

FREE LULA

INTERNATIONAL
NOTEBOOK

FREE LULA NOW!

Free Lula, innocent Lula, political prisoner Lula. These expressions, because they have been repeated so often, one's voice already hoarse, may seem banal. They are not. And it is not only because we are speaking of a man unjustly convicted, on the basis of charges without any evidence. But also, because it is about the human being who best embodies the dreams and the most elevated aspirations of the Brazilian people. Aspirations for justice, for peace, for equality, for true freedom, for sovereignty. For was it not Lula the president who set in place programs like Family Allowance, Zero Hunger, and quotas for blacks and the poor that, for the first time, reduced income and status inequality, shameful marks of Brazilian society? And was it not Lula, too, who stood up for our riches, both material (as the pre-salt oil reserves) or immaterial (as culture and science), the cornerstone of our sovereignty, so despised by a large part of the Brazilian elite and, mostly, by the present rulers?

Lula jailed is Brazil jailed. It is the Brazilian society deprived of the capacity to dream. Lula jailed is democracy amputated, the will of the people usurped. A free Lula is not just justice for an innocent man. It is restoring democracy for the Brazilian people. It is the possibility of dialogue instead of the insane hatred that dominates the political milieu, including among those in power today.

Free Lula means freeing the dream and the hope of women, blacks, native Brazilians, the youth, in sum, of the Brazilian people! That is why fighting for Lula's freedom is not a whim of a sector of the political spectrum, but the need for a fair, democratic, and sovereign Brazil. It is not a task taken up by a few party leaders, but a mission of all, regardless of affiliation or belief, who wish to live in a loving country with its daughters and sons, in solidarity with other nations that, like ours, face the struggle for development and resolute against the foreign pressures that seek to throw us back to a colonial or semi-colonial status, from which we emerged at great cost.

We all know that this is mostly a battle to be waged internally, by means of rallies, debates, legal and political actions. The success of this struggle will be greatly facilitated, however, if we can count on the active solidarity of sisters and brothers, our friends, Brazilian or not, conscious that here what is at stake is not only the future of one country and that, to some extent, the fate of the world also depends on the fate of Brazil.

For Peace, for Justice, for Democracy, Free Lula Now!

Celso Amorim

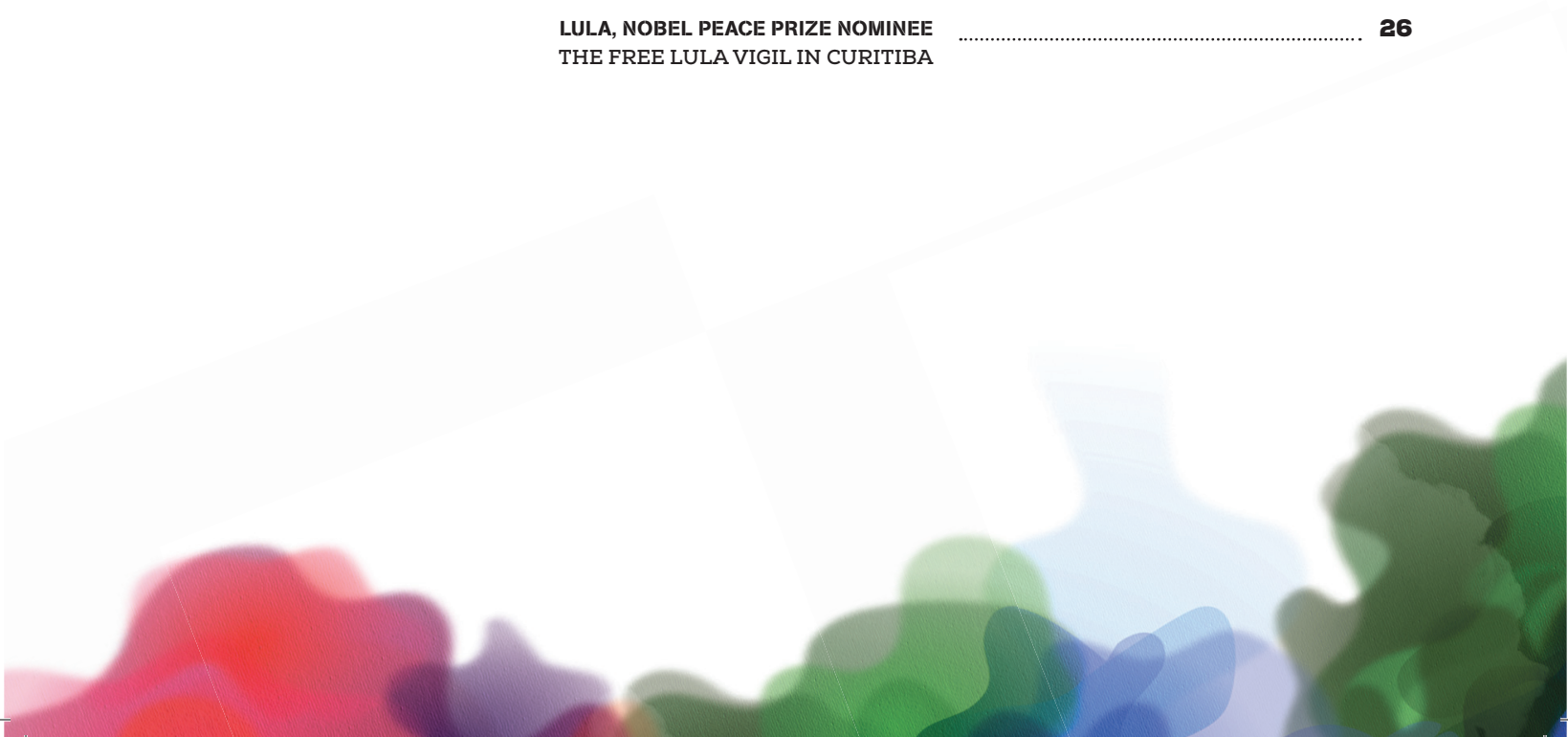
Chair of the International Free Lula Committee
Former Minister of Foreign Relations of Brazil



Free Lula Festival
Photo: Ricardo Stukert

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FREE LULA

IS THE STRUGGLE FOR DEMOCRACY AND PEOPLE'S RIGHTS

*THERE WILL ONLY BE TRUE
DEMOCRACY IN BRAZIL WHEN LULA
IS GIVEN A FAIR TRIAL AND CAN
ONCE AGAIN SPEAK FREELY WITH
OUR PEOPLE*

Lula is in jail. An unfair and illegal imprisonment, with no legal basis either as to his guilt or even of his having committed any wrongdoing in the cases the former president was tried.

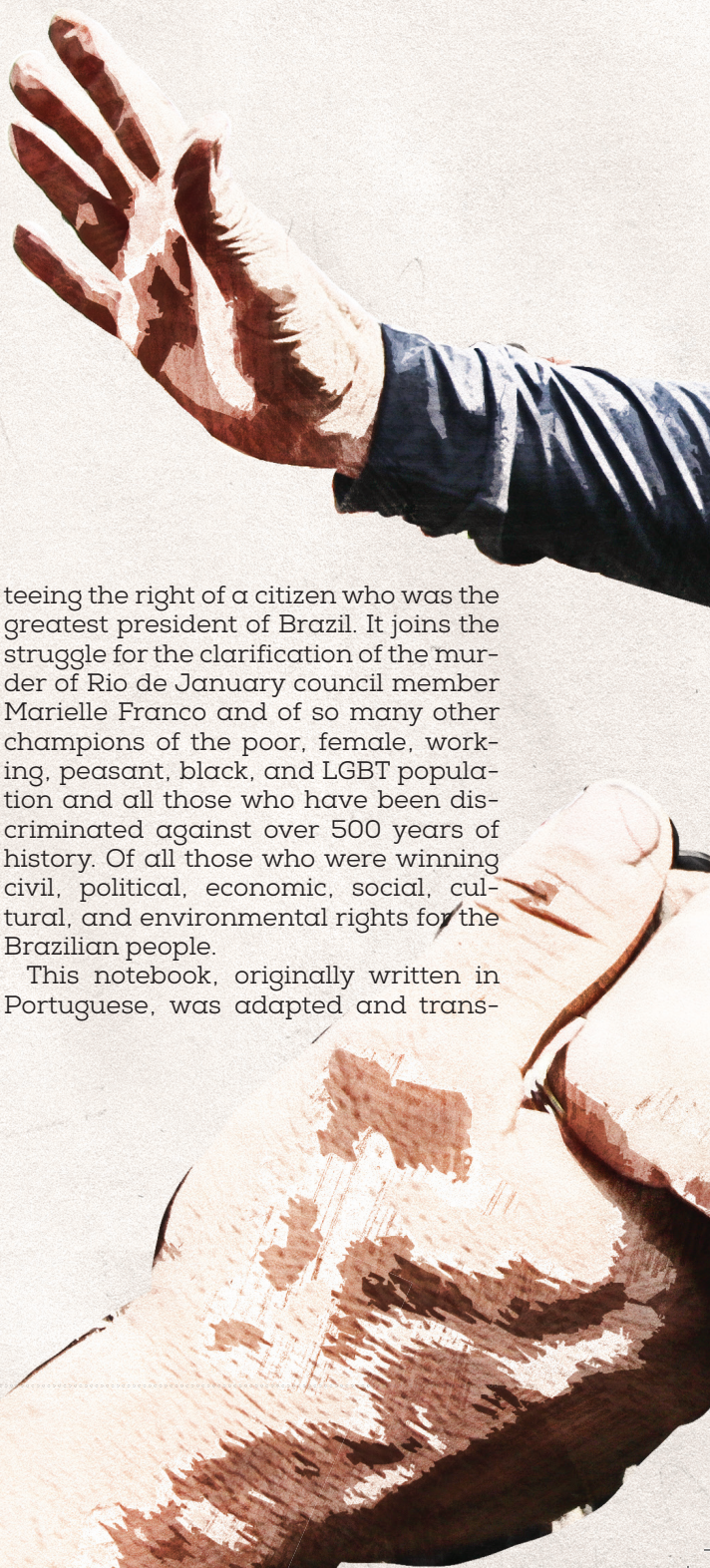
The most respected jurists from Brazil and the international community contest the legality and the arbitrary procedures that led to his conviction and imprisonment. Democratic personalities from all over the world affirm that Lula is a political prisoner.

The FREE LULA campaign began with the denunciation of the arbitrary procedures and the travesty of justice that resulted in his imprisonment on April 7, 2018. This campaign brings together male and female citizens in Brazil, its states, in hundreds of municipalities, and in several countries worldwide. It builds on a fundamental basis: Lula is innocent and has had all of his rights violated illegally, arbitrarily, and unfairly.

Lula's freedom goes beyond guaran-

teeing the right of a citizen who was the greatest president of Brazil. It joins the struggle for the clarification of the murder of Rio de Janeiro council member Marielle Franco and of so many other champions of the poor, female, working, peasant, black, and LGBT population and all those who have been discriminated against over 500 years of history. Of all those who were winning civil, political, economic, social, cultural, and environmental rights for the Brazilian people.

This notebook, originally written in Portuguese, was adapted and trans-



Former President Lula visits
Landless Workers' Movement
Maria da Conceição
encampment, in Itatiaiuçu,
Minas Gerais. Work on photo
by Ricardo Stuckert

lated to be divulged in several countries. Our intention is to spread the truth about the persecution Lula has been submitted to all over the world, strengthening the fight for his immediate release, a necessary step for Brazil to get back on the road to Democracy and the Rule of Law.

Over the next pages, you will find details on the lawsuits against Lula, and on the Free Lula Campaign organization in Brazil and across the world.



THE JUDICIAL PERSECUTION AGAINST LULA

Defending Lula's freedom goes way beyond shouting #FreeLula. All of us have a responsibility to learn, in depth, the political and judicial persecution process Lula has been submitted to. Only by doing so will we be able to have sound arguments to defend his innocence and justify on the basis of facts and evidence - not only of convictions - our demand for the immediate release of the former president.

Lula is a victim of a judicial setup, sustained by a smear campaign led by the press, starting with Rede Globo. The false accusations against him, his family, and his collaborators made the headlines of newspapers, front covers of magazines, and dozens of hours of television news coverage. But his defense attorneys were always treated with contempt, when not simply censored by the enemies of his government, a government that did so much for the Brazilian people.

Here we will explain the charges made against Lula, clarify the truth of the facts, and show why he was falsely accused and convicted without evidence.

Former President Lula at his grandson wake in São Bernardo.

Photo: Ricardo Stuckert



Why do they want Lula convicted and jailed?

Persecution against Lula is political. Lula was the best president in the history of Brazil, leaving the government with unrivalled approval ratings and electing his successor. As they were not able to defeat Lula in the ballot boxes, his opponents agreed to place him at the center of a great travesty of justice.

Throughout his life, Lula has always been a champion of democracy and justice. As president, he fought inequalities, broadened access to education as never before in our history, made Brazil respected internationally, with a platform that deeply transformed the reality of our people, upset many people, inside and outside Brazil. Ultimately, that was the main reason for his persecution. His opponents want him jailed and silenced to implement an authoritarian, anti-people program in the country that disenfranchises workers while strengthening the privileges of the elite and selling our sovereignty.

The perfect synchrony between judicial actions and the electoral calendar shows that Lula was convicted and jailed so that he would not be elected President of the Republic for the third time. Lula's first conviction, in 2017, and its upholding by the 4th Regional Federal Court, in 2018,² took place in record time, only to ban Lula's candidacy on the basis of an interpretation that part of Brazil's Supreme Federal Court (STF) had of the Clean Slate Law.³

Lula's adversaries knew that, in a free election, he would be elected president in the first round, just as forecast by every opinion poll at the time. Lula's election would have halted the social and economic measures adopted by the government of coup plotter Michel Temer, the mastermind behind the overthrow of Dilma Rousseff from the Presidency of the

Republic: the withdrawal of labor rights, the end of the public pension system, the handing over of the pre-salt oil reserves to foreigners, the privatization of major and strategic state-controlled companies as state-owned oil company Petrobras, cuts in investments in Health, Education, cash-transfer program Family Allowance, and Family Farming.

After the coup, in 2016, the people quickly realized that the illegitimate government had turned against the workers, the poor, the people from the Northeast, those living in the cities' outskirts, women, blacks, native Brazilians, in short, all those who were persecuted and forgotten over these 500 years. And society realized that this was a government decided to hand over the country's natural riches and national sovereignty to foreigners and their representatives. In a free election, Lula would have become president to save the country from all that.

The key evidence that the judicial persecution against Lula was politically motivated was when Bolsonaro picked Sérgio Moro as his Minister of Justice. It was Moro who headed the travesty of justice, in complicity with Federal Prosecutor Deltan Dallagnol, the Curitiba Federal Police, and the Porto Alegre Federal Regional Court, that convicted and jailed Lula in record time. For having contributed decisively to ban Lula from the elections, the prize Moro received was the Ministry of Justice, where he took his Car Wash allies. Contrary to his ferocious attacks against Lula, now he behaves with complacency in face of the most serious charges of peculate, corruption, and alliance with paramilitary groups that have hit Bolsonaro and his family.

MORO: JUDGE OR INQUISITOR?

A district-court judge, Sérgio Moro became Bolsonaro's minister, the main beneficiary of Lula's incarceration. Other facts show that Moro failed to be impartial in Lula's case:

- In any civilized country a judge cannot coordinate investigations into a case he is also going to try. Judge Sérgio Moro was the leader of the task force charged with investigating Car Wash and the judge who tried the defendants, including Lula.

- On March 4, 2016 Moro ordered Lula's illegal pre-trial detention, even though he had always cooperated with and was at the disposal of Justice;

- The law firm responsible for the former president's defense had its phone illegally tapped, a criminal offense, as this violates attorney-client communication confidentiality;

- Moro intercepted calls between Lula and the then President of the Republic, Dilma Rousseff, which in itself is a criminal offense. In addition, he released audio recordings to the press to prevent Lula from being appointed minister by President Rousseff

- Moro expressed support to demonstrations whose main goal was the coup staged against President Dilma Rousseff, thus showing his political bias;

- Moro was in touch with the Bolsonaro campaign, during the elections, period during which he was still the judge responsible for Lula's cases.

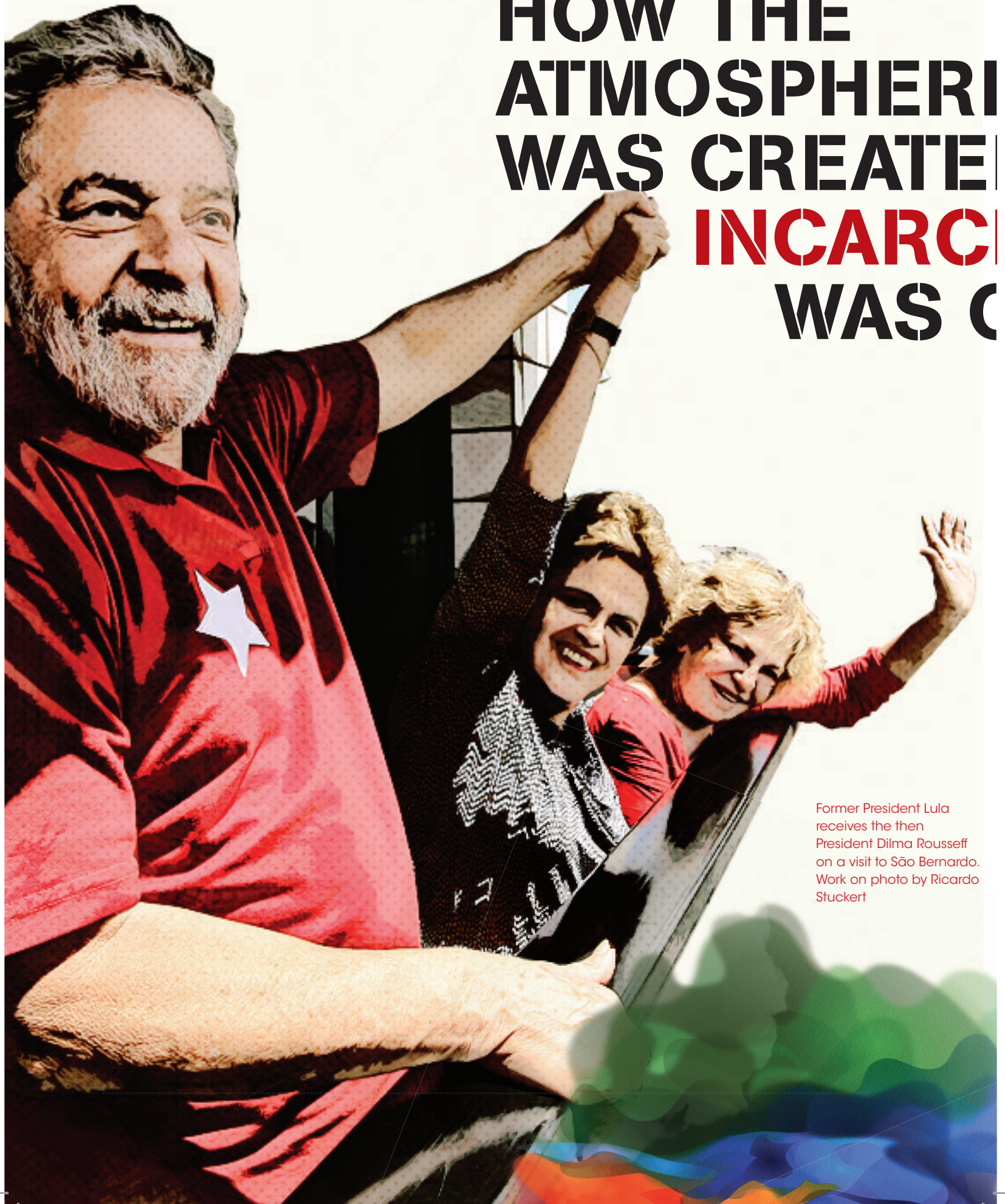


¹ Rede Globo is Brazil's largest television network. A survey conducted by the Laboratory for Media and Public Sphere Studies (LEMEP, from the Portuguese Laboratório de Estudos de Mídia e Esfera Pública) of the Rio de Janeiro State University shows that, in one year, Globo's prime time news program, Jornal Nacional, dedicated 13 hours of negative coverage against Lula, and only four hours of impartial coverage. This study was submitted to the UN by former president Lula's defense attorneys.

² The first appellate court to review the case after the sentence passed by the district court judge, in this case, Sérgio Moro.

³ Law approved in 2010, after strong social mobilization, that prohibits citizens who have been convicted by collegiate bodies, as is the case of the Federal Regional Court, in corruption-related crimes from running for an office. This law was promulgated by Lula, when he was still President of the Republic.

HOW THE ATMOSPHERE WAS CREATED **INCARC** WAS C



Former President Lula receives the then President Dilma Rousseff on a visit to São Bernardo. Work on photo by Ricardo Stuckert

THE OPERATION CREATED

It is important to understand that Lula's imprisonment is based on building an enemy image to influence public opinion. The constant leaks of information on Lula's trials reveal the obscure relation that was built between the Car Wash task force and the mainstream media. Quite often, the press knew of judicial procedures before the defendant's attorneys, which is unacceptable under democratic rule of law.

Such promiscuous relation between Operation Car Wash and the press is the subject of an article published by Moro in 2004 on Italy's operation "Clean Hands". In it, he contends that the press should give wide publicity to anti-corruption actions, in order to, according to him, strengthen the investigations. In practice, what happened to Lula was selective leaking of information by members of the Federal Public Prosecutor's Office, the Federal Police, and by Moro himself,

leading to a public conviction prior to any legal sentencing.

This goes against the right enshrined in the Federal Constitution of the presumption of innocence, i.e. that no one can be presumed guilty until charges have been proved beyond any reasonable doubt. Over the past years, the media – provided with distorted, out-of-context information by Car Wash – dedicated hundreds of hours, headlines, and magazine covers to build an image of Lula as a criminal before any conviction sentence was passed. With that, Lula's persecution led to a conviction by the press long before he was tried in the courts (whose primary political goal was to convict him without any evidence).

Judge Moro and the Car Wash Federal Prosecutors exhibit an obvious partiality in the investigations and in Lula's trials. Lula's pre-trial detention to testify in March 2016 – strongly criticized by renowned legal scholars, and even by Justices on the Supreme Federal Court (STF) – is but one of the countless examples that confirm that Moro acted as a persecutor, not as an impartial judge.

Lula's attorneys have used an English term to describe this persecution against Lula: Lawfare, or legal warfare. This concept represents the undue use of legal resources to politically persecute citizens, movements, or organizations. The tens of lawsuits filed against Lula, the relativization of his rights, and the use of the press as a prosecution assistant demonstrate that Lula has been a victim of this "legal war".



Justice as spectacle: as a way of building Lula's image as a criminal, the procedures adopted against the former president could not have been more cinematographic. His pre-trial detention to testify in the triplex case made use of a blatantly disproportional security apparatus. The petition filed by the Public Prosecutor's Office became the epitome of justice as spectacle: Federal Prosecutor Deltan Dallagnol called a press conference to present his charges with the aid of a Power Point Presentation that quickly drew criticism and prompted jokes, for its ambivalence and superficiality.

THE GUARUJÁ BEACH TRIPLEX CASE

Lula's first conviction was based on a triplex apartment in the city of Guarujá, on the coast of São Paulo. According to the accusation, Lula allegedly received this apartment from construction company OAS as a way of rewarding him for having benefitted the company while he was President of the Republic. Yet Lula never owned the apartment; nor ever used it.

In 2005, Lula's wife, Marisa Leticia, acquired a quota in a housing development carried out by BANCOOP (São Paulo Bank Workers' Housing Cooperative) in Guarujá. Every month they paid their instalment to the cooperative and, in the end, they would be entitled to a standard-type apartment.

In 2009, BANCOOP transferred the development to OAS, which continued the construction work. In 2013, Léo Pinheiro, the then OAS CEO, invited Lula and his wife Marisa to know one of the building's apartments, a triplex. The couple visited the apartment to decide on its purchase, the only time Lula ever set foot in the apartment. Lula showed no interest in acquiring it.

Still, Lula was found guilty of the charges and convicted by Moro to 9 years and 6 months in prison. The main basis for the conviction was Léo Pinheiro's deposition, after his plea deal with the Judiciary. It is worth recalling that Léo Pinheiro's first deposition made no mention to any benefit to Lula; still, his deposition was refused by the Federal Public Prosecutor's Office. It was only after he had been in jail for almost two years, and after having been sentenced to 26 years' imprisonment, that Léo Pinheiro changed his version. In exchange, his sentence was commuted to an alternative sentence of three and a half years sleeping in prison.

The sentence has serious flaws: it fails to show what Lula did to favor

OAS, as President of the Republic, that would justify his illegally receiving the apartment, which, we repeat, has never been his. Moro's sole argument is based on his assumption that Lula had practiced "undetermined acts". Nor does Moro succeed in establishing any nexus between the alleged advantages Lula would have received and the OAS kickback scheme regarding Petrobras contracts – without such connection there is no justification for Lula to be tried by Moro, who was the judge in charge of trying corruption cases involving Petrobras.

Lula's appeal to the Federal Regional Court was reviewed in record time, a harsh sentence handed down, increased to 12 and a half years in prison (had it been less than 12 years, Lula would have benefited from a statute of limitations and would have been released). The extraordinarily rapid pace of the trial, as reported by the big media, also proves how biased the treatment afforded to Lula was. This is yet further evidence that his conviction before the appellate court was accelerated so as to happen before the 2018 elections. Lula's conviction was once again upheld by the Supreme Court of Justice (STJ), yet commuted to 8 years and 10 months in prison.

SOMETHING'S WRONG: On April 25, 2019, the São Paulo State Judiciary provided ample evidence that Lula's conviction had been illegitimate when it determined that OAS should return the amount paid by Ms. Marisa Leticia for the apartment that never came to be her own actually. How, then, could this apartment be part of a kickback scheme if even the Judiciary acknowledges it was being paid for by Ms. Marisa until she decided to no longer purchase it?

LULA'S IMPRISONMENT



Former President Lula in a rally in Ouricuri, Pernambuco.
Photo: Ricardo Stuckert

Brazil's Federal Constitution sets forth that no one is to be considered guilty until a final sentence has been handed down. That means that, as long as a defendant can appeal, he or she is still innocent and, therefore, may appeal in liberty, as confirmed by the Brazilian Code of Criminal Procedure.

This is Lula's case and, exercising this right, his attorneys filed a writ of habeas corpus at the Supreme Federal Court whereby he would be allowed to appeal in freedom.

After a narrow 6-5 decision, it was established that imprisonment may occur after a second collegiate body has found a defendant guilty; thus, Lula could be incarcerated. What was most striking about the decision, however, was the opinion of one of the STF Justices when she stated that she believed

incarceration should only occur after a defendant had been able to appeal to all appellate bodies, yet she would vote against her opinion out of respect for a previous STF ruling in another habeas corpus case.

The problem is that the theme had already been under discussion in the STF in two other Declaratory Actions of Constitutionality. In these petitions, the majority of the Justices who had already voted were in favor of delaying imprisonment until every appellate body had handed down their sentences, a position that would favor Lula. A delay in reviewing these two cases resulted in an unfavorable outcome for the former president, who had his sentence upheld by the STJ before the STF reached a decision that could have led to Lula being released, which is also surprising.



One of the instruments that was most often used in the persecution process against Lula was plea bargaining, whereby parties pleading guilty and testifying against other parties involved in wrongdoing have their sentences reduced. Most of the accusations against Lula are based on such plea deals, that is, are based on the testimonies of defendants who had pled guilty and who, in order to obtain concessions, accused Lula. This instrument, which was enacted during the Lula administration, has proved to be useful in fighting crime, but cannot be used indiscriminately and must be corroborated by evidence, which was not what happened in Lula's case.

LULA AND PETROBRAS

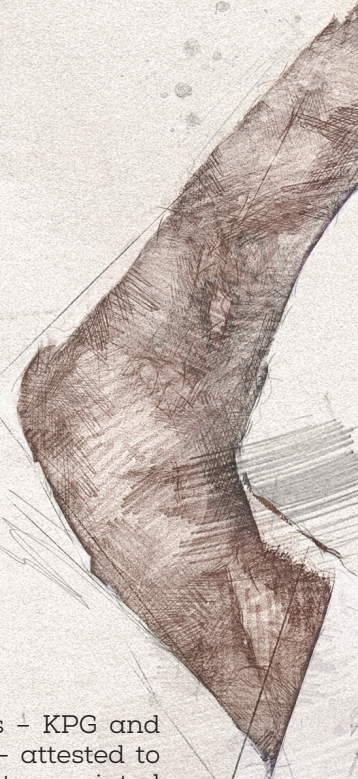
Without ever having found any wrongdoing committed by Lula while he was President of the Republic that benefited the construction companies charged with setting up the biggest kickback scheme in Petrobras contracts, Car Wash and Judge Moro resorted to a narrative that was as absurd as it was riddled with lies. As a president, Lula was charged with signing the appointments of Petrobras executives; therefore, it was concluded, he was aware of the criminal activities some of those executives were involved in.

The truth is that the President of the Republic is responsible for appointing thousands to offices in the Federal Government and state-owned companies. Appointments to offices are made by political parties and, vetted, before reaching the President's Chief of Staff, by several control bodies. None of these bodies found any irregularity as regards the Petrobras appointments. It is an absurd, therefore, to believe that Lula had any knowledge of the illegal conduct of the executives involved.

Moreover, it is worth recalling that the executives involved in the corruption cases investigated by Car Wash had already been on the staff working for Petrobras for years and some had already been company executives in administrations that preceded Lula's, without their conducts having ever been brought to question.

As a matter of fact, on this issue it is worth noting that two widely known in-

ternational auditing firms - KPG and PricewaterhouseCoopers - attested to the fact that Lula was not associated with any of the unlawful deeds perpetrated by the executives involved in the Petrobras kickback scheme. These audits were simply refused by Moro and Hardt as evidence of Lula's innocence.





THE ATIBAIA RANCH CASE

Lula's second conviction was prompted by the renovation of a ranch house in the city of Atibaia, in the state of São Paulo. Once again, the accusation was that the renovation paid for by construction companies Odebrecht and OAS was a reward Lula received for benefits he had allegedly conceded to the two companies while he was President of the Republic. And once again, Lula was found guilty, even though the prosecution failed to produce any evidence of his committing any wrongdoing while he was President of the Republic to benefit the construction companies. Nor is there any evidence that Lula had asked any favors from the contractors. The truth is that Lula had never owned the ranch. True, he did visit it, but the actual owners were old friends of his.

This time around, the judge signing the sentence was Gabriela Hardt, who replaced Judge Moro when he became Minister of Justice. Hardt simply copied whole excerpts of Moro's sentence on the Guarujá apartment case and sentenced him to 12 years and 11 months in prison, once again calling into question the impartiality of those judging the former president.

Activist at the Free
Lula Vigil, in Curitiba.
Work on photo by
Ricardo Stuckert

LULA, NOT AN ORDINARY INMATE

SINCE HE WAS IMPRISONED, LULA HAS BEEN AFFORDED A TREATMENT THAT FURTHER STRENGTHENS THE POLITICAL NATURE OF HIS INCARCERATION. SOME EVENTS RENDER THIS CRYSTAL CLEAR:



Actor Danny Glover visits Free Lula Vigil, in Curitiba. Photo: Ricardo Stuckert

- On July 6, 2018, Lula was granted a habeas corpus by the TRF 4 court on duty judge. The Federal Police refused to obey the judge's decision and kept Lula under arrest until the decision was suspended by the TRF4 chief judge. In the meantime, Judge Sérgio Moro came to an absurd decision that upheld Lula's incarceration. The absurdity of the decision stems from the fact that he was not supposed to intervene in such case, since he was the judge in charge of Lula's prison sentence and, as a first-tier judge, had no authority to contradict a decision made by a higher body. And once again, it becomes evident that Moro acted as a persecutor, not as a judge.

- During the electoral period, Lula was benefited by a decision of the United Nations Human Rights Committee that acknowledged his right to run for the office of President of the Republic. In the decision, the UN ruled that the Brazilian State should allow Lula to act as a candidate while a final decision as to his innocence was not handed down that would prevent him from running. Again, a decision favoring Lula was not complied with by the Brazilian State.

- In October 2018, right in the middle of the electoral campaign in Brazil, STF Justice Ricardo Lewandowski authorized a Folha de São Paulo journalist to interview Lula in prison. Yet again, the Federal Police refused to obey a legal order and waited until the order had been revoked by STF Chief Justice Dias Toffoli. It is worth recalling that many inmates have already been interviewed while in jail - why then couldn't Lula give an interview? Confirming the political motivation of Lula's persecution, the interviews prohibited during the pre-election period were later on permitted.



- On January 29, 2019, Lula's oldest brother, Vavá, died. According to the Law on the Execution of Sentences, every inmate has the right to leave prison temporarily to attend a wake or burial of a relative. Lula had this right denied by the judge responsible for the execution of his sentence. It was only after his brother Vavá had been buried that the Chief Justice of the Supreme Federal Court gave Lula a favorable decision. This decision, however, besides late, did not allow Lula to attend the wake. It only authorized, provided his family consented, that Vavá's coffin be transported to a military area where Lula could bid him farewell. In this case, the Federal Public Prosecutor's Office, upon arguing against Lula's attendance at the funeral, wrote that Lula "is not an ordinary inmate."

LULA WILL ONLY BE FREED BY DEMOCRATIC STRUGGLE IN BRAZIL AND ABROAD

Lawfare against Lula is still intense in the big media, in the higher spheres of the Judiciary, and has been strengthened with Bolsonaro's electoral victory and the appointment of the Car Wash judge, Sérgio Moro, as his Minister of Justice and Public Safety.

The sentences imposed on Lula in the lawsuits that have come to an end were strongly determined by public opinion, as also are the police and Public Prosecution actions in other ongoing investigations and lawsuits. A change in the correlation of forces in society is critical for the Judiciary Branch to make justice for Lula and the Brazilian people.

That is why we are doing our share. Solidarity with Lula, with any person who is a victim of injustice and persecution, with the struggle of the people for democracy, national sovereignty, and rights.

International solidarity with Lula is of utter importance. The media blockade imposed on him and on his attorneys keeps his version of the story from getting to the knowledge of millions of Brazilian men and women. Thus, further international reverberation of this case of injustice and illegality is vital to allow more people to know that Lula has been held hostage by the Brazilian State, now under the command of cruel men who defend the military dictatorship, torture, unbridled possession of firearms, capital punishment.

The whole world needs to know that Lula is only being kept under arrest so that Bolsonaro and his team may more easily establish an authoritarian regime in Brazil that withdraws the people's rights, facilitates the destruction of our natural heritage – Amazonia, our fauna and flora – and sells our country's mineral riches for peanuts.

Brazil needs the world's attention and mobilization to keep us from returning to an age of shadows, to keep more Brazilian women and men from being murdered by their rulers, precisely those who should protect them. Our natural heritage, of vital importance in balancing global climate, is also under threat. The Bolsonaro administration, in addition to adopting more flexible rules for the exploration of Brazil's Amazon region, already accounting for a sharp increase in deforestation, has allowed the use of more than 160 pesticides, all of which are extremely harmful to our people's health and the environment.

With Lula jailed, Brazil and the world face the risk of irreparable damage.

PERSECUTION AGAINST LULA – A TIMELINE

January 2011: Lula leaves the Presidency of the Republic with the highest approval rating in history. Over the following years, he would travel all over the world sharing his knowledge and experiences. Wherever he went, he was received with honors of head of state.

March 2014: Start of Operation Car Wash.

October 2014: Dilma Rousseff is reelected President of the Republic in a tight election. Her second term is systematically sabotaged by the opposition.

November 14: 7th phase of Car Wash arrests CEOs of big construction companies (OAS, UTC and Camargo Correa) charged with being part of a cartel that overpriced Petrobras contracts, in collusion with some oil company executives.

February 2016: Supreme Federal Court reviews ruling on possibility of bringing forward prison sentence. With the Court's decision, defendants found guilty by a second collegiate body no longer can appeal in freedom.

March 2016
4 – Lula is arrested to depose before Car Wash. The pre-trial arrest is widely criticized by lawyers and legal scholars, since Lula had always been available to cooperate with the investigations.

9 – Lula is formally charged by the Federal Prosecutor's Office in the Guarujá triplex apartment case, which had never been in his name and had never been used by him or his family. The accusation is widely criticized and ridiculed for its inconsistency.

16 – Lula is appointed Chief of Staff. His appointment is suspended with no legal basis. Moro illegally releases recordings of dialogues between Lula and President Rousseff, and is reprimanded for his action.



September 2016: Antonio Palocci, a Lula and Dilma administrations' former minister, is arrested under charges

February 2017: Ms. Marisa Leticia passes away.

April 2017: Léo Pinheiro changes his deposition regarding the triplex case, implicating Lula. He also changes his defense lawyers and tries to close a plea deal on the basis of a new deposition.

May 2017: In a decision without any legal basis, Judge Ricardo Leite orders Lula Institute to be closed. The decision was taken solely by initiative of the judge, without any petition from the Prosecutor's Office.



June 2015: 14th phase of Car Wash arrests Odebrecht and Andrade Gutierrez CEOs. Marcelo Odebrecht is accused of leading the "contractors' cartel".

November 2015: Ms. Marisa Leticia, Lula's wife, formally gives up purchase of Guarujá triplex apartment.

December 2015: Federal Representative Eduardo Cunha, the Speaker of the Chamber of Deputies, accepts to start impeachment proceedings against President Dilma Rousseff, in retaliation for the PT representatives' refusal to vote against ethical proceedings against him in face of several charges, including offshore accounts.

January 2016: 22nd phase of Car Wash investigates Guarujá triplex case, an apartment that never belonged to or was used by Lula.

April 2016: Chamber of Deputies accepts to start impeachment proceedings and Dilma leaves office.

June 2016: Léo Pinheiro tries to negotiate a plea bargain with the Federal Prosecutor's Office, but negotiations stall after businessman's deposition states Lula's innocence.

July 2016: Lula's defense attorneys file evidence of judicial persecution against Lula with the U.N. Human Rights Committee.

August 2016: Dilma is removed from office by a coup d'état.



Car Wash in Paraná files another charge against Lula, now regarding the Atibaia ranch house.

July 2017: Without any evidence, Judge Sérgio Moro sentences Lula to 9 years in prison for the crimes of passive corruption and money laundering in the Guarujá apartment case.

December 2017: Lula's rating skyrockets in opinion polls, reaching 45% of voting intentions.





January 2018:

Appellate court TRF-4 upholds Lula's sentence and increases it to 12 years and 1 month to avoid statute of limitations. Appeal was reviewed in record time.

Lula's passport is apprehended one day before a trip to Ethiopia, where he would participate in a United Nation's Food and Agriculture Organization meeting.

March 2018:

TRF4 rejects former president Lula's petition against Judge Sérgio Moro.

Lula for Brazil's campaign caravan is shot at in the state of Rio Grande do Sul.

April 2018:

STF rejects Lula's habeas corpus by 6-5. His defense alleges unconstitutionality of serving sentence before all appeals have been reviewed. On April 7, Lula voluntarily hands himself in to Federal Police after attending a memorial mass for Ms. Marisa Leticia, who had died a year before.

July 2018:

Judge Ricardo Leite acquits Lula in obstruction of justice suit, based on former Senator Delcídio do Amaral's plea deal.

Appellate court TRF-4 magistrate Rogério Favreto grants a habeas corpus to President Lula. Federal Police refuses to carry out legal order. A war of rulings ensues, including with illegal interference by Moro, until habeas corpus is suspended by TRF-4 Chief Judge.



Collection: CSBH/FPA.
Author: Vera Jursys

August 2018:

Lula's candidacy is registered with Supreme Electoral Court (TSE). U.N. rules that Lula can run for president, basing decision on the International Covenant on Civil and Political Rights, to which Brazil has been a signatory since the 1980s. TSE rejects Lula's candidacy, ignoring U.N.'s ruling.

October 2018:

With Lula out of the contest, Bolsonaro wins the election in second round and is elected President of the Republic.

November 2018:


Moro, the judge who convicted Lula, accepts to be Bolsonaro's minister of justice (Bolsonaro was greatest beneficiary of Lula's imprisonment) Evidence emerges of meetings between Moro and the Bolsonaro team during electoral campaign, at a time when Moro was still responsible for lawsuits against Lula.

February 2019:


Lula is convicted without any evidence in the Atibaia ranch house case.

April 2019:

Judiciary of São Paulo State rules OAS should return amount in instalments paid for by Ms. Marisa Leticia, Lula's deceased wife, to Lula's family for the Guarujá apartment that had never been actually his property.



Lula thanks the people for their solidarity in rally at Porto Alegre's Corner of Democracy.
Photo: Ricardo Stuckert



THE BOLSONARO ADMINISTRATION AND THE CRIMINALIZATION OF PEOPLE'S DEFENDERS

Lula's ban to run for president and frauds in the 2018 presidential elections marked the nature of the new government. The Bolsonaro administration is based on three pillars that enable him to deepen the exceptional characteristics already witnessed during the Temer administration and the use of cultural warfare instruments through dissemination of and incentive to backward and anti-humanist values: The ultraliberal program designed to diminish the Brazilian State in favor of the big international capital, with its privatization programs, fiscal adjustment, and revocation of public policies and social rights of the people; the geopolitical subordination of the Brazilian State to the interests of international financial capital and big transnational companies, and the undermining of our relations and alliances with other countries in the continent, in the southern hemisphere, and with the BRICS; and retrogression in civilizational accomplishments and rights of broad sectors of the working class, the black and indigenous populations, the youth, the LGBTI+, and women.

This radically unpopular program demands the strengthening of an authoritarian State, with growing military tutelage in the new government and the transformation of the rhetoric of the fight against corruption and organized crime into legislative and governmental actions designed to improve the Brazilian State's repression capacity. This is the deepest sense of the alliance reached by the top echelons of Operation Car Wash and segments of the Armed Forces and the Executive Branch to manage the criminalization of politics, of social movements, and of the Brazilian people.

Moro and the military ministers of the presidential Alvorada Palace thus lead a coalition that will spare no effort to keep Lula as a political prisoner indefinitely. To prevent his leadership from boosting the democratic resistance more actively; to remind all that the repressive arm of the authoritarian State has reached the strongest national and international expression of the Brazilian people's struggle; and that it can, therefore, reach anyone willing to oppose its diktats.





THE FREE LULA CAMPAIGN AND THE DEMOCRATIC RESISTANCE

Former President Lula at his wife Marisa Lefícia's wake at the ABC Metalworkers' Union, in São Bernardo.
Photo: Ricardo Stuckert

The Free Lula Campaign is a campaign that brings together the struggle for democracy, the rights of the people, and national sovereignty in the present context of Brazilian history.

It is not exclusively about a person who has been wronged, his party, and his supporters. It is the expression of a broad struggle for Justice for the Brazilian people, their defenders, and also for Lula.

The Lula campaign is nonpartisan. Its participation is open to all good-willing people interested in ensuring that Lula's rights and those of any other citizen unfairly persecuted, accused, and convicted are protected.

The Lula campaign engages organized sectors of society as political parties, social movements, civil society organizations and associations, personalities of the world of culture, religious people, the scholarly world, militants and ac-

tivists, ordinary people who recognize Lula's innocence and the defense of the civil, political, economic, social, cultural, and environmental rights of the entire Brazilian people.

The Free Lula National Committee promotes, all across Brazil, a variety of activities in support of the struggle for Lula's freedom and in solidarity with the struggles of the Brazilian people for democracy, social justice, national sovereignty, and rights. It is comprised of more than 80 national organizations and personalities from countless fields – political parties, social movements, trade union confederations, intellectuals, religious people, and artists, among others.

In the states, cities, neighborhoods, and workplaces, initiatives are also mushrooming, along with strongly dynamic people's committees and solidarity groups, online or not.

INTERNATIONAL MOBILIZATION IN DEFENSE OF LULA

The International Free Lula Committee, chaired by Minister Celso Amorim, Lula's former minister of foreign relations, promotes initiatives in several countries across the world and global actions in support of Lula and of the struggle for his freedom such as the Free Lula World Day, the campaign in favor of Lula being awarded the Nobel Peace prize, Lula's defense before the U.N.'s Human Rights Committee and other international institutions. It was created during the 2018 World Social Forum, in Salvador.

Scores of committees have also organized in a number of countries around the world by initiative of Brazilians and foreigners who believe in Lula's innocence and defend his immediate release. Throughout the period Lula was illegally tried and unfairly convicted, hundreds of rallies were organized outside Brazilian embassies, multilateral bodies, and other symbolic spaces.

Lula has also received solidarity from more than a hundred personalities, scholars, artists, unionists, and

foreign politicians. He was honored in political events and awarded prizes for his actions in defense of human rights, peace building, and the fight against poverty. Among those who have given their support to Lula are Evo Morales, "Pepe" Mujica, Massimo D'Alema, Jean-Luc Mélenchon, Noam Chomsky, Bernie Sanders, José Sócrates, François Hollande, José Luis Zapatero, Ernesto Samper, John Kufuor, Roger Waters, and Mia Couto.

In one year in prison, Lula was visited by former heads of State, religious people, artists, politicians, and other internationally famous personalities, which comes to show that, despite the campaign against his image, Lula is still admired and respected as one of the greatest world leaders of his time.

A statement by Celso Amorim, Lula's former minister of foreign relations, became famous for summarizing the size of Lula's influence even after arrested: "What country is this in which a province prison receives more important international visitors than the presidential palace".

“LEAKS PROVE WRONGDOINGS IN LAWSUIT AGAINST LULA

Journalist Glenn Greenwald, of portal “The Intercept”, known worldwide for the Wikileaks case, had access to a large volume of messages exchanged by Judge Sérgio Moro and Car Wash prosecutors. The content of the messages proves what Lula has been stating since the beginning of the proceedings that led to his jailing: in a clear affront to the principle of impartiality of a judge, Moro acted as the chief of the investigations against Lula. Besides judging, he oriented, gave tips, and contributed toward the construction of the accusation theses.

The few messages already published by The Intercept leave no doubt that Lula was a victim of an illegal persecution process – and, according to Greenwald, the content which has not yet been released is even more serious. The former president’s defense attorneys have already submitted the case to the Brazilian authorities and will also attach the messages to the petition they filed with the United Nations Human Rights Commission, further strengthening the evidence of lawfare against Lula.”



BELOW ARE LISTED SOME OF THE FOREIGN AUTHORITIES WHO WERE WITH LULA DURING HIS ILLEGAL INCARCERATION:



Adolfo Pérez Esquivel
Nobel Peace Prize Laureate



Juan Carlos Monedero
Podemos
Spain



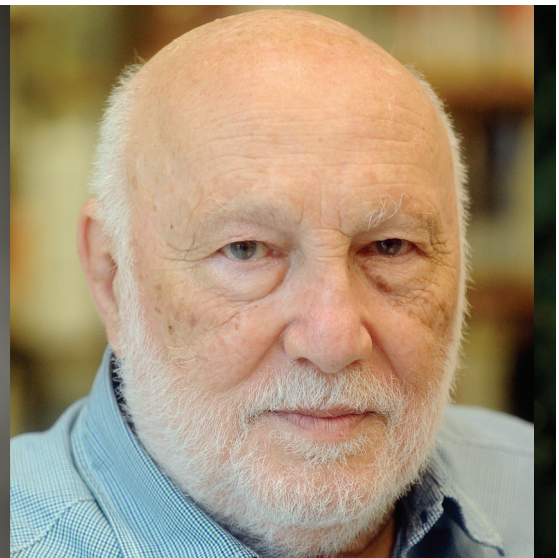
Martin Schulz
Former president of the
European Parliament (SPD)
Germany



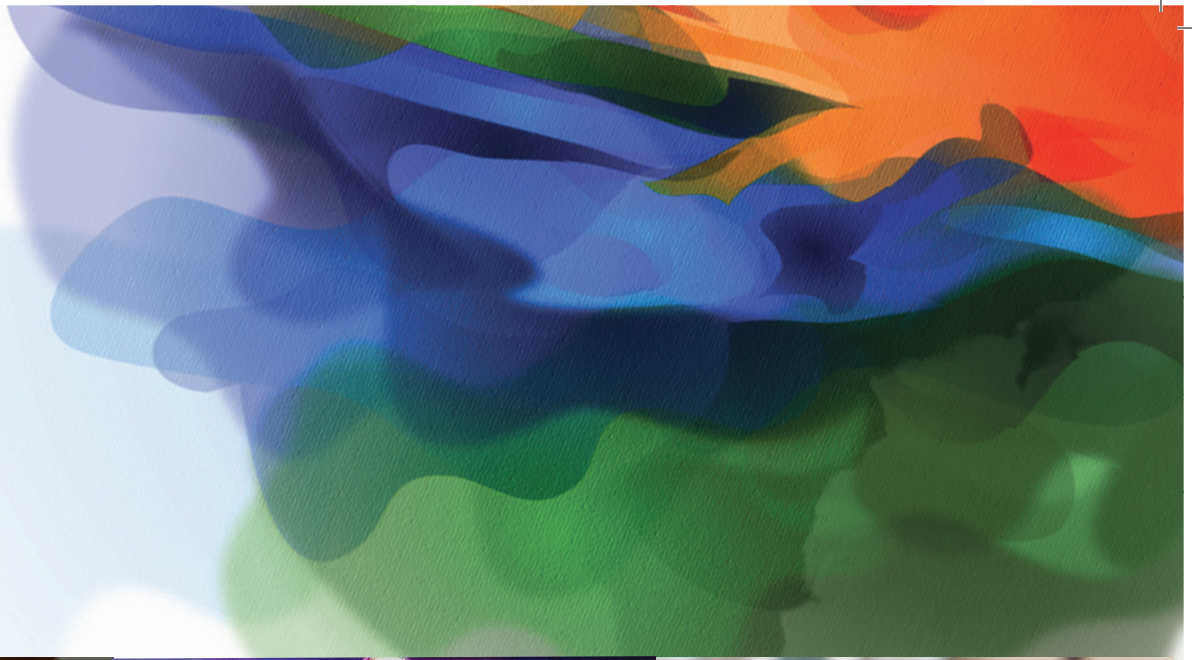
Ernesto Samper
Former president of Unasur and former
president of Colombia



Roberto Gualtieri
Member of European
Parliament (Democratic Party)
Italy



Domenico de Masi
Sociologist



Noam Chomsky
Philosopher and
political activist



Danny Glover
UNICEF Goodwill
Ambassador and actor



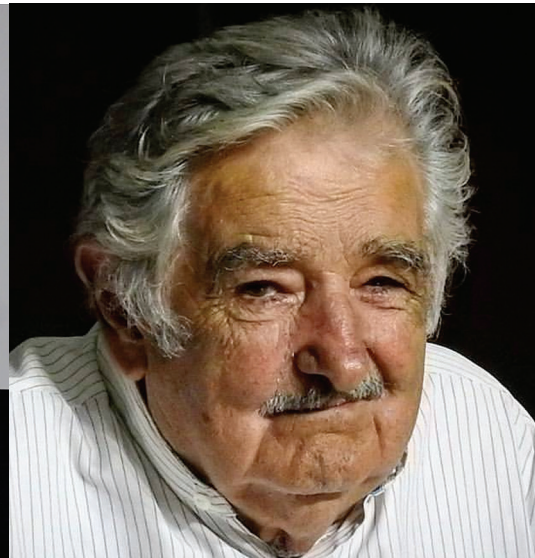
Massimo D'Alema
Former Prime Minister of Italy



Cuauhtemóc Cárdenas
Former governor of Mexico City



Boaventura de Sousa Santos
Professor at the
University of Coimbra



José "Pepe" Mujica
Former president
of Uruguay

LULA, NOBEL PEACE PRIZE NOMINEE



Lula visits expansion works of the Salvador Subway Line 2.
Photo: Ricardo Stuckert

The construction of global peace has always been a main concern for Lula. Lula understands that the strengthening of Democracy and the reduction of inequalities are the stepping stones for building a peace-loving society, in addition to his proactive position in the defense of non-violent solutions for any level of conflict. This made him, for example, to offer himself to mediate, in the capacity of President of the Republic, a nuclear deal with Iran and conflicts between Bolivia and Venezuela that might have ended in civil war.

In recognition for his actions in defense of peace, Nobel prize laureate Adolfo Pérez Esquivel submitted Lula's name to the committee that every year chooses who will be honored with such a distinction. His nomination was endorsed by thousands of teachers, professors, and researchers, and also by more than 600,000 people in an online campaign.

Secrecy surrounds the name of the winner, as well as that of other potential winners. What matters most, however, is that the nomination itself and the massive mobilization it generated worldwide suffice to show the admiration that millions of people have for Lula and his work, even after so much persecution.

THE FREE LULA VIGIL IN CURITIBA



Buddhist monk Coen Roshi at the Free Lula Vigil after visiting former President Lula.
Photo Cláudio Kbene

The Free Lula Vigil, organized outside the Federal Police headquarters in Curitiba since the day Lula was arrested, has turned into an important space of resistance, and for increasing campaign visibility, organizing activists, political education, and coordinating initiatives.

People's Committees' militants from all over the country, social movements, and political parties that have joined in the campaign take turn in a permanent vigil. All day long they carry out an extensive program of talks, plus sharing information on any visits paid to President Lula, and keeping our President's spirits high with their now traditional "Good morning", "Good afternoon", and "Good Evening/Night, President Lula".

Lula's letter to his friend, Brazilian former minister of foreign affairs, Celso Amorim

Dear friend, with each day I become more concerned about what is happening in our Brazil. The news I get is about unemployment, schools and hospitals in crisis, the rolling back or even the end of programs designed to help the people, the return of hunger. I know they are handing over the country's riches to foreigners, destroying, or privatizing what our people built with so much sacrifice. Betraying the national sovereignty.

It is hard to keep one's hope in a situation like this, but a Brazilian never gives up, isn't that true? I never lose faith in our people, which helps me not to lose courage in the unfair prison I've been in for more than one year. You surely remember that on April 7, 2018, when I was saying goodbye to my friends in São Bernardo, I said that I was obeying the judge's decision and that I was sure that my innocence would still be acknowledged. And that the travesty of justice staged to arrest me without [my] having committed any wrongdoing would be annulled. I still believe in that.

Every day I wake up thinking I'm closer to freedom, because my case is a no-brainer. All it takes is reading the evidence my lawyers gathered: that the said triplex never belonged to me, neither de facto nor de jure, and that no money from Petrobras contracts was used either to build it or to renovate it. These are facts Sergio Moro himself recognized when he replied to the defense's appeal.

All it takes is analyzing the lawsuit with impartiality to see that Moro was set on convicting me even before he accepted the prosecutor's charges. He ordered my house to be broken into and for me to be taken by force to testify without ever having subpoenaed me. He gave the order to wiretap my telephone calls, my wife's, my children's, and even my lawyers', which is something very serious in a democracy. He led the questionings, as if he were my accuser, and did not let the defense ask questions. He was a judge who had taken a side, the side of the accusation.

The charge brought against me was so false and inconsistent that, in order to convict me, Moro changed the accusations made by the prosecutors. They charged me with having received a property in exchange for favors but, when they saw it was not mine, he convicted me on the basis that it had been "attributed" to me. They accused me of acts to benefit a company. But there has never been any act, so he convicted me for "undetermined acts". That does not exist in the law, only in the mind of someone who wanted to convict anyway.

His partiality was later confirmed after convicting and jailing me. In July last year, when a federal court TRF4 judge ordered my release, Moro interrupted his vacations to ask another judge to intervene, a friend of his, who annulled the decision. In September, he did everything he could to prohibit

me from giving an interview. I thought it was just small-mindedness, but I understood the reason when, on the eve of the election, he released a deposition by Palocci that was so fake that it was of no use in the case. What Moro wanted was to harm our candidate and help his own.

If anyone was still in doubt about the side the judge had always been on and the reason for persecuting me, the doubt ended when he accepted to be Bolsonaro's Minister of Justice. And the whole truth became clear: I was charged, tried, and convicted without any evidence to be kept from running in the elections. That was the only way his candidate would win.

The Constitution and the law establish that a case is void if the judge is not impartial and independent. If the judge has personal or political interest in a case, if he is a friend or an enemy of the person who is to be tried, he has to recuse himself. That's what honest, honorable magistrates do. Not Moro. He always refused to recuse himself in my case, in spite of all the evidence that he was my political enemy.

My lawyers appealed to the Supreme Federal Court so that I could finally have a fair trial, something I never had in Sergio Moro's hands. Many powerful people, in Brazil and even in other countries, wish to prevent that or to keep postponing it, which ultimately is the same for someone who is unfairly jailed.

Some say that by annulling my lawsuit they will be annulling all of the Car Wash decisions, something that is a big lie, for before Justice each case is a different case. They also try to confuse [people], as when they say that my case can only be reviewed after an investigation is conducted into the messages being revealed over the last days between Moro and the prosecutors. But the point is that we filed this appeal in November last year, long before the Intercept journalists had released these messages. We have already submitted enough evidence that the judge is under suspicion and was not impartial.

All I hope for, dear friend, is for Justice to be finally made. All I want is the right to a fair trial, with an impartial judge, to be able to demonstrate with facts that I am innocent of all they charged me with. I want to be tried according to due process, on the basis of evidence, not of convictions. I want to be tried by the laws of my country, not by newspaper headlines.

The question I ask every day here where I am is only one: Why so much fear of the truth? The answer is of interest not only to me but to all those who expect Justice.

I wish to say goodbye with a 'see you soon, my friend'. Till the day of the liberating truth. A big hug,

Lula
Curitiba, 24 June 2019

INTERNATIONAL COMMITTEE OF SOLIDARITY IN DEFENCE OF LULA AND DEMOCRACY IN BRAZIL

The International Committee of Solidarity in Defence of Lula and Democracy in Brazil is a broad and plural group comprised by national and international entities as well as personalities which defends democracy restoration for our country and the right of Lula to a fair and just trial.

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