

Democracy and Rights in Swaziland - Update

August 2010

ACTSA

Summary

Throughout the summer the eyes of the world have been firmly fixed on South Africa as it hosted the World Cup, whilst neighbouring Swaziland managed to evade the media spot light. This Update records some of the repression and denials of freedoms and rights in Swaziland that have taken place so far this year, as the Swazi Government continues to deny democracy with increasing attacks on those seeking freedom of expression and organisation.

Much of the repression has been under the guise of the repressive Suppression of Terrorism Act, which allows the Swazi Government to declare anyone or anything a terrorist organisation, including the country's main political party. However, Swaziland has no known domestic or international terrorist groups and political parties deny involvement in terrorist activities. Anyone charged and found guilty under the Act can face up to 25 years in jail.

Swaziland does not allow political parties. Activists in trade unions, student unions and civil society organisations are increasingly targeted to stifle and prevent any opposition and criticism.

Independent watchdog, Freedom House, classifies Swaziland as 'not free' and says it has less political rights than Zimbabwe. Whilst the Economist Intelligence Unit's Index of Democracy classifies Swaziland as an authoritarian regime.

Amnesty International is gravely concerned that certain provisions in the Suppression of Terrorism Act 2008 threaten human rights, are inherently repressive, breach Swaziland's obligations under international and regional human rights law and the Swaziland Constitution, and are already leading to violations of the rights of freedom of expression, association and assembly.

ACTSA, which is in solidarity with the people of Swaziland in support of democracy and freedom, is seriously concerned that there are signs of increased repression in Swaziland.

January 2010

Media suppression

The Times Sunday, one of Swaziland's leading newspapers, was told by the Attorney General it must stop publishing articles from Mario Masuku, president of the banned political party the People's United Democratic Movement (PUDEMO). The editor was told he would face jail for supporting a terrorist if he did not stop publishing the articles.

Police 'shoot' students at demonstration

A student demonstration was stopped on 29 January when police opened fire on the crowd, injuring two people. Students claimed that real bullets were used but police insist they used teargas to disburse the protestors. The Times of Swaziland reported that police stopped buses carrying students and denied them access to Mbabane,

the Capital, because the buses had no permits. The students were on their way to the Ministry of Labour and Social Security to demonstrate over government proposals to make cuts to education funding.

February 2010

University closures

The Swazi government closed the nation's only university and all tertiary education colleges following demonstrations and class boycotts by students on 2 February. The Swaziland National Union of Students (SNUS) had been calling for urgent democratic reform in the country and protesting against cuts in education funding.

Student disappearances

Following further student-led demonstrations in Manzini, on 10 February, police abducted/detained at least four student leaders. They were later released. A student at the demonstration was arrested for taking photographs of other arrests. When searched he was found to be carrying a Swaziland Youth Congress [SWAYOCO] card bearing his name. The Swaziland Solidarity Network (SSN) reported that 'he was tortured viciously and then charged with contravening Section 19 of the Suppression of Terrorism Act'.

Youth meeting banned

Vulamehlo Youth Brigade was banned from holding a workshop in Mbabane on 20 February. Police said the organisers were a banned political organisation. The response was that the workshop was not politically motivated but rather an opportunity for youngsters to congregate and discuss life skills. Assistant police public relations officer Steven Dlamini said "their meeting was going to be held at night, we did not understand the purpose of holding the meeting at night."

Senate President receives travel ban

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April 2010

Clamp down on Swaziland Democracy Campaign (SDC)

Despite a court order obtained by the Swaziland chapter of the SDC granting them permission for a public launch of the Campaign inside Swaziland, the royal police clamped down on the campaign between 16 to 18 April; arresting and detaining two of the coordinators of the Campaign. Police also raided the home of a third member involved with the campaign coordinating team, which prevented him from attending the launch.

This followed the police clampdown during the 12 April commemorations which marked the 37th anniversary of the banning of political parties in Swaziland.

May 2010

'Unemployed' not allowed to attend workers' day event

Swaziland police arrested four people to stop them speaking at a Labour Day rally organised by the Swaziland Federation of Trade Unions (SFTU) on May 1. Sikelela Dlamini and Mphandlana Shongwe (PUDEMO activists), Wandile Dlodlu (SWAYOCO President) and Marie da Silva (SDC member), as well-known activists, were invited guest-speakers of SFTU at the event. They were arrested because, according to police, they were unemployed and therefore had no business at an event 'exclusively' for workers.

On the same day, members of the Swaziland National Association of Teachers (SNAT) were prevented from taking pictures of the event by police and forced to delete 35 they had taken already of the aforementioned activists' arrests.

Political activist died in custody

Stephen Siphon Jele was found hanging dead in his police cell on May 4 having been arrested on May 1 for wearing a PUDEMO t-shirt at Labour Day celebrations. The police claim he committed suicide. A specialist forensic pathologist conducted an independent inquest and stated it was not suicide as there were no signs on the body consistent with suicide and nothing in his cell to stand on from which to hang himself. Journalist forced to return pictures by Swazi Court

A journalist for the Times of Swaziland was forced to return photographs he took of an alleged murder scene by the Swazi High Court on 3 May

June 2010

Activists detained without bail or evidence

Swaziland Youth Congress (SWAYOCO) activist Bheki Dlamini, on 16 June, became the latest person to be arrested under the Suppression of Terrorism Act. His arrest followed another a week earlier, of Zonke Dlamini. Both were alleged to have been involved in a spate of petrol bombings outside of the residences of government officials. However, there is no evidence to support their involvement in the bombings and they have been denied bail until trial.

Police raids of opposition leaders' homes

Mario Masuku, President of the banned political party PUDEMO, had his home raided by armed police in the early hours of 14 June. The latest move came as Barnabas Dlamini, the Prime Minister, has called for the law to be changed to deny bail to all people charged under the Suppression of Terrorism Act.

Barnes Dlamini, President of the Swaziland Federation of Trade Unions (SFTU), had his home raided shortly after Masuku's, on 21 June. Trade union leaders believe that the raids were connected with the attendance of SFTU members at the International Labour Organisation meeting in Geneva in June. Swazi trade unionists had put their government's record on human rights in the spotlight at the event.

Rural areas have not been spared from systematic and widespread police raids either. They were carried out in the deep rural poverty stricken Hluti-Lavumisa area, the home of PUDEMO Deputy President Skhumbuzo Phakathi. The following homes were also raided in the area in the last weeks of June:

- Zweli Nxumalo, former Deputy President of the Swaziland Nurses Union.
- Norman Xaba, the PUDEMO Deputy Chairperson for the rural Shiselweni region.

- Xolani Sbiya, a SWAYOCO member, was out during the raid, but police interrogated his mother for three hours.
- Swaziland Coalition of Concerned Civic Organisations (SCCCO) Chair, Pastor Gadlaza Phakathi's home was raided after it was alleged that he was harbouring PUDEMO activists.
- Kholekile Macu, from the PUDEMO women's league executive and her husband were accused of being 'terrorists' and keeping PUDEMO weapons. Their home was subsequently raided.
- Other homes were also raided in the Lavumisa area. The Swaziland Democracy Campaign (SDC) condemned the continued harassment of the people of Swaziland fighting for democracy.

July 2010

Allegations of torture in police custody

Two separate reports emerged regarding allegations of torture of two terrorist suspects in police custody. It is unclear whether the men were members of PUDEMO, the banned political party, or not. The reports emerged on 29 July, with both incidences taking place at KaPhunga police station.

Bhekumusa Dlamini, who is accused of involvement in a spate of petrol bomb attacks in Swaziland, said in a written statement to the High Court that he was arrested at his home and taken to KaPhunga Police Station where he was attacked by at least 12 police officers. Zonke Dlamini, who is charged alongside Bhekumusa Dlamini, told the High Court in a statement that he was taken to KaPhunga Police Station and tortured in the same way as Bhekumusa Dlamini, but this time 18 police officers were involved.

Both men say that the severity of their treatment caused them to admit the charges despite their maintained innocence. Both men were refused bail at a hearing on 6 August, based both on the 'confessions', and also Judge Nkululeko Hlophe's inability to guarantee 'public peace and safety' should it be granted.