



Zimbabwe

IBJ Programming in Zimbabwe

Finding Order Among the Chaos: Identifying Zimbabwe's Legal Needs

International Bridges to Justice laid the foundations of its Zimbabwe program when it attended the 2006 Law Society of Zimbabwe Summer School and met with the then-president of the Law Society, executive councillors and several local lawyers. IBJ also held discussions with Zimbabwe's justice system, including the Minister of Justice, the Judge President of the High Court, the state-funded Legal Aid Directorate, the Police Forensic Science Unit and the Legal Resources Foundation. These introductory steps enabled IBJ to conduct an in-depth preliminary legal needs evaluation.

Insight from IBJ's lawyers on the situation of Zimbabwe prisons:

In April 2009, IBJ lawyers John Tawanda Burombo and Innocent Maja made 31 bail applications on behalf of 31 prisoners who had been held without trial for over a year. 15 prisoners were immediately granted bail. A couple of days later, John and Innocent went to the Harare Prison to make sure that the prisoners had been released. They found out that during the brief hiatus, 4 of the bailed inmates had died from disease and starvation before their release.

Building a Local Team to Effect Change

In 2008 IBJ completed a major step in building its in-country programming in Zimbabwe by recruiting a committed and dynamic criminal defense lawyer, Innocent Maja, to be IBJ's Zimbabwe Senior Fellow and Country Manager. Innocent is leading IBJ's new human rights-criminal defense program to answer the need for legal representation of pre-trial detainees and poor Zimbabweans. With his charisma, Innocent is organizing a core of committed

lawyers who will advance the agenda of legal reform. To provide Innocent with support to carry out this reformation, IBJ appointed John Burombo as an IBJ Fellow-lawyer in February 2009.

Providing local lawyers the resources and support they need to create a national criminal justice movement has been established by setting a Human Rights Defense Resource Center in Eastlea, not far from downtown Harare. John, with IBJ project assistant, Florence Chatira, has been charged with helping Innocent in spearheading a movement for human rights-criminal defense reform and in raising community support for legal aid.

Providing Zimbabwean Lawyers with the Support They Need

With the support of the International Bar Association Foundation Inc., IBJ and the Legal Resources Foundation (LRF) developed the comprehensive Legal Skills Development Toolkits for Defense Lawyers, Magistrates, and High Court Judges in Zimbabwe in 2008. These toolkits were developed in conjunction with the Law Society of Zimbabwe, the umbrella organization representing Zimbabwe's lawyers, and the LRF, an acclaimed local organization that is leading the development and publication of legal education materials in the country.

IBJ worked with Law Professor Goeff Feltoe of the University of Zimbabwe, a national authority on criminal law, to develop three standardized manuals. IBJ is collaborating with LRF to design and implement the most suitable distribution strategy to reach as many lawyers as possible.

In August 2009 IBJ conducted a three day human rights-criminal defense workshop for about 60 lawyers from the Harare area. The workshop was the very first of its kind in the country. Participants



were drawn from various private law firms, the Legal Aid Directorate and other civic organizations. Taking into account the discrepancy between the theoretical knowledge of young lawyers and the reality of everyday practice, the workshop aimed at strengthening the practical skills of Zimbabwe criminal defense lawyers as well as assisting them in becoming better versed in Zimbabwe's criminal procedures. This will create a strong interest in human rights-criminal defense legal aid which is still largely overlooked in Zimbabwe.



IBJ Founder and CEO Karen Tse and IBJ Trainer Anthony Natale rewarding one of the lawyers with a training certificate.

Lawyers were taught practical tips about the development of the theory of the case, client interviews, cross-examination, direct-examination and opening and closing arguments. They were invited to contribute to procedural discussions about the attorney/client relationship and the use of torture as an investigative tool. At the end of the training they were presented a CD of the Defense Manual and other practical tools.

There were extremely positive responses to the workshop. Participants committed themselves to the re-

form of Zimbabwe's human rights-criminal defense system by providing free legal assistance to at least two defendants per month, with the support of IBJ. They will communicate their passion for human rights-criminal defense aid to their colleagues and contributing to a robust human rights movement. The workshop created momentum among lawyers: participants acknowledged that they had acquired significant practical skills and expressed their desire to attend subsequent IBJ-organized workshops. Summarizing the training for many, a particularly inspired participant concluded: "this has made us



believe that it is not extraordinary men and women who change the course of history, but ordinary men and women with extraordinary skills and beliefs.”

Creating a Culture of Legal Aid to Benefit Ordinary Zimbabweans

Responding to the lack legal aid, John is providing direct case support for poor defendants. This alleviates their suffering, safeguards their legal rights and helps them recover hope and dignity. Giving priority to pre-trial detainees who have been sitting in jail for the longest period of time, he is investigating, filing bail applications and defending prisoners who have been subjected to inhumane treatment while in police custody. Early access to legal counsel will curtail these abuses in a more systematic manner. More than 50 accused persons have been assisted.

IBJ's first roundtable discussion in Zimbabwe was held on July 7, 2009 at Harare. Looking at the related problems of prison overcrowding and high pre-trial detention rates, the discussion was chaired by Innocent and involved practising lawyers, academics and representatives from both the Law Society of Zimbabwe and and the Zimbabwe Association for Crime Prevention and Rehabilitation of the the Offender (ZACRO).



Zimbabwean magistrates, lawyers and representatives of the civil society gathered to discuss ways to decongest prisons in the country.

The discussion was stimulating and led to concrete action taken by the participants. ZACRO, partnering with IBJ and the Law Society of Zimbabwe, pledged to create a database of prisoners in pre trial detention. Roundtable lawyers pledged to take on two cases a month, free of charge, to reduce the endemic overcrowding in the nation's prisons. IBJ will support these lawyers throughout the process.

Innocent Maja and John Burombo followed up the first roundtable forum by collaborating with the Legal Resources Foundation (LRF) to bring 16 magistrates together to discuss the role they can play in reducing overcrowding in Zimbabwe's prisons. The magistrates came up with practical solutions to the long list of problems. They committed to granting bail to every prisoner that appears before them automatically unless the state proves otherwise. They will consider community services and fines first and sentence them to imprisonment only as a last resort. Follow-up discussions and initiatives will monitor the progress of these commitments and explore how IBJ can support these magistrates.

Working with Partners to Operate as Broadly as Possible

Innocent Maja has formalised partnership agreements with the Legal Rights Foundation and ZACRO. They agreed to refer cases to IBJ. These partnerships are critical to finding defendants who need help first, providing support to the legal community and initiating collaborative reform. IBJ is forming a partnership with Women and Law in Southern Africa (WILSA). They contributed to the August workshop and are eager to promote a fairer justice system in Zimbabwe.

Moving Forward

With the support of the European Commission, IBJ is starting a comprehensive human rights-criminal defense program in Zimbabwe to create national human rights legislation. IBJ is committed to building leadership in the Zimbabwean human rights-criminal justice movement, to enhancing the capacity of



the legal community through interactive training sessions and to opening dialogues in the legal community on the country's human rights criminal justice system to create improvements.

Torture has permeated the fabric of Zimbabwean society so much that the public has grown to accept torture as a legitimate tool of police investigation and judicial sanctions. IBJ will raise Zimbabweans' awareness of their human and legal rights by educating the public and law-enforcement agents of these rights through creative legal rights workshops, posters and community radio shows in partnership with ZARCO throughout the year.

“The European Union is made up of 25 Member States who have decided to gradually link together their know-how, resources and destinies. Together, during a period of enlargement of 50 years, they have built a zone of stability, democracy and sustainable development whilst maintaining cultural diversity, tolerance and individual freedoms. The European Union is committed to sharing its achievements and its values with countries and peoples beyond its borders.”

The European Commission is the EU's executive body.



“International Bridges to Justice represents an incredibly powerful force for systemic social change”

The Skoll Foundation