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EXTERNAL (for general distribution)

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Further information on UA 51/81 (AMR 19/01/81 4 March, AMR 19/02/81 26 August, AMR 19/04/81 4 September)

BRAZIL: Luis Inacio DA SILVA and 10 other trade unionists

On 16 April 1982 the Supreme Military Tribunal will hear another appeal on behalf of Luis Inacio da Silva (known as "Lula") and the ten other members of the metalworkers union convicted of offences under the Law of National Security.

Background

On 19 November 1981 a military court in S02270 Paulo found Luis Inacio da Silva and ten other trade union leaders guilty of infringing Article 36 of the Law of National Security for their part in a 41-day strike in 1980 of metalworkers in the ABC industrial suburbs of São Paulo (Santo Andre, São Bernardo and São Caetano). The decision was reached in secret after an unusually long period of discussion by the military judges.

Even then the decision was only a 3-2 majority. The defence was expecting Lula, the President of the *Partido dos Trabalhadores* (PT) Workers' Party to be acquitted. Instead the re-trial has virtually confirmed the original sentences handed down by a court on 25 February 1981, whose proceedings were annulled, on appeal, by the Superior Military Tribunal on 2 September.

The sentences were as follows:

Luis Inacio da Silva - 3 years 6 months
Enilson Simões de Moura - 3 years 6 months
Djalma de Souza Bom - 3 years
Rubens Teodoro de Arruda - 3 years
Juraci Batista Magalhães - 3 years
Jose Maria de Almeida - 2 years 6 months
Manoel Anisio Gomes - 2 years 6 months
Gilson Luis Correia de Menezes - 2 years 5 months
Osmar Santos de Mendonça - 2 years
Nelson Campagnolo - 2 years
Wagner Lino Alves - 2 years

Jose Cicotti - acquitted

Jose Timoteo da Silva - acquitted

Article 36 of the Law of National Security forbids incitement to collective disobedience. All eleven were free pending the outcome of their appeals to the Superior Military Tribunal.

RECOMMENDED ACTION:

Telegrams/airmail letters expressing concern about the sentencing of Luis Inacio da Silva and the other trade unionists. Express the hope that the

authorities take steps so that the men are not imprisoned for, should this happen, Amnesty international would consider them to be prisoners of conscience.

(Further background information on each of the trade unionists is contained in AMR 19/02/81 of 26 August 1981.)

APPEALS TO:

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Sr. Presidente
Superior Tribunal Militar
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And to Brazilian diplomatic representatives in your country.

PLEASE SEND APPEALS AS SOON AS POSSIBLE. Please check with the International Secretariat if sending appeals after 16 April 1982.