



BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND AND WALES

London, 22 March 2013

STATEMENT

The BHRC Expresses Concern at the Arrest and Continued Detention of Lawyer Beatrice Mtetwa in Zimbabwe

The Bar Human Rights Committee of England and Wales (BHRC) joins the international community in expressing grave concern over the recent arrest of prominent human rights lawyer and former President of the Law Society of Zimbabwe, Beatrice Mtetwa in Zimbabwe.

On Sunday 17 March the human rights defender, Beatrice Mtetwa, was arrested when she requested to see a valid search warrant from the police who were at the time raiding her client's homes (Thabani Mpfu, Director of Research and Development in Prime Minister Morgan Tsvangirai's Office). Having protested at her arrest, she was handcuffed and placed in an unmarked police car whilst the police continued to search her client's home and another office. She was then held for several further hours before being cautioned and charged with obstructing the course of justice.

In the early hours of 18 March a High Court order for her immediate release was served. This was ignored by the police. They continued to detain her in contempt of the court order and denying access to her relatives. On 20 March, her application for bail was denied and she was remanded in custody until 3 April. The Magistrate also denied bail for the four officials working in Prime Minister Morgan Tsvangirai's office who are charged with receiving and communicating secret information, impersonation of a police officer and possession of an illegal firearm. All charges are denied.

The BHRC denounces the arbitrary arrests and continued detention in contempt of a Court order and calls for the reinstatement of the rule of law and the end to intimidation of human rights defenders and civil society organizations.

The arrest of Mtetwa followed the near unanimous vote (95%) in the referendum to approve the new Constitution. Key changes include restricting Presidential term to two 5-year terms, abolishing the Presidential power of veto over legislation, the creation of an anti-corruption commission and an independent prosecuting authority, the inclusion of a bill of rights and the guarantee of an independent electoral commission. It also provides that the confiscation of

farms under the land reform programme can no longer be challenged in court and a national audit will be conducted by a land commission to be appointed by the President. The adoption of the new Constitution means that elections can now take place. It is anticipated that these will be in July and the BHRC joins calls for peaceful elections.

These arrests follow attacks, raids and arrests of opposition politicians and civil society organizations. The BHRC is concerned that this occurred whilst a new Constitution, which will provide a stronger bill of rights, is in the process of being adopted. The pre-election period is a vulnerable time and a pre-requisite for free and fair elections is respect for human rights and an environment free of intimidation.

Their appeal against denial of bail was to be heard by the High Court on Friday 22 March at 9.00am. This has been postponed to Monday 25 March. It is expected that large numbers of individuals and organizations will turn out once again in solidarity.

The BHRC calls upon the United Nations, the African Union, the Southern African Development Community (SADC) and other governments to add their voices to the condemnation of intimidation against human rights lawyers and civil society organizations in Zimbabwe. It calls upon them to ensure that the visions of the new Constitution for respect for the rule of law, democracy and human rights are facilitated.

NOTES TO EDITORS

1. The Bar Human Rights Committee of England and Wales (“BHRC”) is the international human rights arm of the Bar of England and Wales. It is an independent body concerned with protecting the rights of advocates, judges and human rights defenders around the world. The Committee is concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial. The remit of BHRC extends to all countries of the world, apart from its own jurisdiction of England & Wales. This reflects the Committee's need to maintain its role as an independent but legally qualified observer, critic and advisor, with internationally accepted rule of law principles at the heart of its agenda.

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BHRC website

<http://www.barhumanrights.org.uk/>

For further information, please contact:

BHRC Project Coordinator

coordination@barhumanrights.org.uk

Garden Court Chambers

57-60 Lincoln's Inn Fields, London WC2A 3LJ

T: +44 (0)20 7993 7755

M: +44 (0)7854197862