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July 17, 2002

Robert Mugabe
President of Zimbabwe
172 Herbert Chitepo Avenue
P.O. Box 3340
Harare, Zimbabwe

Mr. Patrick Chinamasa
Minister of Justice, Legal and
Parliamentary Affairs
Zimbabwe

c/o H.E. Dr. Simbi V. Mubako
Ambassador of Zimbabwe to the United States
1608 New Hampshire Avenue, NW
Washington, DC 20009

Dear President Mugabe and Minister Chinamasa:

The American Bar Association (ABA), established in 1878, is the world's largest professional organization representing more than 400,000 members of the legal community. The ABA has a longstanding commitment to preservation of the rule of law throughout the world. An independent judiciary free from undue political influence – one that respects the integrity, and guards the security, of judges, lawyers and human rights advocates – is essential to the realization of Internationally recognized standards of fairness and justice.

Recent reports regarding governmental actions against judges and lawyers in Zimbabwe are alarming. Credible media and other reports relate that Sternford Moyo and Wilbert Mapombere, President and Secretary, respectively, of the Zimbabwean Law Society, have been arrested and detained. Based on these reports, the ABA has become increasingly concerned about the fate of Mr. Moyo and Mr. Mapombere, and other members of the Zimbabwean bench and bar who speak critically of the government and its policies.

Mr. Moyo and Mr. Mapombere, we are informed, were arrested and detained based on letters they allegedly wrote to the Movement for Democratic Change (MDC) encouraging the opposition party to withdraw from discussions with President Mugabe's Zanu-PF party. The police assert Mr. Moyo and Mr. Mapombere intended to incite protests and were therefore likely to face charges under the Public Order and Security Act of seeking to overthrow the "constitutional government of Zimbabwe." MDC officials, however, deny ever receiving any such correspondence. The officials described a letter attributed to Moyo and Mapombere, published in the state controlled *Herald*, as a "total fabrication."

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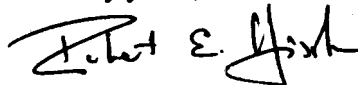
The treatment of our colleagues from the Zimbabwean Law Society, it appears, is intended to intimidate them and other legal professionals, so as to prevent them from fulfilling their professional responsibilities and tasks. Using broad powers contained in the Public Order and Security Act to this end violates the United Nations Basic Principles on the Role of Lawyers.

Since the March 2002 presidential elections, it is further reported, there has been increased repressive actions taken by the government toward political opposition leaders and supporters, independent journalists, human rights defenders, and others courageous enough to defend international standards of human rights and justice. Even before the elections, jurists were targets of government attack. We cite the treatment of Chief Justice Anthony Gubbay and the government's active promotion of the resignation of both Supreme Court and High Court judges. Activities of this kind contravene both the constitution of Zimbabwe and the United Nations Basic Principles on the Independence of the Judiciary.

We urge you to effectuate the immediate release of Sternford Moyo and Wilbert Mapombere and the termination of any charges against them or other legal professionals based on non-violent political speech. Members of the legal profession in Zimbabwe must not be inhibited or intimidated in any unwarranted way. We urge you to use your good offices to protect legal professionals and human rights defenders, as well as the guarantees of freedom of expression, association, and assembly for all Zimbabweans, as required under regional and international human rights standards. Should you endeavor to stop what appears to be a pattern of governmental actions designed to suppress the speech as association rights of judges and lawyers, the ABA will applaud and stand ready to support your brave efforts.

Thank you for your attention to this grave matter.

Sincerely yours,



Robert E. Hirshon
President

CC: Colin Powell, U.S. Secretary of State
Ambassador Joseph G. Sullivan, U.S. Ambassador to Zimbabwe