

**BAR LEADERS FORUM  
COMMONWEALTH LAW CONFERENCE  
MELBOURNE 17 APRIL 2003**

**RESOLUTION No. 1 (Zimbabwe)**

The Leaders of the Bars and Law Societies of the Commonwealth meeting at the Commonwealth Law Conference, held in Melbourne, Australia on 16 April 2003, under the auspices of the Commonwealth Lawyers Association and the Law Council of Australia:

Observing the continued state of unrest in Zimbabwe and serious threat to the rule of law.

Recalling

the Harare Declaration, the founding principles of the Commonwealth and of the Commonwealth Lawyers Association and the Latimer House Guidelines on Parliamentary Supremacy and Judicial Independence;

the statement issued by the UN Special Rapporteur on the Independence of Judges and Lawyers calling on the government of Zimbabwe to comply with its international obligations and to respect the role of lawyers;

the continued suspension of Zimbabwe from the Councils of the Commonwealth;

the arrests of the President of the Law Society of Zimbabwe, Sternford Moyo and its Executive Secretary, Wilbert Mapombere, and their subsequent charging with offences of attempting to subvert Constitutional Government under the Public Order and Security Act;

that those arrests followed the Law Society's expressions of concern about the current state of the rule of law in Zimbabwe; and

the continued harassment by the Government of Zimbabwe of the legal and judicial professions in the exercise of their duties.

Considering the serious and continued threat to the independence of the Judiciary and the legal profession.

Being gravely concerned for the safety and rights of lawyers and others advocating the rule of law and human rights in Zimbabwe.

Urge the Government of Zimbabwe to:

uphold the safety, well being and legal rights of all persons in Zimbabwe, in particular members of the legal profession, and to ensure that the right to a fair trial is not violated;

ensure that Members of the Judiciary and Legal Profession of Zimbabwe are able to discharge their functions independently and without impediment; and

meet with representatives of the Judiciary and legal profession, including, but not limited to, elected representatives of the Law Society of Zimbabwe in order to ensure a just solution to the present crisis.

Call upon the Commonwealth Heads of Government to take a more proactive approach to ensure compliance by the Government of Zimbabwe with the Commonwealth fundamental principles included in the Harare Declaration and Millbrook Plan of Action.

Resolve that they will:

actively support the legal profession of Zimbabwe to uphold the Rule of Law,

the independence of the Judiciary and of the Legal Profession in Zimbabwe; and

Assist, within their means, in providing such technical and other assistance as the Zimbabwe may seek in those efforts.