

Zimbabwe

Arrest and detention of chairman and secretary of Zimbabwe Law Society

The General Council of the Bar of South Africa expressed its serious concern regarding recent steps against lawyers in Zimbabwe. A media release by Willem van der Linde SC,

acting chairman of the GCB, reads as follows:

'At the beginning of June 2002 the internationally respected president of the Law Society of Zimbabwe, Mr Sternford Moyo, and its secretary, Mr Wilbert Mapombere were arrested and taken into custody on grounds of alleged subversion.

There is no evident reason why two senior legal practitioners, citizens and residents of Zimbabwe, should have been incarcerated in these circumstances. If it is the contention of the police authorities that they have com-

mitted an offence, it is plainly open for charges to be preferred, for the accused to be released on their own recognisance or at least on bail, and for a speedy and, it is to be hoped, fair trial to take place.

This step follows others last year and during 2000 in which media and human rights workers from time to time have been incarcerated and, on occasion, severely beaten.

The GCB expresses serious concern in relation to this development.' 

IBA

Zimbabwe

The International Bar Association (IBA) has expressed its shock and deep concern at the arrest and detention of Sternford Moyo, president of the Law Society of Zimbabwe (LSZ) and Wilbert Mapombere, the executive secretary of the society.

The two LSZ officials were arrested on 3 June 2002 over allegations of possessing "subversive" documents relating to the mass action allegedly planned by the Movement for Democratic Change (MDC) to force President Mugabe to re-run the elections. The police searched the home of Sternford Moyo and the LSZ offices for the documents, allegedly addressed to the MDC and the British High Commission. According to reports, no such documents were found.

The IBA stated that it believed that the searches of the home of Sternford Moyo and the offices of the LSZ, and the subsequent arrests had been directly related to the strong stance taken by Sternford Moyo on issues relating to the rule of law and the independence of the judiciary.

'Sternford Moyo, as president of the LSZ, recently published its end-of-year report. The report expressed great concern at the pressure on judges in the form of sustained abuse, defamatory remarks and threats of violence, which had led to the resignation of many of the more independent members of the judiciary in Zimbabwe. Since the release of the report, there have been criticisms made of Sternford Moyo in the press in Zimbabwe (*The Herald*, 18 April 2002, in an article titled "Bid to Dilute Sovereignty Slammed" in which Jonathan Moyo, Minister of State for Information and Publicity, made defamatory remarks about Sternford Moyo and other highly respected members of the legal

profession). The IBA was concerned to learn that the two lawyers had been charged under the controversial Public Order and Security Act (the Act), which attracts a maximum sentence of 20 years imprisonment. (The IBA earlier this year appointed five international experts to research the legislation that has been brought into effect by President Mugabe. The experts concluded that the Act was not "reasonably justifiable in a democratic society.")'

The IBA was relieved to learn that the lawyers had been released following a court hearing. It called on all its member Bar associations and law societies in the region to join in the call for all intimidation of members of the Law Society Council and staff to stop. The IBA further requested assurance from the government that no further detentions of council members of the law society will take place and that Sternford Moyo and Wilbert Mapombere will not be detained again at any point in the future.

Malawi

Debate on constitutional reforms in Malawi

Concerns for the future of Malawi's fledgling democracy have been expressed by the IBA. Following the return of an international fact-finding mission, IBA Director Mark Ellis said: "In the face of widespread food shortages and poverty there is now a danger that the country could lose its grip on democracy."

The delegation, comprising international jurists, has called for an urgent discussion on constitutional reform within Malawi and, in particular, on an amendment to extend the presidential office to three terms or beyond. In common with the USA, Malawi's constitution now limits the president to two terms in office.

Global competition law website

The IBA has announced the establishment of a unique resource for the international competition community with the launch of its global competition law website at www.globalcompetitionforum.org.

The IBA's Global Competition Forum website provides the first one-stop-shop for access to the most current versions of the world's 100 plus competition laws, as well as more than 600 direct links to national competition authorities and international organisations with antitrust interests. The site has also been designed as a reading room, reference point and publication centre for articles, speeches and commentary by world-renowned experts in competition law enforcement and reform.

Providing coverage of the competition laws and practice of 126 countries, the new website offers a detailed look at 24 African jurisdictions, 29 Mid-East and Eastern regimes, 43 European systems, 14 in North and Central America, 12 in Southern America and 4 in Oceania. In each case, the most up-to-date text of the country's governing legislation is displayed, together with all relevant forms, regulations, interpretative guidelines, annual reports, co-operation agreements, press releases and the like.

Through its 600 plus linking arrangements, the site offers immediate access to all of the world's known competition agency sites, as well as to those maintained by international organisations and multiple academic institutions.

For further information contact: J William Rowley QC, chair, IBA Global Forum for Competition and Trade Policy, McMillan Binch, Royal Bank Plaza, Toronto, Canada, M5J 2J7

Tel: +1 416 865 7008; fax: +1 416 865 5519; e-mail: wrowley@mcbinch.com 