



## **TARGETED SANCTIONS AGAINST THE RULING REGIME IN SWAZILAND**

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## **INTRODUCTION**

Inspired by our commitment to democracy and the international spirit of solidarity with oppressed people, The People's United Democratic Movement (PUDEMO) call upon the people of the world to impose sanctions against the repressive government of Swaziland. We appeal to all people of conscience, countries with diplomatic relationship with Swaziland and international corporations doing business in Swaziland to use their political and economic influence to force the government to allow a return to democratic governance. We specifically appeal for immediate action targeted at the government and the royal family interests. These sanctions are directed at both individuals and institutions.

PUDEMO subscribes to the idea that sanctions are means to an end and not an end in themselves. Sanctions can help to encourage a process of dialogue and negotiation but they cannot by themselves remove the targeted royal regime. We believe that sanctions will work best in combination with other forms of internal and external influences designed to resolve the political conflict in our country. These targeted sanctions must be a strategic component of a larger coercive policy and broader international as well as local struggles and not just a stand-alone policy.

We understand completely and without any illusions that the political situation on the ground must be one of intensified struggles in order for this noble call to find meaning across the peoples of the world. Progressive forces must be seen contesting power and confronting the regime on a daily basis. History has proven that the more internally challenged a regime threatened by sanctions, or on which sanctions are imposed, the more likely that the target will comply. In this regard, PUDEMO must continue to exert leadership and moral guidance to the struggles of the people of Swaziland.

## **BACKGROUND OF THE PROBLEM**

Swaziland is the smallest country in Southern Africa governed by an absolute monarch. It is the only country in the region that has resisted calls for multi-party democracy. As a small country, Swaziland remains invisible to global politics. Hence, the absolute monarchy government has successfully evaded the international censure directed against other dictatorial regimes.

This has not only cushioned the regime from international reprimand, but also opened up space for gross violation of human rights and neglect of public responsibility to the people of Swaziland. Consequently, the regime has cultivated and promoted a policy of institutionalised political violence against citizens. Recently, the regime has stepped up political violence against members of the pro-democracy movement. Over the years many suspects have died in the hands of the police as a result of torture. For example, in 2005 a woman was

arrested and died as a result of police torture. Torture is a routine practice. Members of parliament condone it and the judiciary is powerless to intervene. In 1996, armed police shot dead a 16 year old school girl during a peaceful pro-democracy protest. Thousands of pro-democracy activists have been badly injured in peaceful protests since the early 1990s. Numerous members of PUDEMO, the Swaziland Youth Congress (SWAYOCO) and the labour movement have been incarcerated, tortured and tried under laws which prevent freedom of political activity. Hundreds have fled to neighbouring South Africa in fear of persecution.

The background to this situation is the King's Proclamation of 1973, which destroyed the four-year old democracy obtained at Independence in 1968 and replaced it with an absolute executive monarchy system of government. In his proclamation to the nation, the late King Sobhuza II unilaterally declared a State of Emergency, dissolved parliament, denounced democracy and declared himself an absolute ruler with supreme power over the three arms of government usurping judicial, legislative and executive powers and vesting them upon himself. A key feature of this Proclamation is the prohibition of political parties and hostility towards democracy and democratic processes. Although parliament was re-established in 1978, it was placed under the authority of the king, consistent with the provisions of the 1973 Proclamation. The State of Emergency has never been lifted and remains effective today. For 33 years, the Proclamation has cemented a political culture of violence against dissenting voices, hence the long history of gross violation of human rights.

The 1973 Proclamation was a vicious attack on democracy and human rights. Regrettably, most of the key aspects of the Proclamation have been incorporated into the Commonwealth-sponsored Constitution Act of 2005. These include the ban on political parties, concentration of state powers in the hands of the King and hostility towards democracy and democratic processes. Thus it remains unlawful for anyone to contest elections and canvass for political office under a banner of a political party. Whilst the Constitution gives an illusion of an independent judiciary with jurisdiction in all civil and criminal matters, this is only possible as far as the judiciary does not concern itself with "matters relating to the office of iNgwenyama [the King]; the office of iNdlovukazi (the Queen Mother);...the Swazi National Council..." (The Constitution of the Kingdom of Swaziland Act, 2005, section 151(8)). These offices are central to the governance of Swaziland and the epicentre of the gross violation of human rights.

## BRIEF SOCIO-ECONOMIC PROFILE OF SWAZILAND

The royal regime has pushed Swaziland to be amongst the most economically unequal (skewed) and poverty stricken countries of the world as shown by the following indicators:

- § 69% of the population lives below the poverty line of E128 per month or less than \$1 per day (Budget Speech 2006).
- § 48% of the population lives under extreme poverty; 76% of the poor are found in rural areas and more than 40% of households have never had enough to eat (SHIES 2001).
- § An estimated 300 000 people annually depend on food aid to survive.
- § 56.4% of the wealth is held by the richest 20% whilst the poorest 20% hold only 4.3% (SHIES 2001).
- § Unemployment is estimated at around 40% (2005 est.) Youth unemployment is around 40% and it is estimated at 70% for women.
- § 54% of the population are children below 19 years of age and 3.1% are adults above 64 years. Women make up 54% of the total population.
- § HIV/ AIDS prevalence rate is estimated at around 39.5%. Meanwhile the 2006/2007 budget allocated a paltry E30M (\$ 5M) to NERCHA for anti-HIV/AIDS programmes and a whopping E200M (\$35M) for Royal expenditure!
- § There is no meaningful social security scheme to provide for the elderly, orphans, the unemployed, children, the disabled, etc., except for the chaotic OVC Fund run by the Ministry of Education and the token E80 per month given some elderly people.
- § About 70% of the population lives in the rural areas and derive their livelihood mainly from subsistence agriculture on Swazi Nation Land (SNL). SNL is controlled entirely by the King.
- § Population density is approximately 69 persons per square km. Only 11% of the country's land area of 17,360 square kilometers is arable. 56% of this is SNL, communal land held by the King in trust for the nation and administered by chiefs; 43% is TDL, privately owned by government, companies and individuals (including royalty) and less than 1% is for urban development.

- § Real GDP is estimated at 1.8% per annum (Central Bank Report 31/03/06).
- § Total population of disadvantaged people was estimated at 756,000 in 2001 (SHIES 2001).

## **CHALLENGING THE REGIME**

Swaziland is a failing state and is sliding into the category of failed states at great speed. Swaziland is a state in crisis, but like all violent dictatorial regimes, the absolute monarch government is determined to cling to power through violent means.

However, since its formation in 1983, PUDEMO has not been deterred by this violence. It remains resolute to struggle for multi-party democracy. Over the years, PUDEMO has grown from strength to strength. Today, it speaks through the voices of hundreds of thousands of our people. PUDEMO is a modern, progressive, democratic party with a solid social democratic values. We have committed ourselves to liberating the people of Swaziland through peaceful means. Our chief objective is to rebuild Swaziland on strong democratic principles based on a solid culture of civil and political rights, good and responsible governance, transparency and public accountability. We are driven by the commitment to humanity and the desire to give the people of Swaziland a chance to regain their dignity and to live like all free human beings. These are core values of social democracy and we are proud to be a committed party to these values. The people of Swaziland are in dire straits and, as a liberation organisation, we are confronted with an immediate task – to halt Swaziland's decline into the social, political and economic abyss.

It is against this background that we passionately appeal to the conscience of the entire peoples of the world to help us achieve this noble goal by imposing sanctions targeted towards the interests of the royal family and its government.

## **JUSTIFICATION FOR THE SANCTIONS**

As an organisation committed to peaceful change, PUDEMO has tirelessly tried to draw the government into peace talks in an attempt to find amicable solutions to the crisis in Swaziland. However, our peaceful effort has been undermined by the hostile reception of this government which regards violence as the only approach to dealing with our concerns. To date, the government is stubbornly refusing to engage the pro-democracy movement in any meaningful political talks.

It is our belief that such talks are, perhaps, the most viable and important method of resolving the crisis peacefully and restoring democratic rule in Swaziland. As demonstrated in various international experiences, a combined internal and external effort has great potential to yield substantial results in Swaziland. Central as they may be in the struggle for democracy, internal efforts acquire much strength from global solidarity. History shows that no regime, no matter how powerful and repressive, can withstand combined international and internal aspirations for change. In essence, international solidarity is the fulcrum of local strength.

The government has, for a considerable period, been convinced that it is invulnerable to international pressure because of its geo-political position as a small state. Hence, the impunity with which it continues to reject calls for democratic governance. The government believes that no body is watching and that it can violate civil and political rights as it wishes.

The current conditions are clearly characterised by political repression, the endemic abuse of human rights and general neglect of public responsibility to the people of Swaziland. This must change. These conditions are no longer sustainable as their harmful effects have become unmanageable under the current regime. It is against this background that we strongly believe that international sanctions are justifiable and necessary to:

- exert political pressure on the government to embrace democracy;
- protect life and human dignity;
- restore the conditions necessary for decent human existence; and
- securing basic human rights

## **WHY PUDEMO BELIEVES SMART SANCTIONS ARE A VIABLE OPTION**

- q Smart or targeted sanctions leave the international community with the means at its disposal to react and address Swaziland's political situation which threatens international peace and security using non-military action;
- q Targeted sanctions, if applied effectively, can be less costly than other options (e.g. military) and can be tailored to specific circumstances directly hitting the Swazi dictatorship;
- q Targeted sanctions will avoid unintended negative effects, which the international community may be unwilling to tolerate. This gives sanctions greater moral acceptability through the avoidance of significant humanitarian costs.
- q Targeted sanctions will be directed towards particular political leaders and members of the repressive machinery in Swaziland whose tyrannical

actions are a threat to democracy and freedom nationally and internationally. This reduces the possibility of a “rally-around-the-flag” response from the targeted regime.

- q Targeted sanctions, by affecting the leaders, as well as their key supporters, family members, important institutions under their control or specific flows of goods and services, can convey the message of the international community to the Swazi regime in very direct manner;
- q Smart sanctions will more effectively target and penalize--- via arms embargoes, financial sanctions, and travel restrictions--- the Swazi political elites who espouse policies and commit actions against our people deemed reprehensible by the international community;
- q Smart sanctions against the Swazi regime will protect vulnerable social groups (for example children, women, and the elderly) from so-called collateral damage specified commodities (such as food and medical supplies) from embargo.

## **WHAT THE SANCTIONS MUST TARGET**

PUDEMO’S campaign is in favour of targeted sanctions against specific interests such as:

- Exports of luxurious merchandise for the royal family, the government and individual politicians;
- International travel involving individual members of the royal family, the royal family as an institution and government officials;
- Study permits and other visa requirements for members of the royal family and government officials;
- International investments, monetary and physical assets, targeting the government, individual members of the royal family, the royal family as an institution, royal family companies mainly Tibiyo TakaNgwane and Tisuka TakaNgwane and other companies in which the royal family and top politicians have shares;
- The tourism industry which firmly anchored on cultural practices that are inconsistent with basic human rights and freedoms;
- Arms trade and technical support to the Swazi regime.

There is strong moral justification for international sanction against these targeted interests.

- q Lavish royal family spending has put enormous strain on the country's meagre resources, which could be best used, in needy areas such as health and poverty alleviation. It is morally repugnant for King Mswati III to build expensive palaces for each of his thirteen wives and to purchase a fleet of ultra expensive cars when the general population is often starving and has limited access to basic health services. A travel ban and restriction of exports of luxury goods to members of the royal family and the government will release the much-needed resources for social and economic development.
- q The government has relied heavily on violence to sustain its opposition to democracy. Its capacity to use violence against our people is dependent upon continued access to the arms trade and external military technical support. Swaziland has no arms industry and imports all its military hardware from democratic countries. These weapons are used entirely to commit gross human rights violations against citizens, to suppress the pro-democracy movement and intimidate the population. In every single protest organised by PUDEMO and SWAYOCO, the armed forces have arrogantly displayed these weapons of intimidation and used them indiscriminately against members of the public.
- q And most importantly, opportunities for international investment of dirty money have fostered corruption and official pillaging of the country's resources. The regime knows that it cannot hold power by force indefinitely and is transferring public moneys overseas. The country badly needs these resources and urgently needs help to stop the looting. It would be morally responsible for institutions and governments where the investments are held to freeze the assets and release them to a democratically elected government. We particularly request financial institutions to appeal to their moral conscience not to put profit before humanity.
- q The government has subverted the booming tourism industry into a political propaganda to reconstruct a false identity of the country as peaceful. This identity, which is a key feature in travel brochures, is a facade designed to mislead. PUDEMO appeals to travel agents to discourage travel to Swaziland. We particularly appeal to the conscience of all travellers not to assist this propaganda by excluding Swaziland from their future travelling plans.

## **DURATION OF THE SANCTIONS**

The international community should maintain sanctions against the Swazi regime until such time that the Swazi regime, amongst other things:

- Unequivocally commits itself to democratisation by embracing the people's demands for a democratically driven constitution making exercise,
- Moves quickly towards a negotiation process by repealing all laws restricting political activity, particularly the prohibition of political parties,
- Stops the violence and inciting public hatred and intolerance towards the pro-democracy movement,
- Exercises greater public responsibility to the people of Swaziland by taking active and effective measures to alleviate the effects of poverty and the degrading conditions at the healthcare sector,
- Takes responsibility and provide leadership for the HIV/AIDS epidemic, and
- Ends the pillaging of public resources including lavish royal family spending and endemic corruption.

## **CONCLUSION**

Targeted sanctions against the Swazi regime make intuitive sense and respond directly to the question of what effective role the international community can play towards bring freedom and democracy to the suffering masses of our country. Sanctions, if effectively applied, can be a powerful instrument beyond diplomatic support but short of military action that can force the Swazi regime to negotiate the transfer of power to the people. This campaign provides an opportunity for PUDEMO to demonstrate organizational maturity, diplomatic skills as well as the moral authority to be a credible alternative government. However, it requires a great deal of human, material and financial resources and sacrifice from membership in order to succeed. Our external mission should be strengthened to galvanise more international and regional consensus surrounding the sanctions campaign against the oppressive regime in Swaziland. It is equally important to note that internal (inside Swaziland) support for the campaign is crucial and that PUDEMO must intensify the struggle for freedom inside Swaziland and lead the masses to their victory.