

# Answers demanded for

STORIES BY STANLEY KHUMALO

**MATSAPHA - After five months since Human Rights Lawyer Thulani Maseko's assassination, there should be answers.**

This was said by the Director of the Centre for Human Rights at the University of Pretoria, Professor Frans Viljoen. He was speaking during the Inaugural Lecture of Thulani Maseko at Esibayeni Lodge, Matsapha.

The event was hosted by the Centre for Human Rights, University of Pretoria in partnership with the Coordinating Assembly of Non-Governmental Organisations (CANGO) and University of Eswatini (UNESWA).

In celebrating the works and achievements of Maseko towards human rights, the speakers included academics and human rights lawyers while the keynote speaker was former South African Judge, Dhaya Pillay. Also present was the wife to the slain human rights lawyer, Tanele and his sister Dumile.

Professor Viljoen, who gave a background to Thulani Maseko's Memorial Lecture: Championing democracy, the rule of Law and human rights, said: "Today's Memorial Lecture also serves as an opportunity to shine a spotlight on accountability. Today marks five months since the fateful day of Thulani's brutal killing."

He said at the time of Maseko's assassination, a government spokesperson cautioned against speculation, called for the police investigation to be allowed to take its course and expressed confidence that in the end, the truth would prevail.

## Killing

The professor said many calls were then made, from all corners of the world, that the killing be fully investigated and that those responsible be identified, prosecuted and punished.

Among those calls, he said, two stood-



**Human Rights Lawyer and University of Eswatini Lecturer Thabiso Mavuso during his presentation.** (Pics: Stanley Khumalo)

out because they were made by the leading relevant regional and sub-regional African bodies. He said on January 23, 2023, the African Commission on Human and Peoples' Rights, urged the Government of Eswatini to 'set up an independent inquiry to investigate the murder of Maseko with a view to apprehending, prosecuting and punishing those found responsible for his death'.

## Awareness

He said the commission further called on government to 'take legislative or other measures (institutional, administrative, policy and public awareness, among many), to ensure that human rights defenders were guaranteed the right to live a life free from the threat of violent attacks'.

Subsequently, the director for the Centre for Human Rights said on January 31, 2023, leaders of the Southern African Development Community (SADC), of which Eswatini is part of, called on the country to conduct a 'swift, transparent and comprehensive investigation' into the circumstances of Maseko's death, and to 'urgently initiate' a peaceful national dialogue with pro-democracy groups as a means of strengthening democracy.

"We are here today, to shine a light on the fact that nothing seems to have been done. We ask for transparency, for a progress report. This we do not base on our demands, but base on government's own undertaking, its own commitment and promise to 'allow the investigation' to run its course."

He said they were of the view that it was not unreasonable, five months later, to ask the government to provide family, friends, colleagues, fellow human rights defenders, concerned citizens, ordinary Eswatini with an update.

## Obstacles

Professor Viljoen asked: "Where does the investigation stand? What has it yielded? What obstacles have been experienced, if any, what measures have been taken to overcome these obstacles? What are the next steps; and the nature of any ongoing investigation? What are the prospects of bringing those responsible to justice?"

Furthermore, he said they also regret that no investigation had been conducted on the much broader issue, affecting so many other people, emanating from the excessive use of force and violence by the police during 2021, in particular. He said they would also put this in an official letter to the government.

He said while they honoured Maseko's life and legacy and celebrated his life of selfless sacrifice, they also remembered the many others who had made similar sacrifices. "Long may their examples inspire generations of human rights defenders and campaigners for democracy who experience hardships in their struggle for human rights, the rule of law and democracy, in the face of oppression, authoritarianism and violence!"

It was further stated that his lecture would be held in various countries annually to depict Maseko's character and belief that the law was means to democracy.



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Workmen's Compensation (Amendment) Bill 2022

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# Slain lawyer's death

## Govt not obliged to answer - Alpheous

**MANZINI - Government is not obligated to answer to any and every forum on questions of investigations because that can jeopardise the process of investigations, says Alpheous Nxumalo.**

Nxumalo, who is the government Spokesperson, said government did not resent any of the conversations that might be taking place around and about Eswatini's political landscape or about any other matter relating to memorial lectures of certain individuals.

Also, he said government did not take offence at the projections of certain ideas (professional or otherwise), which may seek to have a positive input and impact

in the national political discourse.

Nxumalo said the Kingdom of Eswatini's political landscape was an open book and was a fully fledged and functional democracy. He said they fully subscribed to the concept of constitutionalism, rule of law and basic human rights, such as freedom of expression, association and of holding an unpopular opinion.

### Hijacked

"Our national Constitution has a Bill of Rights. What government take reservation about in this forums is when they are hijacked and used for crude political propaganda such as dissemination of misleading information and casting aspersions about certain events and people," Nxumalo said.

He said memorial lectures should not be about opportunities to drive smear campaigns and making reckless statements. The government spokesperson said it was completely offensive for anyone to cross borders into Eswatini, especially from South Africa, whose Constitution is premised on the backdrop and spirit of the apartheid regime's constitutional arrangement.

To date, he said, many South Africans cannot leverage on their post-1994 Constitution to access land with or without compensation. Nxumalo said neither could they leverage on the Constitution in order to effectively participate in the mainstream economic activity. He said the Kingdom of Eswatini was evolving rapidly democratically and needed no unsolicited advice to that effect.

## Wife Tanele relives special moments

**MATSAPHA - Tanele Maseko relived some special moments with the slain human rights lawyer.**

Draped in mourning gowns, Tanele had to take a moment to regain her composure before addressing the attendees of the gathering. The wife to the deceased human rights lawyer informed the attendees that they called each other with the deceased - sweetie. She said in his lifetime, Maseko would ensure that regardless of any arguments they had the previous night, he left her with a cup of coffee. "He would say, I don't care that you are not talking to me but I still love you. That was sweetie, you know!" Tanele said.

### Laughter

This drew laughter and a round of applause from the attendees as Tanele revealed the softer side of the deceased, which was not known by the public.

She continued to state that they had endured a number of challenges with Maseko and among these was being able to have children.

Tanele said it had been difficult for her to have children as leading to the birth of their two boys, they had suffered two miscarriages. During this difficult moment, she said, the deceased would look at her, kiss her forehead and say: "I know you are a fighter and you will be okay."

She described her deceased husband as someone who was gentle and the opposite of her character.

## ... sons tried to hold Thulani's blood

**MATSAPHA - Thulani Maseko's two sons did not cry when their father was murdered in front of them; but instead they tried to hold back his blood.**

Tanele said on the day her husband died, he had woken up happy but with a feeling of fear as well. She said the deceased informed her on the fateful day of January 21, 2023 that he was happy yet there was this sadness deep within his soul.

Tanele said when being inquisitive about this and suggested that they should pray about it, he advised that she leads the prayer. Thereon, she said the deceased later informed her that after the prayer, he felt fine and would be able to take whatever was coming his way.

She said Maseko responded by saying that it was fine and later insisted that his wife accompany him to his office. Tanele said her husband insisted that they travel without their children on that day.

### Strange

"What was strange on that day was that he kept on holding my hand so tight and looking at me to then thank me for believing in us. When I asked him why he was holding me so tight, he just said its fine."

The wife of the deceased lawyer said upon return to their compound at KaLuhleko, Bhunya, Maseko held on to their children so tight and said they would carry his voice before kissing them on the forehead.

Thereafter, Tanele said Maseko said he knew that she would do a stellar job in raising the children. She quipped that throughout the day, leading to his murder, Maseko had said strange things which she did not make sense of at the time.



**Tanele had to take a moment to regain her composure before addressing the attendees of the gathering.**

At around 8pm, Tanele said Maseko had listened to His Majesty King Mswati III's speech, wherein the Monarch was dispersing *emabutfo*. This, she said, was after Maseko had explained that he wanted to understand the line of thought by the King.

At about 9pm, while they were sipping on good whisky, Maseko bemoaned that some of the people seeking multi-party democracy were not aware that some of them would not see the change they were calling for.

"What struck me was that at about 10pm, he said, 'If they want to kill me, they will kill me in front of you and the boys'. I said what do you mean love?"

She further said Maseko said this while his older son was with him watching soccer and while still enquiring about that, through reflex she saw a gunman and subsequently heard two loud bangs.

Tanele said immediately she went to him; he closed his eyes and went cold. She said Maseko looked at peace.

## Taxi man killer ge

BY KWAMELE DRAMINI

**MBABANE - The man who robbed a taxi man of his motor vehicle and killed him has been sentenced to a total of 30 years.**

Bongumusa Mnisi of Ngowane under Chief Kekela, who was arrested together with Bongani Ndwandwe of Sigwe under Chief Mshengu, was sentenced to 16 years for the murder Nicholas Phiri.

Phiri was said to have used the taxi to drive an elderly woman to church every Sunday. A Bible was found in the taxi after it had been recovered and Judge Bonginkhosi Magagula said that proved that Phiri was man of God.

Judge Magagula also sentenced Mnisi to 14 years for robbing Phiri of the taxi. Judge Magagula ordered that the sentences should run concurrently.

This means that Mnisi will spend 16 years in prison and even less because the sentence will take into account the time Mnisi spent in pre-trial incarceration. The offence was committed on December 23, 2019.

In his judgment, Judge Magagula said the murder was actuated by greed.

"The accused and his compo had intended to rob Mr Phiri vehicle - the only means with which he earned a living. They did not rob him from a bar of soap, as such could not have been another purpose of the murder which the criminal act even more blameworthy," said Judge Magagula.

When Mnisi and Ndwandwe were arrested, they confessed to the magistrate that they only wanted money from Phiri and to sell the vehicle.

### Resist

They admitted to the murder and that all the money Phiri was money brought by the pair stated that they had hijack the taxi man during a period of time, and jobs with no luck.

They said that Mnisi was 51 years old and the Mbabane Taxi Association to Ezulwini on June 21. According to the association, the taxi man reached Bahai station known to the money and on the way towards Mdzimba.

Before they were taken to the police ground at Mdzimba.

Some ENPF funeral benefits unclaimed - minister

**LOBAMBA - The Minister of Labour and Social Security**



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