

## Zimbabwe Court Grants Bail, Lawmaker Still Jailed

Written by Rudi Prinsloo  
Wednesday, 25 February 2009 10:29 -

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By Angus Shaw

A Zimbabwean judge on Tuesday granted bail to Roy Bennett, a prominent official in the new prime minister's party, but ordered him held at least another week while prosecutors decide whether to appeal.

Prime Minister Morgan Tsvangirai's party has called the arrest of Bennett and others a politically motivated attempt by factions in President Robert Mugabe's ZANU-PF party to derail the country's 11-day-old unity government.

Bennett, who was arrested the day Cabinet ministers were sworn in, faces weapons charges linked to long-discredited accusations that Tsvangirai's Movement for Democratic Change party had plotted Mugabe's violent overthrow.

At Tuesday's High Court hearing, Judge Tedi Karwe criticized the new prime minister for writing a letter in support of Bennett's bail application, calling the move "unprecedented."

"We don't want politicians to interfere with the work of the judiciary," the judge said. "I hope that they will take heed of that, because we don't want a clash of the executive and the judiciary." He then ruled Bennett could be granted \$2,000 bail. Relatives and friends of Bennett, being held in Mutare prison, 270 kilometers (170 miles) east of Harare, were still embracing in celebration of the bail ruling when prosecutor Chris Mutangadura requested time to consider an appeal. Judge Karwe was quick to grant it, saying Bennett would be held another week, drawing gasps from opposition supporters in the courtroom.

Bennett's lawyer, Beatrice Mtetwa, said there was "nothing amiss" in Tsvangirai writing in support of the bail request.

Mtetwa said Tsvangirai wrote to guarantee he would ensure Bennett would abide by any conditions set by the court. Tsvangirai also wrote that Bennett, his deputy agriculture minister nominee, needed to be released to take up his duties, but pledged that those duties would not keep him from making court appearances.

Bennett, who is white, had his coffee farm in eastern Zimbabwe seized years ago under Mugabe's policies, which capitalized on the country's widespread resentment against the unjust division of land between whites and blacks that is a legacy of colonialism and white minority rule.

Critics say Mugabe has engineered Zimbabwe's economic collapse, in part with land reforms that saw white-owned farms seized and given to his cronies instead going to impoverished blacks as he had claimed.

Zimbabwe's power-sharing deal - created to end months of political deadlock after disputed

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elections last year - has united longtime political rivals in a quest to address Zimbabwe's multiplying crises.

It keeps Mugabe as president after three decades in power, but many of his top aides have lost Cabinet posts to Tsvangirai and his aides.

Zimbabwe has the world's highest official inflation rate, a hunger crisis that has left most of its people dependent on foreign handouts and a cholera epidemic blamed on the collapse of a once-enviable health and sanitation system. Cholera has sickened more than 80,000 and killed more than 3,800 people since August.

U.N. health agency spokeswoman Fadela Chaib said Tuesday that cholera cases in neighboring countries also have increased. Cholera is common in the region, but Zimbabwe had previously been able to control the waterborne disease.

Chaib said South Africa has seen around 10,000 cholera cases and 54 deaths.

On Tuesday, state radio quoted President Mugabe as saying that Bennett's case and the continued detention of more than 30 democracy activists linked to Tsvangirai's party still had to be dealt with by the courts, despite the formation of a unity government that began work last week.

Only after allegations against them received court rulings could presidential clemency be considered, the radio said.

Mugabe was speaking Monday after meeting with a visiting delegation United Nations officials assessing the nation's humanitarian and economic crisis, state radio said.

Mugabe, who turned 85 on Feb. 21, officially celebrates his birthday with a lavish party on Saturday. In the past, he has given amnesty to some petty criminals to mark his birthday and to free up space in the nation's filthy, overcrowded prisons.

Prisons have not escaped acute shortages of food, gasoline, medicine and most basic goods.

Tsvangirai's party said in a weekend statement that Bennett was denied visitors and one prisoner who died in his cell was removed after nearly 24 hours, the Mutare Mayor Brian James reported.

Human rights groups have reported dead convicts being dragged from cells in other jails and stacked in corridors until they were removed to state morgues, already overwhelmed with corpses and suffering power outages and broken refrigeration facilities.

Mayor James, who was allowed to see Bennett, was seeking intervention by the Red Cross at the Mutare prison, where inmates were dying from untreated illness and starvation, Tsvangirai's party said in a statement.

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Source : Sapa-AP /po/ks

Date : 24 Feb 2009 18:15