



The Bar Council



## **Bar Council and BHRC statement on the Zimbabwean Magistrate's ruling against Beatrice Mtetwa**

The Bar Council of England and Wales ("The Bar Council") and the Bar Human Rights Committee of England and Wales ("BHRC") condemn the Zimbabwean Magistrate's ruling on 18 August 2020 against Beatrice Mtetwa, a renowned human rights lawyer. We urgently call upon Magistrate Nduna – the ruling Magistrate in the case - to immediately revoke the judgment and we also urge the Zimbabwean authorities to ensure full compliance with their duties under the United Nations Basic Principles on the Role of Lawyers.

In ordering Beatrice Mtetwa to stand down from representing her client, an investigative journalist who had reported on ministerial corruption, and calling upon the Prosecutor-General of Zimbabwe to consider investigating Beatrice Mtetwa for contempt of court, Magistrate Nduna is unduly interfering with and preventing Beatrice Mtetwa from carrying out her professional duty as a lawyer. The ruling against Beatrice Mtetwa seems to form part of a wider pattern of harassment and intimidation attempts by the Zimbabwean authorities against Beatrice Mtetwa for simply doing her job.

The Bar Council and BHRC would like to remind the Zimbabwean government of their duties under the United Nations Basic Principles on the Role of Lawyers. In particular, Principle 16 places a duty on states to ensure that lawyers are able to perform their professional functions without "intimidation, hindrance, harassment or improper interference" nor threat of prosecution or other sanctions.

In addition, we would like to emphasise Principle 2 of the United Nations Basic Principles of the Independence of the Judiciary, which states that "The judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason."

The Bar Council and BHRC take very seriously any interference with the ordinary work of lawyers around the world and we are committed to speaking out in situations

where lawyers are being arbitrarily prevented from carrying out their work and upholding the rule of law and access to justice.

The Bar Council of England and Wales

The Bar Human Rights Committee of England and Wales