



Liaison, Dialogue and Research

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Policy Brief

25 October 2021, Zoom Platform

# SALO Public Multi-stakeholder Dialogue on eSwatini



*By Lily Manoim, SALO*

## Executive Summary

SALO, in partnership with the Open Society Initiative for Southern Africa (OSISA), held a public multistakeholder dialogue on the 25th of October 2021 to discuss the human rights situation in eSwatini, the ongoing protests, and the state's obligations towards its citizens.

The dialogue created a platform for leaders within the pro-democracy movement to discuss the escalating protest actions – and the violent and repressive state response - that had been taking place the week prior. By highlighting the perspectives and engaging with the demands from the pro-democracy movement on the ground in eSwatini, the dialogue aimed to build greater consensus and support for more effective short and longer-term policy approaches for South Africa and the region. Throughout the dialogue, much focus was placed on the role of SADC, particularly as there had recently been an envoy deployed to eSwatini. This event was a continuation of a regional dialogue (held on the 7th of October) which focused on building solidarity on eSwatini within the region and featured voices from Zambia, Malawi, Zimbabwe, Namibia, and Botswana.

Speakers at the 25 October event included both Swati and South African civil society representatives, including **Cebile Dlamini** - Swaziland Rural Women's Assembly; **Sonke Dube** - Swaziland Youth Congress (SWAYOCO); **Mary Pais Da Silva** - Swaziland Multi-Stakeholders Forum; **Qhawekazi Khumalo** - Swaziland Lives Matter Global; **Thabo Masuku** - Foundation for Socio-Economic Justice and SAPSN (Southern African Peoples Solidarity Network); **Sonia Mabunda-Kaziboni** - the International Secretary of COSATU; **Washington Katema** - Southern Africa Human Rights Defenders Network (Southern Defenders); and **Venetia Govender** - a human rights defender.

## Context and Importance

Days before the dialogue took place, protests in eSwatini were met with violent repression from the police and the army. These protests were significant as they included school students, who were boycotting lessons.

As explained by Mary Pais Da Silva of the Multi Stakeholders Forum:

*“We’ve got so many children that have absconded, that have fled into South Africa, into Mozambique... [and] for the first time as a nation, we’re experiencing... our children being charged under the suppression of Terrorism Act”.*

Protesters were calling for free schooling, the release of the arrested members of parliament (MPs), and an end to the regime under King Mswati III. Protesters were heard chanting “*Mswati must fall*” and “*release our MPs*”. Earlier in the year, many pro-democracy protests encountered lethal force, with dozens killed, and thus the subsequent escalation of protests was noteworthy.

The dialogue was also significant as the pro-democracy movement had recently moved to consolidate their demands, largely organised under the multi-stakeholders-forum. Together as civil society, they had agreed on a 5-point plan and a 4-step programme toward a national dialogue. These demands are significant in the pro-democracy movement, and the content of these demands is important to unpack.

Finally, the envoy that the SADC Troika had recently deployed to eSwatini was cause for much debate and discussion – while on the one hand, evidence of SADC taking action was welcomed by Swati civil society – on the other hand, the lack of information regarding the purpose and the programme of the envoy was identified in the dialogue cause for concern.

### **King Mswati III Announcement of a Dialogue**

The King responded to the citizens' call for a national dialogue – and announced a “national dialogue” will be held at the Sibaya- the royal kraal/cattle buyer situated at one of the king’s residences. Mary Pais Da Silva explained, “*He has already determined the place as the royal cattle buyer, as we call it Sibaya.*” She explained that the King unilaterally determined that the dialogue will be held after the Incwala festivities, which had just begun and would last about three months. As argued by Liesl Louw-Vaudran and Ringisai Chikohomero (2020)<sup>1</sup> “*The Sibaya is structured*

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<sup>1</sup>Louw-Vaudran, L. and Chikohomero, R. 2021. SADC should urgently mediate a dialogue process that’s seen as credible by all parties in the country. 25 November. <https://issafrica.org/iss-today/eswatinis-national-dialogue-mustnt-become-a-monologue>

*in a way that reinforces the king as the sovereign and the citizens as his subjects”.*

Mary Pais Da Silva continued,

*“...that dialogue, if it will be it will be held, will be a monologue at Sibaya, after three months at the least. So, our position as the Multi Stakeholders Forum is that we will reject the call for us to be called to Sibaya again. We have always maintained that Sibaya is not a venue for political discussions, Sibaya is a traditional structure, where issues of traditional significance [are] spoken about. We are facing a political problem that has to have a political solution.”*

## **The Popular Call for a National Dialogue and the 5-point Plan**

The speakers from Swati civil society outlined their demands for a national dialogue and the framework in which it would need to take place. While the King’s proposed ‘dialogue’ at Sibaya would be a space for the King to talk, and possibly for a few people to ask questions, this was not adequate. As Qhawekazi Khumalo of the *Swazi Lives Matter Global Movement* explained,

*“...the dialogue that the people of Swaziland are calling for is not to ask a question, it is to demand the democracy that they are looking for...And within that dialogue is where we outline how we are going to transition [to democracy]”.*

The type of dialogue being demanded by civil society is not merely an audience with the King – rather it should be a move towards a holistic process of public participation, and the beginning of a transition toward democratic governance. People would cease to be oppressed subjects to become citizens with rights and with a voice.

After many years of fragmented protest, civil society was able to come together and speak with one voice, such as through the Multi Stakeholders Forum as well as the Workers Federation, both of which agreed on the 5-point plan toward an all-inclusive dialogue, as well as the 4 steps or demands to ensure it could take place.

*“And until that happens, we as the people of Swaziland will not cease going and protesting and petitioning and doing as much as possible within our rights*

*to ensure that we move to the multiparty democratic dispensation that we're looking at.” – Mary Pais Da Silva*

### **The Five-point Plan is as Follows:**

- 1) The dialogue needs to be set up in such a way that *“everyone will be allowed to come to the table”*. To be all-inclusive, it likely needs to be internationally mediated.
- 2) There needs to be a total unbanning of political parties.
- 3) An interim/transitional government needs to be set up to govern while negotiations are underway.
- 4) A new democratic constitution should be adopted, *“that will speak to the aspirations of the people.”*
- 5) The new state apparatus needs to be *“founded on [the] rule of law”<sup>2</sup>* and should be a multi-party democratic dispensation.

### **The Four Conditions:**

For an inclusive national dialogue to be able to take place, four steps are required to create an environment whereby negotiations are possible –

*“We cannot have a conducive environment, as long as the people are being imprisoned, as long as people are on the run, as long as the army and security forces are still out there”.*

- 1) A cessation of all the hostilities from the state.
- 2) The withdrawal of the state security forces that are being used to repress the people.
- 3) The unconditional return of all political exiles.
- 4) The unconditional release of all political prisoners.

The four requirements, along with the five-point plan, were to be presented to parliament by the MSF and other civil society formations on the afternoon of the SALO dialogue. It is evident that the ‘dialogue’ proposed by the King at Sibaya would be

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<sup>2</sup> (Quotations taken from Mary Pais Da Silva’s input, MSF)

firmly rejected by civil society and the Swati public as it would be unable to meet even the minimum of the public demands. As such, protests would continue.

## Policy critiques

### A Rejection of Traditional Structures and a Call for New Democratic Ones

It was evident from the SALO dialogue that the overall feeling in eSwatini was that the various ‘traditional structures’ in their contemporary political iteration do not serve the people – rather they exist to maintain the power, wealth, and authority of the Royal Family. The public was calling for democratic structures that would foster political rights and political participation – and organised civil society insisted that existing traditional structures, notably the Tinkhundla governance structures, and the Sibaya discussion forum, were not the avenues for participation.

*“We are where we are because of the way in which traditional authorities operate.”* Sonke Dube

### Regional Actors and the Problematic Role of SADC

The people of eSwatini conceptualise SADC’s role as being that of a mediator and helping to broker meaningful dialogue between the various stakeholders in the country – and also playing a role in *“reigning in the current government to ensure that they comply to the SADC protocols that they are party to”*, as described by Thabo Masuku (SAPSN). However, SADC is seen to be failing on both of those fronts.

As summed up starkly by Sonke Dube of SWAYOCO,

*“...there are two problems that we are faced with now: an arrogant monarchy, and a dishonest regional organization by the name of SADC.”*

He pointed out the hypocrisy of both institutions - when SADC envoys met with the royal family, discussions were disingenuous as *“...[the monarchy] sends our police and soldiers to torture and intimidate [citizens] in rural areas, even [while] the meetings were going on”*.

The first SADC Troika Mission had not provided any kind of report about its findings or its recommendations – leading to increased feelings of frustration by the public. While the deployment of a second mission by a group of envoys was welcomed, civil

society members wearily expected a mission with an equally opaque programme and without much space for public input. The frustration with the regional body continues to grow.

It is not clear whether SADC is in fact trying to work towards supporting regime change in eSwatini, or whether they are *“just meant to buy the King time”*, as summarised by the dialogue chair, Mundjodzi Mutandiri.

Qawekazi Khumalo posited that

*“...the leaders of SADC think that they are serving each other as statesmen, and not necessarily serving citizens within the different countries”.*

An important point raised by Venetia Govender was the fact that *“when we talk about entities like SADC and the African Union, I think we must be very clear that... their prime focus is on establishing stability, it's not to establish democracy.”*

## **Policy Recommendations**

### **SADC**

While SADC's response to the eSwatini issue was highly critiqued, it was recognised that the regional body plays an important role. Many in civil society believe that SADC could and should play a bigger role in pushing the country toward the negotiating table, informed by the 5-point plan. Many believe that for a national dialogue to take place and to be inclusive, the international community must play a key role. The opposing forces, (the King on the one side and the pro-democracy movement on the other) will not reach an agreement without regional intervention.

South Africa, as a powerful force on its own, as well as the country leading the Troika, was asked to step forward. The announcement by President Ramaphosa as the head of the organ Troika that the King had agreed to dialogue is problematic, as the King's version of the dialogue is wholly inadequate according to the pro-democracy formations.

Therefore, there is an urgent need to put pressure on SADC as an institution, as well as on the region in general. Some of the following suggestions were made:

- The SADC organ Troika and other structures within SADC need to urgently be made aware of the 5-point plan and the framework under which dialogue should take place.
- Building people-to-people solidarity will remain of utmost importance and through this, countries in the region should put pressure on their governments and leaders who are represented within SADC structures.
- SADC should be continually called out for its failures in holding eSwatini accountable to international agreements.
- As negotiations are a long way away, and indeed a long process, it is very important to raise the profile of the issues both internally and internationally.
- More legal organisations should become involved, as the legal groups based in eSwatini are overwhelmed with assisting those who are continually being arrested and detained – yet we also need to start focusing legal attention on engaging SADC and the AU who are “*very legalistic and protocol-driven*”.

### **South Africa and neighbouring countries**

South Africa was identified as playing an important role in the crisis in eSwatini. First, the current head of the SADC Organ Troika is the South African president; second, South Africa is economically and politically powerful; and third, as a country neighbouring eSwatini, the politics and economies are deeply intertwined. Some of the policy and practice recommendations are:

- To continue with actions such as border blockades;
- To increase the visibility of the Swazi struggle and similarly increase the media coverage and make key information more accessible and widespread;
- To increase the amplification of Swati voices, especially the voices of women;
- To enhance people-to-people solidarity, beyond labour movements. This could include organised rural women’s movements and/or the Swazi police union affiliated with COSATU – POPCRU;
- The South African government and civil society should think carefully about sanctions. Sanctions will likely play a crucial role but need to be carefully targeted to avoid an increase in instability - as explained by Sonia Mabunda-Kaziboni of COSATU



*“it's very clear that this regime would not continue to abuse its people without the cooperation and support of the South African government, and the private sector as well. So, it's going to be our responsibility to identify those businesses which continue to have bilateral relations with the King in particular, and then see from our side how we can begin engaging with those businesses and embarking [on] targeted sanctions;”*

- To consolidate efforts as a solidarity movement rather than working in silos;
- To address business interests, as suggested by Bram Hanekom,

*“...maybe one of the serious hindrances... of South Africa to meaningfully support the democratisation of Swaziland could be... vested business interest [such as in the sugar industry] and maybe the solidarity movements... need to consider sending a business delegation to go engage South African and international businesses;”*
- South Africa and the region should urgently demand a ceasefire where the state security forces are withdrawn to give the pro-democracy movement some breathing space to regroup.

### **The Role of Churches**

There is going to be a pastoral visit by the Regional Council of Churches, which will be useful for increasing the pressure on SADC as it will open up spaces for meetings with leaders within SADC. As explained by Thabo Masuku from the Foundation for Socio-Economic Justice, the Regional Council of Churches - through the Fellowship of Christian Councils in Southern Africa (FOCCISA) - have scheduled a pastoral visit in the first week of November 2021. The report of that mission will be tabled with the SADC chair, President Chakwera of Malawi and also the chair of the Organ Troika, President Ramaphosa. A pastoral letter will then be shared with the public.

**Mary da Silva** of the MSF explained the role of the local churches.

*“The Council of Swaziland Churches began engaging with [the] government even before the unrest in June. After the killing of the young man Thabani Nkomonye, they began intervening because they foresaw this crisis coming up. And so, we would want to keep them as a neutral party that seeks to mediate. For example, [the] government asked them; Who are these people that you are saying want to dialogue? So, then the Council of Churches began*

*a consultative process with different formations, different organizations, to then go back to [the] government saying, these are the people these are not foreigners. These are Swazis raising these concerns. So, the church is playing a huge role. And of course, we know that the government is not listening to them. But should there be a need in future, we know that we can rely on the church to play that neutral role in terms of mediation at a local level.”*

## Questions and Comments from the Participants

- **Bram Hanekom:** *“...the business interests of certain really powerful people in South Africa in Swaziland are overlapping... [for instance] you've got a very big industry that has boards and ownership in South Africa that have employed lobby groups that work in Parliament to advocate for [the] protection of the sugar industry and so on - very active - that own plus/minus 50% of the sugar mills in Swaziland that the king owns the other half of.”*
- **Zweli Dlamini:** *“Sibaya, as you might be aware, only the loyalists of the king are allowed there. Even the chairperson or the person who is directing all these engagements there is chosen by the king.”*
- **Betty Makupu:** *“We need to include the churches because they initially [had] a meaningful approach. We can utilise them to reach out to the monarchy.”*
- **A participant in the chat function:** *“since we've lost faith in SADC and the AU, which organs should mediate the negotiation toward democratisation?”*
- **Venetia Govender** *“...the relaunch of the Swazi democracy campaign would be a very good idea, not as an organisation but as a very broad-based kind of coordination and coherence type of structure in the sense where it's a lot more about communicating between and amongst the various institutions and organizations”.*

## Conclusion

This dialogue brought forward many key issues and talking points for further discussion. The speakers and participants made it clear that Swati civil society would continue to demand democracy and reject the traditional institutions which are

increasingly repressive, notwithstanding the growing instability and state brutality. A central takeaway from this dialogue is that while SADC has so far failed to intervene in a meaningful way, they are an important institution and should be put under pressure to do more. Yet SADC is not the only important institution –the role played by regional and local ecumenical organisations and the African Union should not be underestimated. Similarly, the South African state and civil society are expected to play an important role in putting pressure on the monarchy to meet the 5 demands and come to the negotiation table.

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*The analysis and recommendations included in this brief do not necessarily reflect the view of SALO or any of the donors or conference participants, but rather draw upon the major strands of discussion put forward at the event. Participants neither reviewed nor approved this document. The contents of the brief are the sole responsibility of SALO, and can under no circumstances be regarded as reflecting the position of the donors who provided financial assistance for this policy dialogue session.*

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The Southern African Liaison Office (SALO) is a South African-based not-for-profit civil society organisation which, through advocacy, dialogue, policy consensus and in-depth research and analysis, influences the current thinking and debates on foreign policy especially regarding African crises and conflicts.

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