



Liaison, Dialogue and Research

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The Southern African Liaison Office (NPC)

Liesbeek House, River Park,
Gloucester Road, Mowbray, Cape Town 7700

Tel: +27 (021) 680 5306

Email: info@salo.org.za

www.salo.org.za

[@salo_info](https://twitter.com/salo_info)

Policy Brief

28 April 2022, Zoom Platform

SALO Public Multi-stakeholder Dialogue: Building a Diplomatic Response from South Africa and SADC on eSwatini

By Ineke Stemmet, SALO

SALO PUBLIC DIALOGUE: BUILDING A DIPLOMATIC RESPONSE FROM SOUTH AFRICA AND SADC ON ESWATINI

THURSDAY 28 APRIL 2022 11:00 TO 13:00



ABNER MOSAASE
ANC



FAMBAI NGIRANDE
SOUTHERN AFRICAN PEOPLE'S
SOLIDARITY NETWORK



MARY DA SILVA
MULTI STAKEHOLDERS
FORUM



LWAZI SOMYA
SALO



MILISA MBETE
SALO



MLUNGISI MAKHANYA
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Executive Summary

On 28 April 2022, the Southern African Liaison Office, in partnership with the Open Society Initiative for Southern Africa, hosted a public multi-stakeholder dialogue on eSwatini. This dialogue brought together experts, media, civil society actors, activists, and diplomats from eSwatini and the region. The discussion looked at enhancing the understanding that leadership in South Africa and the region have of the current situation in the country. The panel consisted of speakers from the ground, leaders in the trade union movement, civil society from the region, experts and political actors, and decision-makers in South Africa. Speakers included Abner Mosaase, ANC; Fambai Ngirande, Southern African People's Solidarity Network; Mary da Silva, Multi-Stakeholders Forum (MSF); and Mlungisi Makhanya, People's United Democratic Movement (PUDEMO) President.

The dialogue set out the desires and needs of the Swazi people and practical ways in which they hoped South Africa and SADC would intervene, as their actions have not been satisfactory. However, the emaSwati indicated their appreciation for neighbouring civil society organisations and other players for keeping the issue of eSwatini on the agenda. Vusi Shongwe stated it thus,

“Firstly, [I want to] applaud the sustained pressure that the regime continues to receive from across the SADC region, and also the world at large. Particularly we would like as emaSwati to appreciate the role that is being played by civil society, political parties, and all role-players in this matter. We are very much encouraged by the sustained pressure, even in light of the evident lack of intervention by SADC.”

Context and Importance

The SADC Troika of the Organ (which is responsible for promoting peace and security in the region) was set to meet on 4 April 2022, but the meeting was subsequently postponed. Before the postponement, it was expected that eSwatini would give an update on the progress of initiating a dialogue process. However King Mswati took eSwatini off the agenda with no explanation.¹ This raised concerns over domestic issues in eSwatini that should be dealt with as a standing item on the SADC agenda. While stakeholders have been kept out of the loop, the demands for a national dialogue prevail. The terms of reference for this national dialogue from the position of the government and King Mswati are unclear. South Africa is seen as an important political, economic, and social actor, not only as a neighbouring state but also as the chair of SADC. However, the South African state has not been forthcoming on its position and assessment of the situation in eSwatini.

SADC and South Africa

¹ Fabricius, P. 2022. King Mswati pulls crisis-ridden Eswatini off the agenda of SADC meeting. The Daily Maverick. 3 April. Available: <https://www.dailymaverick.co.za/article/2022-04-03-king-mswati-pulls-crisis-ridden-eswatini-off-the-agenda-of-sadc-meeting/> [21 June 2022]

After the unrest happened in June 2021, there was a reaction from the region stating that the violence that took place was some of the worst that eSwatini has experienced. There was also the realisation that the violence could spread to the rest of the region. The first SADC delegation, which was chaired by Botswana, went to eSwatini in July 2021 with the intention of meeting with all relevant stakeholders. But because it is a state-to-state organ, the government controlled the consultations and set the timetable. As a result, many civil society organisations and political parties were excluded and were notified by the church of this. Leaders of the pro-democracy movement intervened, asking for the mission to be adjourned and postponed and that the next one would be inclusive. A report from this mission was never made public.

The second SADC delegation happened when South Africa chaired the Troika of the Organ. These consultations included some civil society organisations and political parties; however, some were still excluded, including PUDEMO, the Communist Party of Swaziland and the Swaziland People's Liberation Movement. This raised questions over the criteria that were used to establish which stakeholders would be included, and which would be left out. These questions were never answered by SADC. As with the first mission, the report on this one was never shared. Following this, President Cyril Ramaphosa visited the country in his capacity as chairperson of the Troika of the Organ in November 2021 to meet with the King. The Multi-stakeholder's Forum was not informed that this meeting was taking place and found out via media coverage of the event. Following this dialogue, president Ramaphosa gave a statement that the Kingdom of Swaziland will embark on a process that will work towards the establishment of a national dialogue forum. Since then, disappointingly, not much has happened. What has been communicated is that the king will call the nation to Sibaya, a traditional forum and venue that the MSF is opposed to, because it is determined by the King and is arguably not a place for inclusive dialogue. The terms of reference of dialogue should be decided upon by all stakeholders and cannot exclude civil society, as this will not lead to a productive and all-inclusive dialogue.

Mary da Silva highlighted the point that SADC has not been proactive on this matter and has not communicated with Swazi stakeholders:

“The long and short is that out of all these processes, we have not had word from SADC, we have not heard a word from the Organ Troika, we have been writing letters and communiques to the different offices, to the Secretariat, to the office of the Chairman, President Chakwera, who came out and spoke to French media about how they were concerned about the political issues in the country. We have not heard any word, we have written to the Office of the President of South Africa, and we have not had any responses.”

Practical Ways Forward

The speakers from eSwatini were clear on their needs and desires for the country:

“We want to see a progressive constitution; we want to see a meaningful transitional arrangement and SADC plays an important role. SADC does owe it

to us to intervene meaningfully in eSwatini. The fact that they are ignoring the letters and the plea[s] from progressive forces concerns us, but it also must encourage us [that] now that it is no longer time [for] talking, it is now time for practical action.” – Fambai Ngirande

Practically, people-driven pressure should be imposed on these institutions to ensure that they act. As a point of departure, SADC should be pressured to share the report from the delegation that conducted a fact-finding mission. Further, they need to be open about what kind of dialogue process they are willing to facilitate. Practical actions from the Swazis should include escalating the conscientisation of the masses in the country and the region more broadly. This can be done in various ways, including collaboration with student movements across the SADC region.

Eswatini and the ANC

Abner Mosaase spoke on behalf of the ANC and re-affirmed its solidarity with PUDEMO, which has been ongoing over the years. Various provinces have taken action in supporting the people of eSwatini, for example in Mpumalanga:

“The African National Congress has been involved and we have not been sitting back and holding back. We have been having discussions on the side-lines, [and] we have been engaging stakeholders in Swaziland and PUDEMO as a political party; our provincial structures and our regional structures as well have been engaging. Our branches have run several webinars and lectures on the situation in Swaziland, so the momentum is high. The effort must now be put on the struggling people of Swaziland to give us a final push towards making sure that there will ultimately be the democratisation of Swaziland that the African National Congress has envisaged in its resolution.”

Historically, the ANC has supported the democratisation of eSwatini. The formation of PUDEMO was predicated by fighters of the ANC in 1983 who served on the underground structures of Umkhonto we Sizwe. There is a long relationship between the people of eSwatini and the ANC. There have been continuous interactions between PUDEMO, the ANC and many other progressive forces in South Africa, including COSATU and the South African Communist Party. Together with the party-to-party relations between the ANC and PUDEMO, there are also people-to-people relations because many ANC members were sheltered in eSwatini during the Apartheid era.

From this background, it is important to acknowledge that eSwatini must be on the agenda of the ANC whenever they deliberate. From these deliberations, what has come out strongly is that eSwatini must be democratised. This is reinforced by the multilateral engagements around the continent, including the Ezulwini consensus² and the constitutive act of the African Union (AU) which dictates that to be accepted as a member of the AU, each country must be guided by the principles of good governance

² https://en.wikipedia.org/wiki/Ezulwini_Consensus

and democracy. eSwatini lacks these attributes, yet it is a member of the AU and sits on SADC platforms.

Crises in SADC countries

Crises in other SADC countries such as Zimbabwe indicate how the regional body tends to respond. Zimbabwe's crisis and serious human rights issues have been met with little involvement from SADC, noting the principle of sovereignty as the reason for this. An exception to this is the deployment of troops to Mozambique to combat the insurgent violence in the North, although this was with the agreement of the Mozambican government.

The same trend of inaction that has been witnessed in Zimbabwe is seen with the situation in eSwatini and more can and should be done to address the situation. Peter Chisi recommends direct engagement with President Chakwera of Malawi, as the current Chairperson of SADC. Indeed in all countries in the region, pressure should be mounted to build towards having eSwatini as a central agenda item for the SADC heads of state and governments. The regional body needs to take a firm stand on the eSwatini issue and negotiate a settlement with the government. It should also engage with and involve civil society in eSwatini to help pave a roadmap for resolving the impasse. SADC should then organise an Extraordinary Summit on eSwatini.

Economic Pressure

Another way for the region to encourage reform is to identify pressure nodes on the economic front. Economic pressure on the government and the King can ensure that they do not benefit from the oppression of their people and ensure that wealth is not concentrated in the hands of people that are opposing the democratisation of the country. Fambai Ngirande goes on to say:

“Likewise, I think we also have a responsibility to find out [about] those in our countries that are invested in the economic enterprises of repression in eSwatini so that they divert [their] business from monopolies such as the sugar monopoly that is based on the concentration of wealth at the expense of its rightful owners (the Swazi people).”

Another way to put economic pressure on the regime is with so-called 'smart sanctions'. This comprises identifying which companies work with the King and boycotting these, essentially isolating the King and those in power. Fambai continues by calling on Malawi as the SADC chair to utilise Article 33 of the SADC treaty which allows for sanctions to be implemented under certain circumstances, including if the member state persistently fails without good reason to fulfil obligations assumed under the treaty, and if the leader implements policies which undermine the principles and objectives of SADC. King Mswati has persistently failed to implement all the treaties that eSwatini has ratified, at SADC, UN, and African Commission levels.

Regional Pressure

Apart from economic pressure as a tactic to coerce the King to reform, regional political pressure is also necessary. The next political gathering of SADC leaders is taking place in August 2022 in Kinshasha. Fambai Ngirande explained that, as the Southern

African People's Solidarity Movement, they have started preparing for their annual People's Summit where they want civil society leaders in eSwatini to have a prominent platform to express their demands and teach others how they can stand effectively with the people of eSwatini.

Before the summit in Kinshasa, there will be consultations at ministerial levels, and delegations should start travelling to the different regional capitals to ensure that ministers are briefed on the situation in eSwatini and the demands of the people. The chair of the dialogue, Munjodzi Mutandiri, added to this sentiment:

“So the first challenge that I think we need to work on and comrade Fambai touches on that is, we need to build pressure points in each member state in this region so that civil society in Zimbabwe can hold the government accountable for what is happening in [eSwatini], that the people of Malawi can question President Chakwera on why he is silent when we continue to see these things that are happening inside [eSwatini].”

This should be strengthened by a truly all-inclusive position from civil society. This should be captured in a consolidated document that can be presented to SADC that includes the five-point plan that the Multi-stakeholders Forum have set out³, but also positions on other issues that have come to the fore since the formation of the plan.

Policy critiques

- eSwatini remains part of regional and continental bodies, despite not adhering to their principles and instruments.
- SADC is not proactive in its approach toward eSwatini and should be more open with its communication, especially with Swazi civil society groups.

Policy Recommendations

- Coming together and talking about what needs to happen is beneficial, however, the discussions from previous meetings should not be lost. There should be a review of what has been said and what has since been done.
- Regional instruments should be used to create awareness of what the regime in eSwatini is doing in contravention of these instruments: *“We cannot have eSwatini continue to sit as a full member of the AU and SADC when they are on a daily basis, violating human rights, arbitrarily arresting people and treating citizens as subjects - that cannot be allowed.”*
- The SADC Summit theme should specifically speak to eSwatini because it is the most urgent matter in the region currently.

³ The plan comprises the following:

- An all-inclusive mediated political dialogue/negotiation;
- Total unbanning of political parties;
- A Transitional Executive Authority;
- A new democratic constitution; and
- A multiparty democratic dispensation.

- When speaking about solutions from SADC, one must not forget that one is part of SADC.
- *“It is important that we bring more countries, more people across the region to understand that we are our own liberators as people and that if we do not act on [eSwatini], we are neglecting even our own democratic development as a people.”* – Munjodzi Mutandiri.
- The People’s Summit should be brought to eSwatini. If regional actors, activists, and human rights defenders come into the country it could assist in amplifying the situation. If the regime refuses that this goes ahead that in itself will send a message.
- The Summit needs to be action-oriented, even if this means picketing at all the embassies within the SADC region.
- A coordinating structure is necessary for actions on eSwatini to be consolidated. The Southern Africa Trade Union Coordination Council (SATUCC) suggested hosting a roundtable platform which could be used as a model for this.
- It would be helpful if colleagues across the region have similar activities as that of the Multi-Stakeholders Forum to amplify and complement the activities that are taking place in eSwatini.

Conclusion

The dialogue brought many pertinent issues to the fore, including recommendations for reflection. One that stood out very clearly is that we as regional civil society are SADC, and we should not put ourselves outside the SADC framework, we need to take responsibility and include ourselves in that solution. Unity and solidarity across the region, not just for eSwatini, are pertinent in the fight for the country’s democratisation. A People’s Summit should be held in the country to amplify the issues and voices of the Swazis. A reflection on where we stand on consensus building and how to move into action is important.

Fambai Ngirande ended off:

“We stand in solidarity, but we are eager now to move from talk into mass-based and sustained pressure on eSwatini and [the] establishment that is benefiting in eSwatini, and also [pressure] SADC leaders to do more for the people of eSwatini.”

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.

About the Southern African Liaison Office:



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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