
UN Accepts Petition Stating Brazil Judge Violated Lula's Rights

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The U.N. accepted the case that Judge Moro violated former President Lula da Silva's presumption of innocence and detained him arbitrarily.

The U.N. accepted a petition from lawyers of former Brazilian President Luiz Inacio Lula da Silva claiming that the judge overseeing the Petrobras corruption case had violated Lula da Silva's rights by charging him with the same allegations several times and detaining him arbitrarily without any evidence.

The United Nations Human Rights Committee agreed to investigate the allegations that Judge Sergio Moro had "violated Lula's right to privacy, his right not to be detained arbitrarily and his presumption of innocence."

Lula da Silva said in his request that the case was "highly political" and the result of "a series of arbitrary violations of rights," including the illegal searching of his home, as well as his children's homes and the Lula Institute.

The attorneys also added that the judge abused his position and leaked confidential information to the press, disclosed recordings obtained illegally and used temporary detention of key suspects in order to reach an agreement that would affect Lula.

Brazil has six months to respond to the petition, with the committee, comprised of 18 international jurists, set to take up to a further six months to reach a decision.

Brazil ratified the committee's protocol in 2009 and Lula's lawyers expect the state to implement any findings the committee makes.

According to the lawyers, Moro infringed on Articles 9, 14 and 17 of the Universal Declaration of Human Rights by continuing these actions.

After a two-year investigation, the federal police of Brazil has failed to find any evidence linking Lula to the Petrobras scandal such as secret bank accounts, offshore companies or illegal deals. In September, Judge Moro ruled that Lula should face trial for corruption and money laundering charges, even though he had previously released a report clearing Lula of all charges.

Moro acknowledged that Lula and his family do not own property that investigators thought belonged to the politician, dashing claims they were bought with money allegedly obtained through illegal contracts with Petrobras.

The charges are part of a broad police investigation known as "Operation Car Wash" that has targeted dozens of politicians for fraud within the state-run oil company Petrobras.

Lula and his wife, Marisa Leticia Lula da Silva, are formally accused of corruption, fraud and money laundering. The former president of the construction company OAS, and an engineer at the construction company are also accused of corruption.

According to allegations from federal police, Lula was the mastermind of a corruption scheme at Petrobras, and directly benefited in the form of a gifted apartment in Guarujá and a farm in Atibaia, both in the state of São Paulo.

Lula has denied any wrongdoing and has previously said that his persecution is driven by political interests that want to destroy his candidacy, as he has one of the highest approval ratings in the country.
