

Swaziland Public Services Bill: a guide

The people of Swaziland are no strangers to repressive legislation. In a country with what is considered to be one of the longest running states of emergency in the world the Government regularly impose vague and restrictive legislation to crush political dissent. The latest damaging proposal to be pushed by the Government is the Public Services Bill.

ACTSA, UNISON, PCS and Prospect support the calls from the Swaziland Federation of Trade Unions (SFTU), the National Public Services and Allied Workers Union (NAPSAWU) and Public Services International (PSI) for the Swazi Government to abandon its proposed Public Services Bill. NAPSAWU is running a national campaign within Swaziland to gather 20,000 signatures to illustrate the strength of opposition to the Bill.

Political parties are banned in Swaziland but trade unions are not. The clear intent of the Public Services Bill is to prevent public workers from being active in trade unions and organisations the Government consider to be political.

The Bill would make it 'an offence for a public officer to hold an office in or be visibly associated with a political formation or organisation'. There is no definition of a 'political formation or organisation' within the Bill or elsewhere in Swazi law. As in other repressive Swazi legislation, the terminology is deliberately vague, leading us to ask what does 'visibly associated with' mean and what are people allowed to do?

ACTSA views the Public Services Bill as a continuation of the 2008 Suppression of Terrorism Act (STA) which can be used against anyone deemed by the Government to be associating with a terrorist organisation (the Government decides which organisations are regarded as terrorist) and the sentence can be up to 25 years imprisonment.

The Bill has already been put before the Labour Advisory Board (LAB), which is a body made up of representatives from the business sector, government and trade unions. LAB is legally required to review any act which affects labour and the LAB has dismissed the Bill as unnecessary. The Swazi Government continue to pressure the LAB to come to an alternative conclusion that favours their position.

The Bill would contravene a number of international conventions which the Kingdom of Swaziland have signed including International Labour Organisation (ILO) ones. Peter Waldorff, General Secretary of Public Services International has called for "the King and Government to abide by its obligations as a member of United Nations, including its signed commitments under the International Labour Organisation."

In some countries including the UK there are restrictions on certain political activities for public employees at senior levels. The intention of such measures is to ensure that senior public officials should be seen to be politically impartial in their work. The proposed bill is different because it prevents anyone paid by the Government from being members of or associating with organisations which the Government determines are political and dislikable. Its provisions are vague and open to abuse.

Harassment, arrests and threats of unemployment or demotion are regular occurrences for trade unionists and pro-democracy activists in Swaziland. The Public Services Bill is an anti democratic measure and a further attempt by the Government of Swaziland to prevent freedom of association and expression. ACTSA supports the call of trade union movement in Swaziland and internationally that the Bill should be dropped.

Take action: write to the Swaziland High Commission to call for the Swazi Government to drop this repressive bill.

