

URGENT ACTION

TWO MEMBERS OF PARLIAMENT DETAINED

On 25 July 2021, Members of Eswatini Parliament Mduzuzi Bacede Mabuza and Mthandeni Dube were detained amid a wave of pro-democracy protests and charged under the Suppression of Terrorism Act as well as other trumped-up charges. They have been in arbitrary detention at Mbabane police station ever since. Amnesty International calls on Eswatini authorities to release the two MPs and drop all charges against them.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Prime Minister
H.E Cleopas Dlamini
Government of the Kingdom of Eswatini
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Mbabane; The Kingdom of Eswatini
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Dear H.E Cleopas Dlamini,

I am writing to express my deep concerns stemming from the ongoing unrest in the Kingdom of Eswatini. Amid a wave of pro-democracy protests, two members of your parliament, **Mduzuzi Bacede Mabuza** of Ngwempisa constituency and **Mthandeni Dube** of Hosea constituency, were arrested on 25 July 2021 under the draconian Suppression of Terrorism Act and other trumped-up charges. Their trial began on 20 October.

The two MPs' arrests came amid a wave of protests sparked in June 2021 calling for political reform following the mysterious death of 25-year-old law student, Thabani Nkomonye, who allegedly died at the hands of the police in early May 2021. Since their arrest in July, peaceful protests and demonstrations have emerged nationwide calling for their release and an end to the use of excessive force against peaceful protestors. Following a High Court Judge's refusal to grant MP Mduzuzi Bacede Mabuza and MP Mthandeni Dube bail on 14 September, there has been an even further escalation resulting in arbitrary arrests of peaceful protestors, loss of life, allegations of torture and other ill treatment.

Not only are certain provisions in the Suppression of Terrorism Act of 2008 threatening to human rights and inherently repressive – they also breach Eswatini's obligations under international and regional human rights law and the Constitution of Eswatini. This is directly in violation of the rights of freedom of expression, association and peaceful assembly. Activism, be it political or otherwise, should be possible in Eswatini without fear of reprisal. Despite political differences, respect for human rights law should be adhered to.

In light of the above, I urge you to immediately release MP Mduzuzi Bacede Mabuza and MP Mthandeni Dube, and all others arbitrarily detained for exercising their rights to freedom of expression and peaceful assembly, and drop all charges against them. I also urge you to repeal or amend repressive laws such as the Suppression of Terrorism Act, the Sedition and Subversive Activities Act and the Public Order Act.

Yours sincerely,

ADDITIONAL INFORMATION

The two MPs stand accused of contravening: section 5(1) of the 2008 Suppression of Terrorism Act; section 4(b) of the Sedition and Subversive Activities Act of 1938; trumped-up murder charges; and regulation 4 of the Disaster management regulations under the Disaster Management Act 01/2006.

Since their arrest in July, peaceful protests and demonstrations by a range of stakeholders have emerged nationwide calling for their unconditional release. On 1 October, the largest demonstration took place where over 10,000 EmaSwati marched to the US Embassy to deliver a petition appealing to the US for support in advocating for the MPs' release and questioning the independence of the judiciary in affording the MPs a fair trial. According to witness reports, protestors were violently dispersed by the authorities, with security agents using live ammunition, rubber bullets and tear gas. The army was also deployed with soldiers seen setting up roadblocks to stop people from joining the protests. A protestor was left in critical condition in hospital after being shot in the head by Eswatini security forces.

Throughout October 2021, pro-democracy protests and anti-police violence marches continued across the country. Nhlanhla Kunene, was allegedly killed by security forces in Siteki on 8 October. This again sparked another wave of nationwide protests calling for the end to police brutality, and the release of peaceful protesters, including the two MPs'.

More than 1000 people have been arrested since the protests broke out in June, including children in primary and secondary school, who have since joined the movement calling for political reforms. In some instances, security forces have also assaulted school children who participated in the protests. As protests continue to intensify, the authorities have deployed security forces to crush dissent, closed schools indefinitely and instructed mobile telephone network companies to shut down the internet and social media platforms.

Political activism has been suppressed for years in the Kingdom of Eswatini, where King Mswati III rules as Africa's last absolute monarch. Eswatini has a history of journalists, human rights defenders and political activists being jailed under repressive laws, including the 1938 Sedition and Subversive Activities Act (SSA Act) and the 2008 Suppression of Terrorism Act (STA), simply for speaking out against the repression of dissent.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 5 JANUARY 2022

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Mduduzi Bacede Mabuza, Mthandeni Dube (both he/him)