

Globecast Satellite acquitted

There was a dramatic end to the Globecast Satellite trial on 24 July 2008 when Harare Magistrate Archie Wochiunga refused to place the company on further remand after the state had applied for a postponement of the matter.

Prosecutor Florence Ziyambi had applied to have the matter postponed arguing that her witness had failed to turn up because of transport problems.

However, defence lawyer Beatrice Mtetwa, opposed the application saying the state had the obligation to bring its witnesses on time. Mtetwa said the trial had proceeded painfully slowly as the prosecutor had chosen which witnesses to call and when. She said the court could not be held at ransom by a disorganised prosecution and urged the court to dismiss the application.

Magistrate Wochiunga dismissed the application for postponement and decided to remove the accused company from remand. The effect of a removal from remand of an accused who would have pleaded amounts to an acquittal of the accused

Globecast Satellite whose representative during the trial was Thabani Mpofu, pleaded not guilty to charges of contravening Section 7 (1) as read with Section 7 (4) and 7 (5) of Broadcasting Services Act (BSA) which outlaws the provision of broadcasting services or operating a signal carrier without a licence.

Mtetwa is currently working on an application for the release of the vehicle belonging to Globecast.

MISA-Zimbabwe position

MISA-Zimbabwe welcomes the acquittal of the company and reiterates its position that the Broadcasting Services Act is unnecessarily repressive. It is hoped that the current talks between Zimbabwe's political leaders will deal decisively with laws such as the BSA, Access to Information and Protection of Privacy Act as well as the Public Order and Security Act with the view of repealing them.

Background

The case against Globecast stemmed from the broadcast of an interview by CNN of Zimbabwe's Minister of Information and Publicity Dr Sikhanyiso Ndlovu on 27 March 2008. The uplink for the interview was dispatched by Globecast Satellite.

The court heard evidence from six witnesses, among them, Cloud Nyamundanda who is the acting chief executive officer of Transmedia Corporation and Obert Muganyura, the chief executive officer of the Broadcasting Authority of Zimbabwe.

Courtesy of [MISA](#)

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