



Liaison, Dialogue and Research

Reg no: 2006/020285/08

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Policy Brief

13 July 2021, Zoom Platform

SALO Public Dialogue on Developments in Eswatini



Introduction

On the 13th of July 2021, the Southern African Liaison Office (SALO) held a public multi-stakeholder dialogue discussing the political and security developments in Eswatini in recent weeks. This Policy Brief aims to capture key aspects that emerged from the dialogue. The country erupted into widespread protests after a law student, Thabani Nkomonye's body was found dumped in bushes in an area called Nhlambeni,

in May 2021.¹ The Swaziland National Association of Teachers led a march on 17 May 2021 to the Manzini regional police head offices to deliver a petition against police brutality; and the incident also sparked a public outcry after allegations emerged that the 25-year-old was killed by the police.² With this multi-stakeholder dialogue, SALO sought to engage and share credible information and build regional and national consensus on the situation in Eswatini. Participants on the panel included members of civil society in Eswatini who provided updates on the developments in the country. Notably, what emanated from the discussion was that the pro-democracy demonstrations and the deadly violence that erupted in Eswatini had deepened the country's economic and humanitarian crisis without forcing or resulting in any reform of the royal establishment.³ It is therefore critical to reflect on what these developments meant and the way forward from a civil society and human rights perspective.

Summary of Key Issues

Making Sense of the unrests in Eswatini: Youth Grievances, Police Brutality and the Government's Lack of Accountability

The ongoing political, social, and economic crisis in Eswatini continues to be one of the dominant issues on the regional security agenda. The general sentiment among the Swati population is that there needs to be a radical change in the political system and a fundamental feature of this is democratisation. During such periods where citizens challenge the social, political, and economic conditions they are living under, the continued response from government and the monarchy has been violence and repression. Indeed, in the past few months the country has witnessed unprecedented demonstration from the pro-democracy movement, which has historically been suppressed through anti-treason and anti-terrorist laws and a stifling of any democratic activity. This movement has demanded *"multiparty democracy and an end to the rule of the last absolute monarch on the African continent."*⁴ The pro-democracy movement has for the first time mobilised the rural majority, which has rattled King Mswati III, whose security forces have grown increasingly brutal.⁵

Observation of the recent protests highlighted that the underlying conditions and discontent have been brewing for some time. This is one of the fundamental questions that the SALO dialogue sought to discuss: **what motivated Swati students to go out**

¹ SABC. 2021. "eSwatini teachers lead protest against police brutality after law student's death", Accessed on 29 September 2021 from <https://www.sabcnews.com/sabcnews/eswatini-teachers-lead-protest-against-police-brutality-after-law-students-death/>

² SABC. 2021. "eSwatini teachers lead protest against police brutality after law student's death", Accessed on 29 September 2021 from <https://www.sabcnews.com/sabcnews/eswatini-teachers-lead-protest-against-police-brutality-after-law-students-death/>

³ *The New Humanitarian*. 2021. "Weeks of rioting fail to force reform in Eswatini", Accessed on 29 September 2021 from <https://www.thenewhumanitarian.org/analysis/2021/7/13/weeks-of-rioting-fails-to-force-reform-in-eswatini>

⁴ Pavan Kulkarni. 2021. "eSwatini army brutalises students boycotting exams", 7 October 2021, *New Frame*, Accessed on 01 October 2021 from <https://www.newframe.com/eswatini-army-brutalises-students-boycotting-exams/>

⁵ Pavan Kulkarni. 2021. "eSwatini army brutalises students boycotting exams", 7 October 2021, *New Frame*, Accessed on 01 October 2021 from <https://www.newframe.com/eswatini-army-brutalises-students-boycotting-exams/>

and challenge government's failure to meet their needs? Observers argued that there are core issues that need to be understood in order to arrive at any concrete point about what transpired in Eswatini including the aforementioned, as well as the current social, political and economic situation. Due to the pressure from pro-democratic movements in the country, the King adopted some cosmetic changes to the political system, although these have failed to meet the demands of the Swati citizens. As one contributor in the SALO dialogue stated,

*"It is in that context that this conflict should be understood because what has emerged is a very elaborate, complicated and complex web of state capture that kind of rotates and gravitates around the institution of the King in particular, as vested and represented by the King himself."*⁶

Insofar as to what transpired before the significant pro-democratic protests in Eswatini, this must be viewed as driven by the youth and student movement in particular. Following the SALO dialogue, protest action has since continued. It is understood that, on 23 September 2021, students at William Pitcher College in the city of Manzini, the economic hub of Eswatini, marched to the Ministry of Labour and Social Welfare in the capital, Mbabane, and delivered a petition. The students have been striking and boycotting their exams.⁷ Their grievances against the government and the King were related to the immediate dispersal of the unpaid monthly allowances and the promised refund of their hostel fees for the academic year 2020-2021, when accommodation and food facilities on campus were largely unused because of the COVID-19-induced lockdown.⁸

Citizen Struggle Against the Monarch

Characterised by the lack of a democratisation process and the ban on political party participation, Eswatini is faced with a major call to change its current Tinkhundla political system. Under this political system, Parliament is partly appointed by the King and partly elected through a popular vote. Individuals who run as MPs cannot represent any political party. The King appoints the Prime Minister of the country and holds considerable influence on all executive and legislative decisions. He is also the commander in chief of the army and the police.⁹

During the SALO dialogue, speakers indicated that much of the demands from the protesters were centred around changes to this political setup. Thousands of Swati citizens delivered petitions for political and economic reforms to their Tinkhundla, the Swati name for local constituencies.¹⁰ The main demand was to allow for the popular election of the Prime Minister, including addressing a variety of social and economic

⁶ SALO. "SALO Virtual Public Eswatini Dialogue", 13 July 2021.

⁷ Pavan Kulkarni. 2021. "eSwatini army brutalises students boycotting exams", 7 October 2021, *New Frame*, Accessed on 01 October 2021 from <https://www.newframe.com/eswatini-army-brutalises-students-boycotting-exams/>

⁸ Ibid

⁹ Vito Laterza. 2021. "Can eSwatini's monarchy recover from the ongoing crisis?", *Aljazeera*, 07 August 2021, Accessed on 05 October 2021 from <https://www.aljazeera.com/opinions/2021/8/7/can-eswatinis-monarchy-recover-from-the-crisis>

¹⁰ Ibid

issues such as job creation, university scholarships, better infrastructure, and better healthcare.

The Kingdom is faced by ballooning youth unemployment, which is estimated to be over 50% - even university graduates are struggling to find white collar work in what is the worst performing economy in southern Africa.¹¹ During the unrest, protesters expressed major dissatisfaction and unhappiness with the regime and with the King's modus operandi. In response, the government threatened to cut living allowances for students. *"Every month students will engage in pickets; they will boycott classes because allowances haven't been paid on time."*¹² The SALO dialogue observed the fact that, for young people, democracy means having a chance to choose a government that responds to their needs. But so far, the system is premised on extreme inequality and financial hoarding. The monarchy, driven by King Mswati III, has used violence to maintain the current system of extreme enrichment for the royal family and close allies. Authorities have responded with violence to any entity or individual who has opposed this system. Indeed, in the face of the King and the Monarch, those who demonstrate against the system continued to be seen as political opponents of the state. In fact, they are viewed as enemies of the state and have historically been charged with treason.

Freedom of the Press

On the 7th of July 2021, the International Press Institute called on authorities in Eswatini to ensure free press coverage during the civil unrest in the country. The issue of safety and freedom of journalist has always been a challenge in Eswatini when there is pro-democracy civil unrest. Security forces have indiscriminately arrested and targeted both protestors and journalists.¹³

In the current social and political climate, there continues to be targeted clamp down on journalism and information, with the government routinely shutting down the internet during moments of unrest as a means to control the flow of information and the ability to politically organise. In addition to the shutting down of the internet, speakers in the SALO public dialogue stated that the editor of Swazi News, an online news site, Mr. Zweli Dlamini, was persecuted and had to flee the country to South Africa.¹⁴ The call from the Swati people is that the King must open a more democratic, free, and liberal society. Unless that happens, there will be ongoing revolt and disaffection within the country.

Persecution of Members of Parliament

The government and the royal crackdown on those voicing dissent included the arrest of two pro-democracy MPs, Mr. Bacede Mabuza and Mr. Mthandeni Dube. Their arrests came as police hardened their stance against pro-democracy demonstrations.

¹¹ SALO. "SALO Virtual Public Eswatini Dialogue", 13 July 2021.

¹² Ibid

¹³ Ronja Koskinen, Helsingin Sanomat. 2021. "Crackdown on press freedom in Eswatini", 07 July 2021, *International Press Institute*. Accessed on 15 October 2021 from <https://ipi.media/crackdown-on-press-freedom-in-eswatini/>

¹⁴ SALO. "SALO Virtual Public Eswatini Dialogue", 13 July 2021.

These MPs helped mobilise the people in their areas to write the petitions and were vocal about the political developments and tried to bring the issue to Parliament. Their calls were ignored and they ended up locked in jail under Eswatini's Suppression of Terrorism Act.¹⁵

Based on these developments, Freedom House released a statement calling for the release of the two MPs. According to Tiseke Kasambala, Chief of Party for Freedom House's Advancing Rights in Southern Africa program, the arrest of the parliamentarians was the latest instance of the government's ongoing crackdown on political dissent and the rights to free expression and association.¹⁶ Freedom House called on the Eswatini government to drop all charges and immediately release the MPs. Indeed, political commentators and human rights activists raised alarm on the continued arrest and harassment of those who oppose the Eswatini authorities. During the SALO workshop, contributors noted that these repressive tactics underscore the need for political reform in the country.

Unrests and Violent Protests as a Regional Issue

The Southern African Development Community (SADC) region has witnessed several episodes of violent unrest in recent years. During the SALO dialogue this emerged as one of the aspects that the region should be concerned about. It is important that governments in the region are well prepared to respond in a civil manner when protests like these erupt. There are a lot of underlying issues that make these demonstrations become unmanageable and cause people to start looting and burning property. In the case of Eswatini, when issues escalated and people started looting and burning structures, the government pursued restrictive measures, including implementing restrictions on travel and a 6PM curfew, as opposed to engaging in dialogue with aggrieved citizens. Swati civilians saw the government's main objective as trying to dissolve communication through social media and disseminating information to the international community.¹⁷ Police used the curfew as a means to advance the government's approach in dealing with pro-democracy protestors.

The response from SADC and other regional actors has not gained significant traction and has historically been criticised as missing the mark. During its fact-finding mission, the ministers of the SADC Organ Troika on Politics, Defence and Security met with their counterparts in the Eswatini Cabinet and some members of the country's civil society groups in the day-long visit on the 4th of July 2021. The key issues raised by civil society groups have consistently been on multiparty democracy and the need to select their own Prime Minister. Human rights groups have also raised concerns over

¹⁵ Ibid

¹⁶ *Freedom House*. 2021. "Eswatini: Authorities Should Release Parliamentarians and Drop Charges Against Them", 26 July 2021. Accessed on 16 October 2021 from <https://freedomhouse.org/article/eswatini-authorities-should-release-parliamentarians-and-drop-charges-against-them>

¹⁷ SALO. "SALO Virtual Public Eswatini Dialogue", 13 July 2021.

endemic police brutality and the heavy-handed response by the military during the crackdown on the protests were not addressed by SADC.¹⁸

The indication from contributors in the workshop reflected a view that the SADC Troika that went to Eswatini had promised to meet with the government, civil society, and political parties in the country - but that did not happen. The Troika only met with the government; this is the kind of engagement and commitment that the regional body has historically portrayed towards the calls to intervene in the Kingdom. The critical aspect that civil society and other stakeholders in Eswatini are calling for is a meaningful dialogue with SADC. Essentially, whatever comes out of such engagements must be a product of negotiations and an agreement by all parties concerned. The contributors asserted that this is what SADC structures should focus on; to strive towards progressive dialogue with the King in order to advance democratisation and the realisation of socio-economic justice in Eswatini.

Pro-democracy Prisoners and the Conditions brought by COVID-19 in Prisons

COVID-19 remains a concern for many civil society organisations and human rights activists due to how some countries have used the pandemic to clamp down on government dissent. Indeed, *“despite [the] warning [that] there is increasing evidence that COVID-19 has exacerbated the risk of ill-treatment and torture in Africa, security authorities are [still] silencing human rights defenders and civilians under the guise of curbing the spread of the virus”*.¹⁹

While it is the case that COVID-19 has brought many health challenges, the government of Eswatini has exacerbated this problem as it continues to arrest protesters and bringing them into prison facilities that are not well-equipped to deal with pandemic challenges. The arbitrary arrests and jailing have caused concern for the pro-democratic movement. The SALO discussions touched on the fact that prisons have become a breeding ground for the spread of the virus. In this case, many young people have been tortured, brutalised, beaten, and left exposed to the spread of the virus. Jailed activists have sustained bullet wounds and are held in circumstances where family visitations are restricted due to COVID-19 regulations. Their families cannot assess their health status and the government has done nothing to bring about tangible engagements on these issues.²⁰

During the current crisis, there are still people who need assistance in hospitals and the health facilities do not have medication or resources to address the health challenges. People are calling civil society groups and human rights activists for assistance; some are even in hiding because the police are pursuing them and

¹⁸ Lynsey Chutel. 2021. “SADC fact-finding mission wraps up visit to Eswatini - with mixed results”, *News24*, 22 July 2021. Accessed on 20 October 2021 from <https://www.news24.com/news24/africa/news/sadc-fact-finding-mission-wraps-up-visit-to-eswatini-with-mixed-results-20210722>

¹⁹ Arnold Tsunga and Tatenda Mazarura. 2021. “Torture still a weapon of choice against dissent in Zimbabwe, Eswatini, Tanzania and Uganda”, *Daily Maverick*, 14 July 2021. Accessed on 21 October 2021 from <https://www.dailymaverick.co.za/article/2021-07-14-torture-still-a-weapon-of-choice-against-dissent-in-zimbabwe-eswatini-tanzania-and-uganda/>

²⁰ SALO. “SALO Virtual Public Eswatini Dialogue”, 13 July 2021.

causing them to not seek medical treatment.²¹ It is critical that this concern is attended to by the Eswatini government.

Civil society has indicated that solidarity movements in the region must push for more engagement with the Eswatini King and the government. The focus must be on the political prisoners and their suffering during this pandemic. People come out of prison with deteriorating health issues. Proper healthcare for protesters when they are arrested by the government must be regarded as a basic human right. Indeed, as hundreds of protesters continue to be detained and are facing criminal charges, including malicious damage to property, the prison capacity crisis is looming amid the COVID-19 pandemic.²²

Recommendations

- In terms of the geopolitical interests related to Eswatini, key countries that can exert pressure on the Kingdom must do so, to be clear about what the fundamental changes should be.
- SADC must do away with their 'scratch-the-surface' approach in addressing the Eswatini political crisis.
- For all stakeholders, it is fundamental to engage and re-imagine what the Swati nation-state should look like moving forward.
- The dialogues and engagements should be informed by the universal principles of human rights because there is a misconception that Swati's are a unique nation, therefore they deserve a unique political system.
- SADC must realise that Swati's are no different from any other citizens of the world, and they also have the rights that are spelled out in the Universal Declaration of Human Rights and in other African and international charters.
- Therefore, one of the key policy recommendations has to do with the adoption and establishment of a political system that is guided and informed by human rights principles.
- The current political system in Eswatini is unsustainable - it has limited civil society voices including political parties and other actors. It is critical that engagement for the future of Eswatini realises the need for a meaningful, inclusive, externally mediated political dialogue.
- It is through an external mediator that Eswatini can arrive at an inclusive outcome.
- The total unbanning of political parties to allow them to be at the table, including those parties and formations that have been proscribed under the Suppression of Terrorism Act of 2008, is critical for any inclusive dialogue and a creation of a new democratic Constitution.
- As the current Constitution places the King at the centre and allows him too much power, a new democratic Constitution must find avenues where this

²¹ Ibid

²² Deprose Muchena. 2021. "Eswatini: Dozens killed, tortured, abducted as pro-democracy protests intensify", *Amnesty International*, 2 July 2021. Accessed on 20 October 2021 from <https://www.amnesty.org/en/latest/press-release/2021/07/eswatini-dozens-killed-tortured-abducted-as-pro-democracy-protests-intensify/>

power and control is limited, with emphasis on the accountability of the King to his people.

- The monarchy must become a multi-party democratic dispensation. It is the thinking of actors here that an elected Prime Minister should come out of a framework that is negotiated by all stakeholders.
- There must be an independent and UN-led inquiry into the murders and violence that has been inflicted on the people of the country; and there must be prosecution of those involved.
- Although a divergent view, one recommendation from the floor stated that there must also be targeted sanctions against the regime, as transformation from the current political system cannot occur without sanctions being imposed on the people responsible for instituting a repressive regime in Eswatini.

Three things are coming out quite clearly and strongly:²³

- The need to continuously articulate and characterise the monarchy in Eswatini, the status quo in Eswatini, and the nature of the struggle that the people of Eswatini are waging; and the need to understand the character of what Swatis are fighting for, to define the struggle they are waging and help those outside Eswatini begin to understand what the situation is and what the issues are.
- There is a need for clarity around the nature of the dialogue that must take place - the terms of the roadmap must be clear from the pro-democracy movement in Eswatini. The movement must articulate what should happen and what role each of the stakeholders in Eswatini must play. This should include a clear indication in terms of the role of regional solidarity in this dialogue.
- There is a need for greater clarity on what the solidarity movement and SADC should be doing to help with the Swati cause. Key questions asked include:
 - What is possible from the solidarity movement?
 - What can SADC do?
 - Is it possible that SADC can do more in addressing the issues faced by the Swazi Kingdom?
 - Is there a way of leveraging on those organisations that are outside Eswatini to interact and engage with the subject leadership to push for proper solutions based on dialogue that involves all stakeholders, including civil society and political parties?

Conclusion

It is clear that the crisis intensified in Eswatini, which put a greater focus on what needs to be done in order to move the Kingdom forward to an inclusive democratic system of governance. The demonstration offered a stark reminder of the unsustainability of

²³ SALO. "SALO Virtual Public Eswatini Dialogue", 13 July 2021.

the status quo in the country and pointed to a possibly opportune time for regional actors to take action. This is an important period for solidarity movements outside Eswatini and the pro-democratic movement to begin to use this momentum to forge towards a much more sustainable solution. The movement inside Eswatini has clearly articulated what needs to be done.

The analysis and recommendations included in this brief do not necessarily reflect the view of SALO or any of the donors or conference participants, but rather draw upon the major strands of discussion put forward at the event. Participants neither reviewed nor approved this document. The contents of the brief are the sole responsibility of SALO, and can under no circumstances be regarded as reflecting the position of the donors who provided financial assistance for this policy dialogue session.

About the Southern African Liaison Office:



The Southern African Liaison Office (SALO) is a South African-based not-for-profit civil society organisation which, through advocacy, dialogue, policy consensus and in-depth research and analysis, influences the current thinking and debates on foreign policy especially regarding African crises and conflicts.

SALO would like to thank

The Olof Palme International Centre for their direct support of this event

