

EXTERNAL (for general distribution)

AI Index: ACT 73/01/81

Distr: NS/PG

March 1981

TRADE UNION BULLETIN No. 10

Brazil

STRONG REACTIONS TO THE CONVICTIONS OF LULA" AND OTHER TRADE UNIONISTS

On Monday 23 February 1981 Judge Nelson da Silva Machado GUIMARÃES announced that the trial of Luis Inacio DA SILVA, known as "Lula", and 12 other trade unionists would take place in São Paulo on Wednesday 25 February. Their lawyers tried to get the trial postponed after they were informed of the following restrictions imposed by the second army corps:

- only one lawyer and one relative allowed for each defendant;
- only 14 journalists allowed in the court room;
- no foreign journalists and no observers from abroad permitted;
- no one allowed near the court without army authorization.

The defence also asked for the trial to be transferred to a court where more relatives, journalists and observers could attend and that they be allowed more time to prepare their defence.

On 25 February the Supreme Military Tribunal in Brasilia refused the postponement petition. The judge suspended the start of the trial for an hour when neither the lawyers nor the defendants appeared. Then he appointed fresh defence lawyers and the trial began without the defendants.

It continued throughout the day, and late in the evening of 25 February sentences were passed. "Lula" and three others, Djalmo de Souza BON, Nilson Timor SIMON ("Alemão") and Rubens Teodor de ARRUDA were give sentences of three-and-a -half years imprisonment. Gilson Correa de MENENZES, Osmar Santos de MENDONÇA, Juracy Baptista MEGALHÃES, Manuel Anisio GOMES, and José Maria de ALMEIDA were sentenced to two-and-a -half years, and two year sentences were passed on Wagner Lino ALVES and Nelson CAMPANOLA. Two men were acquitted, José CICOTE and José Timoteo DA SILVA. All the defendants had been charged with offences under the Law of National Security in connection with a six-week strike by metalworkers in São Paulo in 1980.

At 11.00 pm that night the trade unionists presented themselves to the authorities at the *Departamento de Ordem Politica e Social* (DOPS) in São Paulo where they spent the night. Meanwhile the defence lawyers were trying to have the judgement annulled on the grounds that it contravenes Brazilian law that only when the defendants and/or lawyers have failed to appear on more than one occasion can a trial go ahead in their absence.

"Lula" and the other trade unionists were released on 26 February after spending 20 hours in custody. Earlier the judge had indicated that the 11 would have to remain in jail until after *carnival* because the paperwork could not be done until the following Wednesday. A police spokesperson did not explain the apparent change of plan but indicated that official requirements had been fulfilled and the sentences had been read to

the defendants. The trade unionists will now appeal to a higher military court against the sentences.

According to confirmed reports from Brazil, more than 1,000 car workers at the Ford plant in São Paulo went on strike for a few hours in protest against the trial.