
Date de mise en ligne :
Wednesday 14 October 2009

**Judicial harassment against human
rights lawyer Alec Muchadehama - ZWE
002 / 1009 / OBS 147**

FIDH > Les Droits de l'Homme pour Tous / Human Rights for All

The Observatory has been informed by Zimbabwe Lawyers for Human Rights (ZLHR) about the judicial harassment faced by human rights lawyer Alec Muchadehama, who represents several victims of State-sponsored abduction and torture, including Ms. Jestina Mukoko, Executive Director of the Zimbabwe Peace Project (ZPP) and board member of the Zimbabwe Human Rights Forum [1].

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), requests your urgent intervention in the following situation in **Zimbabwe**.

According to the information received, on October 14, 2009, Mr. **Alec Muchadehama** will stand trial at the Harare Magistrates Court (Rotten Row) in court 13 at 8:30 am for alleged contempt of court after having successfully represented several human rights activists, including victims of State-sponsored abduction and torture.

Mr. Alec Muchadehama is accused of having secured, in collusion with Ms. Constance Gambara, the Clerk of the High Court Judge Justice Chinembiri Bhunu, the "unlawful release" on bail of Mr. Andrison Manyere, a freelance journalist, and two members of the Movement for Democratic Change (MDC) on April 17, 2009, detained following their abduction by State security agents in 2008.

The State alleges that Mr. Alec Muchadehama "unlawfully and intentionally impaired the dignity, reputation or authority of a court or realising that there was real risk or possibility of impairing the dignity, reputation or authority of a court" by causing the release of the three abductees while he was aware of Justice Bhunu's judgment in which he granted the State leave to appeal against an earlier bail order by Justice Charles Hungwe.

On April 15, 2009, human rights lawyer Alec Muchadehama had been arrested by officers of the Law and Order Section of the police at the Rotten Row Magistrates Court on allegations of obstructing the course of justice. On May 15, 2009, he was released on bail after payment of 100 USD.

The Observatory expresses its deep concern about the judicial harassment faced by Mr. Alec Muchadehama, and fears that it merely aims at sanctioning his human rights activities. Further, the Observatory urges Zimbabwe authorities to an end to harassment against human rights defenders.

Actions required:

Please write to the authorities of Zimbabwe urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Mr. Alec Muchadehama, as well as of all human rights defenders in Zimbabwe;
- ii. Put an end to any kind of harassment, including at the judicial level, against Mr. Alec Muchadehama as well as against all human rights defenders in Zimbabwe;
- iii. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially its Article 1, which states that "everyone has the right, individually or collectively, to promote the protection and fulfilment of human rights and fundamental freedoms

at the national and international levels", as well as above-mentioned Article 12.2 ("the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure);

iv. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Zimbabwe.

Addresses:

· President of Zimbabwe, Mr. Robert G. Mugabe, Office of the President, Private Bag 7700, Causeway, Harare, Zimbabwe, Fax : +263 4 708 211 / + 263.4.70.38.58

· Mr. Khembo Mohadi, Minister of Home Affairs, Ministry of Home Affairs, 11th Floor Mukwati Building, Private Bag 7703, Causeway, Harare, Zimbabwe, Fax : +263 4 726 716

· Mr. Patrick Chinamasa, Minister of Justice, Legal and Parliamentary Affairs, Ministry of Justice, Legal and Parliamentary Affairs, Fax: + 263 4 77 29 99 / +263 4 252 155

· Mr. Augustine Chihuri, Commissioner General, Police Headquarters, P.O. Box 8807, Causeway, Harare, Zimbabwe, Fax : +263 4 253 212 / 728 768 / 726 084

· Mr. Justice Johannes Tomana, Attorney-General, Office of the Attorney, PO Box 7714, Causeway, Harare, Zimbabwe, Fax: + 263 4 77 32 47

· Mrs. Chanetsa, Office of the Ombudsman Fax: + 263 4 70 41 19

· Ambassador Mr. Boniface Chydiausiku, Permanent Mission of Zimbabwe to the United Nations in Geneva, Chemin William Barbey 27, 1292 Chambésy, Switzerland, Fax: + 41 22 758 30 44, Email: mission.zimbabwe@ties.itu.int

· Embassy of Zimbabwe in Brussels, 11 SQ Josephine Charlotte, 1200 Woluwe-Saint-Lambert, Belgium, Fax: + 32 2 762 96 05 / + 32 2 775 65 10, Email: zimbrussels@skynet.be.

Please also write to the embassies of Zimbabwe in your respective country.

[1] See Urgent Appeal ZWE 008 / 1208 / OBS 206.2.