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Zimbabwe - ICJ Observes Preliminary Hearing of Voice of the People Radio Trustees charged under Broadcasting Services Act

February 28, 2006

The International Commission of Jurists (ICJ) will today observe the preliminary hearing of six Voice of the People trustees charged with broadcasting without a license.

Mr Ronnie Selvan SC, a highly respected advocate and Judge from South Africa, admitted to practice also in Zimbabwe will act as observer on behalf of the ICJ.

"The observer will look closely at the fairness of proceedings and the issue of judicial independence", said Federico Andreu-Guzman, Deputy Secretary –General of the ICJ. "Should the accused stand trial, we will also observe the trial and continue to assess whether international fair trial standards are scrupulously observed".

Today's preliminary hearing will decide whether there is sufficient evidence to warrant sending the accused to a full trial. Concerns have been raised about previous irregularities in the handling of the case by the police including disturbing reports that the police arbitrarily detained people associated with the Voice of People radio to find one of the accused Arnold Tsunga and that they seriously beat and injured a driver working for Zimbabwe Lawyers for Human Rights.

Background

On the 25 January 2006 six VOP trustees David Masunda, Isabella Matambanadzo, Millicent Phiri, Lawrence Chibwe, Nhlahla Ngwenya and Arnold Tsunga were arrested and charged with broadcasting without a licence. The Broadcasting Services Act under which the six have been charged, imposes restrictions on the right to freedom of the media that violates international human rights law. The accused are now free on bail. Four of the accused appeared before the magistrate on 10 February 2006, but the hearing was adjourned to 28 February when the Investigating Police Officer failed to appear and the prosecution admitted it was unprepared to proceed. The Magistrate also ordered that the accused immediately be released from their obligation to report once a week to the Law and Order section at Harare central police station.

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The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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