

Mr Alexandre de MORAES
President
Superior Electoral Tribunal (TSE)

Wednesday, 15 September 2022

We, the undersigned, lawyers, jurists, professors of international law, philosophers, had already, for the most part, in August 2018, expressed our very strong concern to the Brazilian authorities in view of the very serious violations of the principles of fair trial to which President Luiz Inácio Lula da Silva had been subjected, before and during his incarceration, and, more generally, to the disloyalty with which the procedure had been conducted against him.

This led us to write first to Ms. Cármen Lúcia, President of the Supreme Court in Brasília on 9 August 2018, and then to the then President of the Republic, Mr. Michel Temer, on 23 August 2018, to express our concern, even though beyond the systematic violation of these basic principles, there were strong indications that the fight against corruption was being used for political purposes by various actors, including, first and foremost, the judge in charge of the proceedings, Mr Sergio Moro.

We also wrote to various UN bodies to denounce the behaviour of the Brazilian authorities, who refused at the time to draw all the legal consequences of the decision rendered by the UN Human Rights Committee, by which it was considered that President Luiz Inácio Lula da Silva was the victim of arbitrary detention in the sense of the principles that the United Nations is responsible for enforcing.

Since then, President Luiz Inácio Lula da Silva has been completely and definitively exonerated by judicial decisions that are now final.

Moreover, following a number of investigations carried out by the international media, it has now been demonstrated that Judge Sergio Moro and those who inspired his action acted solely for strictly political purposes aimed at discrediting President Luiz Inácio Lula da Silva and preventing him from standing in the last presidential election.

Everyone remembers that Mr. Sergio Moro, as a thank you for his "good services", was appointed Minister of Justice under President Jair Bolsonaro, a position he left abruptly after a short period.

Now that President Luiz Inácio Lula da Silva has been cleared of all suspicion, we wanted to publicly express our indignation at the repeated attacks against him by his opponent in the upcoming presidential elections, President Jair Bolsonaro. Unfortunately, we note that these attacks and insults are relayed by a part of the Brazilian media. It is indeed absolutely inadmissible, even though President Luiz Inácio Lula da Silva has been exonerated, that his rival continues to publicly call him a "criminal", a "delinquent" and, more generally, tries to convince Brazilian public opinion that President Luiz Inácio Lula da Silva has been wrongly exonerated and that everyone should consider him guilty of the facts that he has been wrongly accused of. At the request of Lula's lawyers, the Superior Electoral Court issued a number of rulings, after characterising the existence of false content disseminated on social networks as part of disinformation organised by Bolsonaro's campaign teams, and ordered it to be removed from social networks.

When a candidate is running for President of the Republic in a very large democratic country, such as Brazil, and indeed in the whole world, it is unthinkable that the respect due to a definitive judicial decision and to a decision issued by the United Nations Human Rights Committee on 28 April 2022 should be trampled upon, let alone systematically (<https://www.ohchr.org/en/press-releases/2022/04/brazil-criminal-proceedings-against-former-president-lula-da-silva-violated>).

It is unacceptable that President Jair Bolsonaro and certain media outlets should try to give credence to the idea that President Luiz Inácio Lula da Silva could be considered in any way guilty of the facts for which he has been unjustly accused and for which he has been definitively acquitted.

It is therefore our duty to share our shock and indignation with all those who are committed to the respect of these principles. We call on President Jair Bolsonaro and the media that relay these statements to show the necessary reserve and responsibility so that the public debate can continue in accordance with the principles of loyalty and probity that must be those of a great democratic country.

It is the very integrity of the presidential election and Brazilian democracy that are now at risk.

In this regard, we wish to express our confidence in the Brazilian institutions and our most sincere support for the efforts of the Special Electoral Court in the face of attacks by those who seek to undermine the fairness of the election.



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Amélie LEFEBVRE

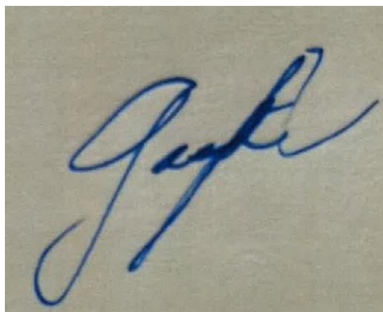
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Nobel Peace Prize 1980
Artist



Patrick WEIL,
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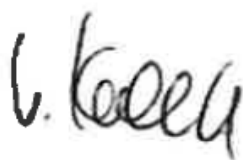
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