLICO
PROCURADURÍA GENERAL DE LA NACIÓN
Archivo y Correspondencia
Control N° 1215
Recibido hoy 03 de Marzo del 2016
Hora 11:04 Via minsejerie

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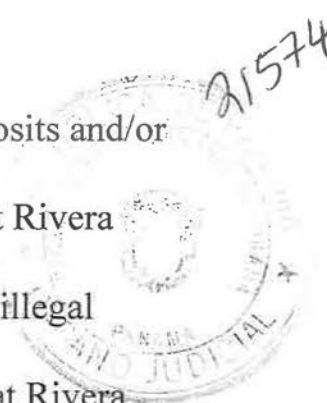


The Department of State refers to Diplomatic Note No. NV-15-079, dated December 21, 2015, from the Embassy of Panama, which requested the provisional arrest for the purpose of extradition of Oscar Ivan Rivera Rivera to stand trial in Panama for the crime of money laundering, in violation of Chapter IV, Title VII, of the Crimes against the Economic Order, Book Two of the Penal Code of Panama.

The United States cannot proceed with the provisional arrest request at this time, as it does not contain sufficient factual support linking Rivera Rivera to the money laundering charge. In order to proceed with the request, the United States would need to know the evidence on which the Government of Panama relied to conclude that Rivera Rivera was engaged in a money laundering operation related to the unlawful enrichment conviction against Alejandro Moncada Luna Carvajal. Such evidence could include, for example, an explanation of bank records which show the movement of money by Rivera Rivera and reflect that he knew the money was obtained through illegal means, a summary of testimony given by a co-conspirator, or any other evidence which clearly indicates that Rivera Rivera knowingly participated in the money laundering operation described in the provisional arrest request. Such evidence could include, for example, an

DIPLOMATIC NOTE

explanation of bank records which show that Rivera Rivera made deposits and/or transfers of money on specific dates, witness statements that show that Rivera Rivera knew that the money that was laundered was obtained through illegal means, or a summary of any other evidence which clearly indicates that Rivera Rivera knowingly participated in the money laundering operation described in the provisional arrest request.



The United States appreciates the importance that the Panamanian Government ascribes to the provisional arrest request for Rivera Rivera. Understanding this, the Department affirms that the Departments of State and Justice would be willing to review a draft request informally before it is resubmitted to the United States.

Department of State,

Washington, February 10, 2016.

A handwritten signature, possibly "JH", is written in black ink to the right of the date.