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Centre for Human Rights  
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## PRESS STATEMENT

# A CALL TO THE SOUTH AFRICAN GOVERNMENT TO FACILITATE THE URGENT INTERVENTION OF SADC IN CURBING THE ESCALATING VOLATILE SITUATION IN ESWATINI

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The Centre for Human Rights, Faculty of Law, University of Pretoria, is deeply concerned about the escalation of the situation in Eswatini in the wake of protests against police brutality and support of democracy in the nation. The escalation of violence, loss of life and violation of fundamental human rights poses a grave threat to the people of Eswatini. Therefore, the Centre for Human Rights calls on the South African Government to facilitate the intervention of the Southern African Development Community (SADC) in curbing the escalating volatile situation in neighbouring Eswatini.

A wave of citizen protests erupted in Eswatini over the past two weeks, initially a call against police brutality and reform of the Royal Police Service in the nation following the death of a young man in an alleged incident of police brutality. The protests also became a call for democracy and political reforms in the nation. With citizens calling for the transformation of the system of government in the country, which is currently an absolute monarchy, to a constitutional monarchy that allows for democratically elected representatives, particularly the prime minister, which will ultimately dilute the absolute power that the King of eSwatini currently holds. The pro-democracy calls initially emerged from submissions to the Parliament of Eswatini by opposition leaders calling for discussions regarding changing the system of governance in that country.

Protesting citizens have been demanding [#JusticeForThabani](#), reforms in the Royal Police Service and the overall system of governance. Initially peaceful protests were met by violence and further repression from the police in Eswatini, a situation not unique to the Kingdom and one which has become the harsh legacy of how most African states respond to calls for dialogue from their citizens. There are reports of the police using teargas and rubber bullets to disperse crowds, and this has escalated in the past two days with the army being deployed to quell the protests. Since the deployment of the army, there have been reports of the use of live ammunition against protesters,

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leading to the reported deaths of eight people and serious injury of 28 people in clashes between the army and protesting citizens. There have also been reports of forced disappearances of those protesting. Excessive use of force and its various manifestations in Eswatini poses violations of the right to life, the right to protection against inhuman and degrading treatment and the right to personal liberty as protected in the Constitution of Eswatini. The rights that are violated in situations of excessive use of force by the security force in this situation are non-derogable rights, infringement of which cannot be justified even in the case of a state of emergency.

Bonolo Makgale, head of the Centre's Democracy and Civic Engagement Unit, noted: "Clearly, police-related deaths have for long been a distressing feature of our society, but has not spurred outrage." Excessive use of force by security forces on citizens is a grave concern on the African continent and globally. We have seen brutal incidents of this here in South Africa, neighbouring Zimbabwe, Nigeria, Cameroon, and many nations on our continent. It is regrettable that calls for reform are met with the harshest expressions of the exact conduct that citizens call to be reformed. We condemn the disproportionate violence and unnecessary loss of life at the hands of security forces.

Following the wake of protests that emerged last week, the Acting Prime Minister of Eswatini decreed it illegal to hand over petitions to Members of Parliament and government officials. Most recently, the government of Eswatini enforced an extreme curfew from 6PM to 5AM to restrict movement citing concerns of the spread of the Corona Virus. While this is a valid concern, there are reports the curfew is being used as a tool to quell the protests. This repressive use of the law to suppress the citizen voice has the effect of shrinking the civic space and infringing on various rights protected in the Constitution of eSwatini including the right to freedom of movement, freedom of expression, and freedom of expression the right to freedom of peaceful assembly and association. The protracted nature of the situation and lack of response from the government of Eswatini and the region at large does place the citizens at risk of spreading and contracting the coronavirus. Most of the Southern African Development Community (SADC) region is facing a grave increase of COVID-19 cases as the region braces the third wave of the virus. We commend the people of Eswatini for braving this dangerous situation to call for the reforms they wish to see in their country. To this effect, we call on the government to call to mind the very real threat posed by the Corona Virus vis a vis their failure to heed the call of the people which necessitates the continued protests ultimately threatening the right to life of the citizens and potentially exacerbating the national public health crisis caused by the COVID-19 pandemic.

The Government of Eswatini has since ordered an internet shutdown, which is a further infringement of the fundamental rights mentioned above as well as a contravention of article 9 of the African Charter of Human and People's Rights which protects the rights to receive information as well as the right to express and disseminate opinions. An internet shutdown severely shrinks the civic space and prevents the expression of the plight of protestors, it is also a situation that can allow for gross violations of other human rights away from the eye of public scrutiny. This method of quelling protests

is not unique to Eswatini and is a common method of repression on the continent that needs urgent attention and reform.

Against this background, the Centre for Human Rights calls for the President of South Africa, His Excellency President Cyril Ramaphosa, the government of South Africa and regional bodies to use their influence to intervene in the escalating situation in Eswatini urgently. We call upon these bodies to intervene swiftly and address the situation with the severity it deserves. We have seen the devastating effects of allowing situations to escalate without intervention and advisory, which may prevent and severely lessen the infringement of human rights and unnecessary loss of life. We continue to see the devastating effects of this in the Anglophone Crisis in Cameroon, and the situation Cabo Delgado in Mozambique and many other conflicts on the continent. We call on President Ramaphosa, the government of South Africa and regional bodies particularly SADC which Eswatini and South Africa are both a part of as well as bodies on the continent at large to intervene and prevent the protraction of situations that threaten peace and security on the continent and lead to unnecessary loss of life of African citizens.

We call upon them to continue to encourage the government of Eswatini to engage with its citizens with respect for their rights as enshrined in the Constitution and condemn the use of the law as a tool to shrink the civic space and the excessive use of force used by the state to quell the protests. We call for constructive and peaceful dialogue between the Kingdom Eswatini and its citizens and continue to condemn the use of repressive measures by the state in response to calls for dialogue from their citizens.

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