

# URGENT ACTION

## HUMAN RIGHTS ACTIVISTS HELD DESPITE BAIL ORDER

**Three detained human rights activists from the Media Monitoring Project Zimbabwe had their bail orders suspended by the state on 9 December. This means that they will remain at Gwanda Remand Prison, in Gwanda, Matabeleland South Province for at least a further seven days.**

The Media Monitoring Project Zimbabwe (MMPZ) promotes freedom of expression and responsible journalism in Zimbabwe. Two employees, **Fadzai December** and **Molly Chimhanda**, and a member of the organization, **Gilbert Mabusa**, were arrested on 5 December at Gwanda police station. Police had requested they report at the station to “answer questions” in relation to a meeting convened by the organization in November. They reported at the police station in the company of their lawyer and were charged with contravening the Public Order and Security Act (POSA), for allegedly ‘participating in a gathering without seeking authority from the regulating authority’ and also for allegedly contravening the Criminal Law (Codification and Reform) Act, by ‘distributing material that is likely to provoke a breach of peace’.

After they appeared in court on Friday 9 December, a Gwanda Magistrate granted the three activists bail for \$50 each, with no reporting conditions. However the State prosecutor used Section 121 of the Criminal Evidence and Procedure Act (CEPA) to suspend the bail order. The State also added an alternative charge of ‘undermining authority of or insulting President Robert Mugabe’ in contravention of the Criminal Law (Codification and Reform) Act. However the State did not give further details of the nature of the alleged offence.

Section 121 of the CEPA has been used in the past to prolong detention of human rights defenders and political activists as it allows for a further seven days in detention, allowing the state to lodge an appeal with a higher court.

Amnesty International considers the detained activists to be prisoners of conscience – arrested solely for their work advocating for media reforms and freedom of expression in Zimbabwe – and calls for their immediate and unconditional release.

### **Please write immediately in English or your own language:**

- Write to the Minister of Justice and Attorney-General calling for the immediate and unconditional release of the MMPZ staff and member;
- Urge the Minister of Justice and Attorney-General to end systematic harassment and intimidation of human rights defenders by the police and other state security organisations.
- Urge the targets to respect the rights of human rights defenders facilitating dialogue on key national issues including media, security sector and legal reforms.

### **PLEASE SEND APPEALS BEFORE 20 JANUARY 2012 TO:**

Minister of Justice and Legal Affairs  
Hon Patrick Chinamasa  
Minister of Justice and Legal Affairs  
New Government Complex  
P. Bag 7751, Causeway  
Harare, Zimbabwe  
Fax : +263 4 77 29 99  
**Salutation: Dear Minister**

Attorney-General  
Johannes Tomana  
Attorney-General  
Government of Zimbabwe  
P. Bag 7714, Causeway  
Harare, Zimbabwe  
Fax: +263 4 77 32 47  
**Salutation: Dear Attorney General**

**Also send copies to diplomatic representatives accredited to your country.**

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



# URGENT ACTION

## HUMAN RIGHTS ACTIVISTS HELD DESPITE BAIL ORDER

### ADDITIONAL INFORMATION

In Harare on Tuesday 6 December, the MMPZ Coordinator Andrew Moyses was picked up from the organization's offices by four officers from the Law and Order Section of the Zimbabwe Republic Police for allegedly possessing material on Gukuruhundi – a 1980s government security operation in parts of Matabeleland and Midlands provinces which resulted in the killing and maiming of thousands of civilians by the security forces. He was interrogated for several hours before being released without charge.

The MMPZ's mission is to promote freedom of expression and responsible journalism. The arrest, detention and suspension of bail of the three activists appears to be part of a wider strategy to silence government critics and human rights activists advocating for media, security sector and other legal reforms agreed under the Global Political Agreement which paved way for the creation of the Government of National Unity (GNU) in 2009. Most of the reforms are still to be implemented and have fallen victim to political squabbling within the GNU.

Name: Fadzai December, Molly Chimhanda and Gilbert Mabusa

Gender m/f: Fadzai December (f), Molly Chimhanda (f), Gilbert Mabusa (m)

UA: 353/11 Index: AFR 46/027/2011 Issue Date: 9 December 2011