

UA 354/00 Fears for safety / ill-treatment

15 November 2000

SWAZILAND Musa Dlamini, trade union official
Mario Masuku, leading opposition politician
Jan Sithole, leading trade unionist
Other trade union officials and political activists

In the past few days a number of leading trade union officials and opposition leaders have been arrested, detained and severely beaten as part of what appears to be a mounting campaign of harassment and intimidation against political opponents. Amnesty International is concerned for their safety and for that of other political activists in Swaziland.

Musa Dlamini, the Secretary General of the Swaziland National Association of Teachers, was allegedly severely beaten by security force officers on 14 November, and required hospital treatment as a result.

Mario Masuku, the president of a banned opposition party, the People's United Democratic Movement (PUDEMO), was reportedly manhandled and verbally abused on 7 November when trying to deliver a petition to the Prime Minister as part of a peaceful protest against repressive laws and the lack of political freedoms. On 10 November, he was detained, and his whereabouts were unknown for several days. He was finally brought before a magistrate and transferred to prison where he was held in solitary confinement. On 15 November he was charged with two counts of sedition and released on bail on condition that he reports daily to the police and plays no public role in political activities before his trial. Mario Masuku has been detained a number of times previously, including in 1990 when he was held under renewable 60-day administrative detention orders, along with other government critics. When brought to trial, he was acquitted of high treason and sedition, but was convicted of contravening a 1973 decree prohibiting people from organizing or attending any meetings of a political nature.

The police and security forces have also harassed and detained a number of other political activists taking part in the 7 November protest, including Jan Sithole, the Secretary General of the Swaziland Federation of Trade Unions (SFTU). He and other trade union officials were reportedly detained by the security forces at a roadblock outside Mbabane for five hours, apparently in an attempt to prevent them from joining the protest. A number of South African journalists attempting to cover the protest were briefly detained, verbally abused and ordered to leave the country.

Since 14 November, the security forces have placed Jan Sithole under constant guard and restricted his rights of movement and speech, although they have no legal basis for doing so. When challenged by Jan Sithole's lawyers, the security forces resorted to verbal abuse and threats, and claimed to be acting under orders. Jan Sithole has been subjected to arbitrary detentions, death threats and other forms of harassment many times during the past five years.

During a nationwide strike on 13 and 14 November, other political activists and trade unionists were detained. Bongihlanhla Gama, an official with the Swaziland National Association of Teachers, reportedly required hospital treatment after being shot and injured by the police during the strike.

Amnesty International believes that these incidents are part of a campaign of harassment and intimidation by the Swaziland authorities in an attempt to repress the current wave of anti-government protest in the country. On 28 October the Prime Minister announced a ban on all future meetings of the Swaziland Federation of Trade Unions and the Swaziland National Association of Teachers, and warned that there would be "bloodshed" if they continued with their plans for "mass meetings". The authorities have also threatened to reimpose a former law allowing 60-day detention without trial, which in the past has been associated with the ill-treatment and torture of government opponents.

BACKGROUND INFORMATION

Swaziland is presently experiencing an upsurge in political tension over the country's stalled democratic reform process. There have been a number of protests, and in the last month at least 14 people have reportedly been injured in confrontations between the police and the trade unions. The government has reacted by banning 'mass meetings', and has criticized the trade unions for discussing 'politics' and not labour issues. It apparently also threatened civil servants with arrest if they participated in strikes.

On 5 November opposition and trade union leaders and supporters met in Nelspruit, South Africa, with the assistance of the South African Congress of Trade Unions, and drew up a declaration making a number of demands, including an end to the 27-year-long suspension of freedoms of association and assembly, the repeal of repressive provisions in the Industrial Relations Act and the establishment of a new, interim government until democratic elections could be held. The Nelspruit gathering occurred shortly after the Constitutional Review Commission had handed over its recommendations to the Swaziland Head of Government, King Mswati III. The report's contents have not been made public and the process itself has been widely criticized for its lack of openness and accessibility.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing concern that Musa Dlamini, Mario Masuku, Jan Sithole and other trade union officials and non-violent opposition activists have been subjected to ill-treatment and arbitrary detention;
- expressing concern that the security forces appear to be holding SFTU official Jan Sithole under some kind of house arrest, and are restricting his rights to freedom of movement and expression, contrary to international standards;
- expressing concern that the bail conditions imposed on Mario Masuku infringe his rights to freedom of movement and expression, contrary to international standards;
- urging the authorities to ensure that no one is subjected to arbitrary detention or ill-treatment for the non-violent exercise of their fundamental rights to freedom of assembly, expression and association;
- expressing concern that journalists attempting to report political developments have been harassed and threatened by the security forces;
- urging the authorities to respect the rights of its citizens to non-violent political association and assembly, and to freedom of expression, as enshrined in universally accepted human rights standards.

APPEALS TO:

The Hon Dr B S Dlamini
Prime Minister of Swaziland

Prime Minister's Office
PO Box 395
Mbabane, Swaziland
Fax: + 268 4043943
Telegrams: Prime Minister Dlamini, Mbabane, Swaziland
Salutation: Dear Prime Minister

The Hon Albert H Shabangu
Minister for Foreign Affairs and Trade
Ministry of Foreign Affairs
PO Box 518
Mbabane, Swaziland
Fax: + 268 4042669
Salutation: Dear Minister

The Hon Chief Maweni Simelane
Minister for Justice and Constitutional Affairs
Ministry of Justice and Constitutional Development
PO Box 924
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Fax: + 268 4043533
Salutation: Dear Minister

COPIES TO:

Lawyers for Human Rights, PO Box 508, Mbabane, Swaziland

Swaziland Federation of Trade Unions, Headquarters, PO Box 1158, Manzini, Swaziland

The Editor, Times of Swaziland, PO Box 156, Mbabane, Swaziland

and to diplomatic representatives of Swaziland accredited to your country and your country's foreign affairs department.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 December 2000.