

CFE calls for Eswatini to take steps to ensure this week's election is free and fair

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Citizens of Eswatini will go to the polls on September 29, 2023 to elect a new legislature under serious constraints. They will elect Members of Parliament, Constituency Headmen and Constituency Councilors but this will have little impact on the executive, which is controlled by the absolute monarch, King Mswati II.

Political parties are banned from participating in the elections in favour of the Tinkhundla participatory system of governance, where candidates are voted for as individuals. In addition, the media has been severely constrained, including journalists being made to sign a secrecy pledge if they wish to cover the polling stations. Many journalists from the independent media (mostly online) were not afforded identification tags to cover the elections. Such tags were the prerogative of the mainstream media, which faces ongoing criticism for its lack of independence.

In recent years, Eswatini has faced an unprecedented upsurge of protest against the failure to democratise, especially the refusal to hold elections under a multiparty participatory representation. The country's worst political upheaval was in June 2021, which left over 46 dead (official statistics from the Human Rights Commission) and an unquantifiable number of injuries, estimated at over 200, as the government unleashed security forces to suppress public demonstrations calling for democratic reforms.

In response, at the apex of the political unrest, King Mswati promised to open a national dialogue, but has failed to do so. When dissolving Parliament in July 2023 in preparation for this week's vote, the King reiterated his promise for a dialogue in the traditional format of summoning people to the cattle byre and allowing individuals only to submit representations. This format has been vigorously opposed by those clamouring for democratic reforms as an unfair process.

The Tinkhundla system does not conform to the standards set by the South African Democratic Community (SADC) Principles and Guidelines Governing Democratic Elections and the African Union (AU) Durban Declaration on the Principles Governing Democratic Elections in Africa.

"Under these conditions," CFE executive director Anton Harber said, "these elections can only add to the frustration of those citizens who have pushed for democratic reforms. The

elections promise little opportunity to break the political logjam and move the country towards democracy. We are particularly concerned that journalists are not being afforded the access and protection they need to play their role of informing citizens and exposing wrongdoing.”

The pledge journalists were made to sign commits them to not report on what happens in the polling stations. This may prevent journalists from exposing problems or reporting on incidents that affect the elections.

The SADC Organ on Politics, Defence and Security has sent a mission of election observers to the country, a week ahead of the elections. But recommendations made after the 2018 elections have been ignored. In 2018, the AU recommended *“the Government of Eswatini to consider reviewing the 1973 decree and allow for the formation, registration and participation of political parties in elections in accordance with the provisions of the 2005 Constitution, and in compliance with the country’s international commitment.”*

It further recommended that the Government of Eswatini must *“consider reviewing the electoral system to enhance inclusivity and foster participation of marginalised groups such as youth and people with disabilities.”*

Fifty-nine MPs will be elected in the constituencies and the King will appoint another 10. Four Regional women MPs will then be elected to bring the total number in the House of Assembly to 73. The King will appoint 20 Senators, while the MPs will elect another, bringing the total number of Senators to 30. The King will also appoint a Prime Minister, with a Dlamini surname, and a Deputy Prime Minister of his choice.

Having observed the political climate and listening to submissions made in two Freedom of Expression Summits on freedom held in Manzini, the CFE calls on the authorities in Eswatini to:

- Allow all journalists access to voting stations, whether from the independent or mainstream media.
- Exempt journalists from signing the Declaration of Secrecy Form.
- To respect the country’s constitutional guarantee of freedom of expression.
- Honour the peoples’ call for a dialogue in an environment that guarantees freedom of expression.
- Open up space for political participation by allowing political formations to participate freely in elections.
- Allow all election observers to do their work unfettered and to implement their recommendations for a free, fair and people-driven election.

Anton Harber
Executive Director
Campaign for Free Expression

The Campaign for Free Expression is a non-profit organisation dedicated to protecting and expanding the right to free expression for ALL, and enabling EVERYONE to exercise this right to the full, whether it is by speaking out, protesting, revealing information, blowing the whistle on wrong-doing, arguing, debating, writing, painting, composing or just by shouting out an opinion.