



CENTRE FOR VOTERS INITIATIVE & ACTION

Eswatini

NGO Submission to the United Nations Committee on Economic, Social, & Cultural Rights

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Introduction

1. The Centre for Voters Initiative & Action Presents this report to the Committee on Economic, Social and Cultural Rights Ahead of the 80th session for the review of Eswatini. The Centre is a non-governmental organisation based in the Americas with an international focus.
2. The Centre works with multiple international mechanisms to convey dialogue, conduct research, and bring awareness to the thematic issues of electoral engagement around the world. We closely follow and participate in the United Nations human rights mechanisms in Geneva and abroad, including the treaty quasi-judicial committees, to promote civil society participation in public affairs processes.
3. Recognising the complex nature of the challenges in Eswatini, the Centre hopes to provide valuable information to the Committee regarding the State's compliance with the Covenant. The Centre has submitted this report to the Committee to focus on three specific issues: (1) impact of socio-economic status on political participation and feeling of representation; (2) weak institutionalisation of civil society participation; and (3) structural barriers within formal participation.

Participation of Women in the Public and Political Sphere

Harmful Customary Practices and Child Marriage

4. Eswatini does not object to harmful traditional and customary practices such as “kwendzisa”, the custom of giving young girls into marriage, and “inhlanti”, the custom of providing a surrogate or young bride to a man whose wife cannot bear children of her own, both cases facilitating the marriage of minors.¹
5. These practices are often perceived as legitimised at the highest levels of traditional governance, particularly given their integration into cultural structures. Indeed, at an annual event known as “Umhlanga”, a festival meant to celebrate chastity and virginity of young girls, the King has the possibility to choose a wife out of tens of thousands of women from across the country.²
6. The Marriage Act of 1964 allows for the marriage of children under the age of 18. In 2021, UNICEF had put forth that 5.1% of women were married before the age of 18 in Eswatini.^{3/4} Such environments undermine statutory protections, prematurely terminating young girls' education and foreclosing their future opportunities for public and political life.

¹ GIRLS NOT BRIDES, « Eswatini », *Child Marriage Atlas*. Accéder [en ligne](#).

² ASSARSSON Sara, « Swaziland's reed dance: cultural celebration or sleazy royal ritual? », *The Guardian*, (22 September 2016). Accéder [en ligne](#).

³ KINGDOM OF ESWATINI, Marriage Act, 1964, Act No. 47 of 1964, §3, (31 July 1964). Accéder [en ligne](#).

⁴ UNICEF ESWATINI, *Eswatini Multiple Indicator Cluster Survey 2024: Survey Findings Report*, (2024). Accéder [en ligne](#).

7. Child marriage and customary unions present a severe structural barrier to the realization of Article 13 (right to education) and Article 10 (protection of children and families) of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

Educational Disadvantage and Pregnancy-Related Dropouts

8. The intersection of child marriage, customary practices, and institutional gaps results in alarming educational dropouts among young girls, directly contravening ICESCR Article 13. Statistical data highlights that only 8% of currently married girls aged 15–19 have completed primary education, and a mere 2% have attained secondary education.⁵
9. Furthermore, adolescent pregnancies account for 41% of lower-secondary and 52% of senior-secondary female dropouts.⁶ These structural realities prevent young women from acquiring vital prerequisites of civic engagement through education.

Institutionalised Sexual Harassment in Educational Spaces

10. Educational institutions often fail to provide a safe, non-discriminatory environment, infringing upon the protections outlined in ICESCR Articles 3 and 13. According to Afrobarometer data, 29% of citizens report that schoolgirls “often” or “always” face discrimination, harassment, or requests for sexual favours from teachers.⁷
11. This widespread impunity and lack of preventative institutional frameworks create psychological and physical barriers that disproportionately hinder girls from completing their education and entering public spheres on an equal footing.

Full-Time Employment Gaps and Workplace Discrimination

12. Women in Eswatini face systemic inequalities in the labour market, directly conflicting with Articles 3, 6, 7 concerning the right to work and just conditions of work. Women trail men in full-time employment (19% compared to 23% for men).⁸
13. Structural impediments, such as persistent hiring biases favouring men, a severe lack of affordable childcare infrastructure, and inflexible working arrangements, disproportionately burden women, restricting their financial autonomy and public engagement.

⁵ UN COMMITTEE ON THE RIGHTS OF THE CHILD, *Concluding observations on the combined second to fourth periodic reports of Eswatini*, U.N. Doc. CRC/C/SWZ/CO/2-4, (22 October 2021), ¶¶24-25, 42-43. Accéder [en ligne](#).

⁶ *Ibid.*

⁷ KUNENE Siphon, « Eswatini close to gender equality in education and employment, but girls and women face discrimination and sexual harassment », *Afrobarometer*, Dispatch No. AD1030, (12 August 2025). Accéder [en ligne](#).

⁸ *Ibid.*

- 14.** The historical absence of a state-regulated childcare framework has heavily crippled women's formal labour participation and overall human capital index in the country as shown by the \$32.1 million emergency structural project concerning early childhood care and backed by the World Bank.⁹

Political Exclusion and Cultural Restrictions on Public Life

- 15.** Women experience severe marginalisation in political leadership, undermining rights in ICESCR Article 3 to equal enjoyment of all economic, social, and cultural rights, which inherently supports civic participation. Women currently hold only 22% of parliamentary seats, falling short of the 30% gender quota established under the Constitution of Eswatini.¹⁰ Though public sentiment strongly favours equal electoral opportunities (80% of citizens supporting women's equal right to run for public office) administrative structures fail to translate this mandate into structural parity.
- 16.** Customary norms heavily restrict women's freedom of movement and association following the death of a spouse. Women subjected to traditional mourning constraints are routinely barred from participating in public affairs, community assemblies, and economic life for periods ranging from one to three years. These prolonged mandates isolate grieving women from public life, stripping them of agency and reinforcing their exclusion from community decision-making structures.¹¹
- 17.** This customary mourning norm affects all women, regardless of any external factors. An important example to underline this is the "banning" of Senate President Gelane Zwane from attending parliament for up to two years in February 2018 because she was classified as a "widow in mourning".¹²

Considering this information, we urge the Committee to press Eswatini on matters of:

- (1)** Concrete, time-bound measures to meet the constitutional 30 per cent quota for women's parliamentary representation, including consideration of temporary special measures;
- (2)** Steps to regulate or shorten customary mourning restrictions that bar women from public life; and
- (3)** A costed strategy addressing the structural link between child marriage, pregnancy-related school dropout, and women's long-term exclusion from political and public affairs.

⁹ WORLD BANK, *Strengthening Early Childhood Development and Basic Education Systems to Support Human Capital Development in Eswatini Project*, Project Appraisal Document, Report No. PAD4177, Project No. P173151, (7 April 2022). Accéder [en ligne](#).

¹⁰ MEDEIROS Vanda, *Enhancing Women's Political Participation in Eswatini, Post Project Evaluation for the United Nations Democracy Fund*, UDF-18-793-SWA, (28 August 2024). Accéder [en ligne](#).

¹¹ DLAMINI Darcy and MASANGO Maake J., « The process of mourning for Eswatini widowers: A pastoral concern », *HTS Teologiese Studies/Theological Studies*, Vol. 77, No. 4, (2021). Accéder [en ligne](#).

¹² ROONEY Richard, « Swazi Women Forced to Mourn », *Swazi Media Commentary*, (21 February 2018). Accéder [en ligne](#).

Marginalisation of Youths

18. A UNICEF-commissioned audit of the national school curriculum found a total absence of explicit civic education in Eswatini's schools. Where “civic responsibility” appears at all in programme descriptions, it is folded into a broader, non-compulsory “Life Skills” strand rather than taught as a dedicated citizenship subject, meaning its depth and consistency across schools cannot be guaranteed.¹³
19. This gap is compounded by explicit limits on what civic education, where it does occur, may address. On 11 October 2022, the chairperson of the Eswatini Elections and Boundaries Commission (EBC) was quoted stating that “the powers and authority of members of parliament are limited and do not extend to the monarchy. The monarchy is a no-go area”.¹⁴ This statement was made in the context of the EBC's own voter-education visits to the country's 55 constituencies ahead of the 2024 elections, meaning the official body responsible for civic education during the election period itself excluded the country's central political institution from permissible civic discussion.
20. Eswatini's Constitution itself commits the State to “cultivate among all the people of [Eswatini] through various measures including civic education respect for fundamental human rights and freedoms and the dignity of the human person”.¹⁵ The EBC chairperson's statement, together with the curriculum gap documented above, indicates that this constitutional commitment is not being realised in practice, directly implicating Article 13 of the Covenant.

Child Labour

21. A legal gap in Eswatini's education and labour law leaves a specific cohort of children vulnerable to labour exploitation: children who complete primary education between ages 12 and 14 are no longer required to attend school but are also below the minimum legal working age of 15. This gap of one to three years leaves children without a lawful occupation, a condition the U.S. Department of Labor identifies as a specific risk factor for child labour.¹⁶
22. And further, the HIV/AIDS epidemic compounds this vulnerability. Approximately 70 per cent of Eswatini's children are orphaned or otherwise made vulnerable, a population the Department of Labor identifies as disproportionately exposed to child

¹³ MINISTRY OF EDUCATION AND TRAINING, *A Landscape Analysis of Curriculum Relevance for Inclusive Education (Curriculum Audit) and Capacity Strengthening for Key Personnel at MoET: Final Report*, (14 March 2025). Accéder [en ligne](#).

¹⁴ SIMELANE Melusi and MEERKOTTER Anneke, « Democracy, self-determination, and the Eswatini monarchy », *Southern Africa Litigation Centre*, (12 October 2022). Accéder [en ligne](#).

¹⁵ KINGDOM OF ESWATINI, *Constitution of the Kingdom of Swaziland Act, 2005*, Act No. 1 of 2005, §58(3), (26 July 2005). Accéder [en ligne](#).

¹⁶ U.S. DEPARTMENT OF LABOR, BUREAU OF INTERNATIONAL LABOR AFFAIRS, *2024 Findings on the Worst Forms of Child Labor: Eswatini*, (2025). Accéder [en ligne](#).

labour owing to a lack of parental support and related health burdens.¹⁷ This engages Article 10(3) of the Covenant, which requires special measures of protection for children without discrimination.

Restrictions on Academic Freedom

- 23.** Eswatini continues to rely on two principal statutes to restrict academic and civic expression: the 1938 Sedition and Subversive Activities Act (SSAA) and the 2008 Suppression of Terrorism Act (STA).¹⁸ Both laws have been used directly against student activists, demonstrating that the restriction of academic freedom documented elsewhere in this submission extends into enforcement against individual students, not merely institutional policy.
- 24.** On 31 January 2022, Colani Maseko, president of the Swaziland National Union of Students, was arrested by more than ten police officers on his way to class and subsequently charged with sedition and malicious damage to property. He was abducted a second time in May 2022 by soldiers outside the University of Eswatini, beaten, and taken first to a police station and then to hospital.¹⁹
- 25.** These cases illustrate that the suppression of student activism in Eswatini extends to physical violence and torture, not merely legal charges, and that students exercising ordinary campus organising rights face the same security apparatus documented elsewhere in this submission in relation to protest and labour action.

Unequal Access to Education

- 26.** While Eswatini provides free primary education for grades 1-7 under the Free Primary Education Act, this falls short of the nine years of free basic education recommended under international standards, and some primary schools charge additional fees not sanctioned by the Ministry of Education and Training.²⁰ Secondary education is not provided free of charge, creating a further barrier for families without sufficient income.
- 27.** Also, a 2024 qualitative study of Eswatini primary schools found that schools are not prepared to implement inclusive education for children with disabilities, citing a restrictive physical environment, inadequately trained teachers, absence of resource centres, and negative attitudes among teachers, parents, and other children toward learners with disabilities.²¹ One participating school reported a teacher-to-pupil ratio

¹⁷ *Ibid.*

¹⁸ FREEDOM HOUSE, *Freedom in the World 2023: Eswatini*, (2023). Accéder [en ligne](#).

¹⁹ AMNESTY INTERNATIONAL, « Eswatini: Student activist arbitrarily detained, facing malicious charges must be released immediately », (1 February 2022). Accéder [en ligne](#).

²⁰ MPOFU Phumuzani and MKHATSHWA Nhlanhla, « The practicality of inclusive education in Eswatini primary schools », *International Journal of Educational Management and Development Studies*, Vol. 5, No. 4, pp. 158-177, (9 November 2024). Accéder [en ligne](#).

²¹ *Ibid.*

of 1:80, which inspectors and teachers alike identified as incompatible with meeting the needs of learners with disabilities.

- 28.** Together, these financial and infrastructural barriers mean that the right to education under Article 13 is unevenly realised along both economic and disability lines, with children from poorer households and children with disabilities facing materially different prospects of reaching the secondary level where, as addressed above, whatever civic content the curriculum contains is concentrated.

In light of this information, we urge the Committee to press Eswatini on:

- (1)** A timeline for introducing compulsory, dedicated civic education into the national curriculum, including content addressing the role and accountability of the monarchy;
- (2)** Legislative measures to close the gap between the completion age of compulsory primary education and the minimum legal working age;
- (3)** Accountability for the use of the Sedition and Subversive Activities Act and the Suppression of Terrorism Act against student and youth activists; and
- (4)** A costed plan to extend free, compulsory education through at least nine years, consistent with international standards, and to adequately resource inclusive education for children with disabilities.

The Right to Mental Health and Its Link to Political and Public Life Participation

Psychological Harm Caused Directly by State Violence

- 29.** The security-force violence documented elsewhere in this submission caused psychological as well as physical harm. Multiple human rights organisations reported over 200 people were hospitalised following the disproportionate use of force by police and the army during the June/July 2021 pro-democracy protests. In one documented case, a protester, Madzabudzabu Kunene, had his leg amputated after being shot by police on 2 July 2021.^{22/23}
- 30.** Speaking in the Times of Eswatini in October 2022, clinical psychologist Ndo Mdlalose stated that the nation had become “psychologically damaged,” warning that post-traumatic stress disorder, depression, anxiety, paranoid personality disorders, and other conditions were an inevitable consequence of citizens having witnessed killings and watched their homes burned.²⁴ She further noted that nearly 60 percent of people with mental illness in Eswatini did not seek treatment in the preceding year, and described the situation as a national emergency requiring urgent government prioritisation.²⁵

²² HUMAN RIGHTS WATCH, « Eswatini: No Justice for June 2021 Security Force Violence », (30 October 2025). Accéder [en ligne](#).

²³ AMNESTY INTERNATIONAL, « End the crackdown on freedom of expression in Eswatini ». Accéder [en ligne](#).

²⁴ TIMES OF ESWATINI, « Ndo Mdlalose », (29 October 2022). Accéder [en ligne](#).

²⁵ *Ibid.*

- 31.** These events have a lasting impact on citizens, possibly modifying their civic engagement habits. As rational human beings they may proceed to calculate the risks and benefits of civic engagement, deterring them from participating in the public and political spheres.

Civil Society's Own Recognition of the Mental-Health Dimension of Repression

- 32.** Domestic and regional human rights bodies have themselves identified mental health support as a necessary element of any remedy for the 2021 crackdown, not a peripheral concern. In April 2022, the Institute for Justice and Reconciliation called for independent investigations into the June 2021 violence so that victims could be “compensated and provided with needed mental health and psychosocial support”.²⁶
- 33.** Human Rights Watch's October 2025 report likewise recommended that Eswatini “initiate formal support mechanisms for the June 2021 unrest, victim and survivor networks”, and work with such networks toward a victim-centred programme of reparations.²⁷ That this recommendation was still necessary more than four years after the events in question indicates that no such mechanism has yet been established, despite having been called for by multiple independent bodies.

The Feedback Loop Between Untreated Trauma and Civic Withdrawal

- 34.** Dr. Mdlalose's own framing, that Emaswati “were used to flight and not fight” before the events of 2021, suggests that direct exposure to state violence altered the population's characteristic political behaviour.²⁸
- 35.** Where a population carries untreated collective trauma from witnessing killings, torture, and the destruction of property, its capacity for sustained civic and political organising is itself diminished by the State's own prior conduct. The State's non-realisation of Article 12 therefore operates as a second, less visible barrier to political participation, compounding the overt legal and security barriers to assembly, association, and expression documented in Section I of this submission.
- 36.** This mental-health burden is unlikely to fall evenly. It compounds the barriers already facing women, who experience political violence atop the structural marginalisation documented in Section I, and youth, who were both heavily represented among the victims of the 2021 crackdown and already face the structural civic and political exclusion documented in Section II.

²⁶ INSTITUTE FOR JUSTICE AND RECONCILIATION, « Eswatini: A call for inclusive dialogue for peace, justice and reconciliation », (22 April 2022). Accéder [en ligne](#).

²⁷ See *supra*, note 23.

²⁸ MAZIBUKO Thokozani, « Eswatini Psychologically Damaged », *Times of Eswatini*, (29 October 2022). Accéder [en ligne](#).

- 37.** The right to mental health under Article 12 is accordingly not a freestanding concern in this submission, but a cross-cutting condition for the meaningful exercise of the political and civic rights addressed throughout.

The Centre further urges the Committee to press Eswatini on:

- (1)** The establishment of the formal victim and survivor support mechanisms, including dedicated mental health and psychosocial support, that domestic and international bodies have recommended since April 2022 but which remain unimplemented;
- (2)** A national assessment of unmet mental health need, given the government's own acknowledgment that the scale of that need is currently unknown;
- (3)** Concrete, costed investment in accessible, stigma-reducing mental health services at the primary-care level, consistent with Article 12(2)(d); and
- (4)** Formal recognition, in any national dialogue or reconciliation process, that unaddressed collective trauma arising from state violence constitutes an ongoing, independent barrier to political and civic participation.

Conclusion

- 38.** The issues outlined in this report raise continuing concerns regarding the effective enjoyment of rights in Eswatini. Whilst important institutional and legal measures are in place, barriers relating to women's participation, youth marginalisation and mental health issues continue to affect the practical exercise of rights under the ICESCR. In particular, the Committee should recommend that Eswatini will:

- I.** Set 18 as the minimum age of marriage without exception and prohibit customary practices that facilitate child marriage, including *kwendzisa* and *inhlanti*.
- II.** Adopt a costed strategy to prevent pregnancy- and marriage-related school dropout and guarantee the continuation or return to education of married and pregnant girls.
- III.** Establish mandatory safeguards against sexual harassment in educational institutions, including confidential reporting mechanisms, independent investigation of complaints and disciplinary measures against perpetrators.
- IV.** Adopt concrete, time-bound measures to meet the constitutional 30 per cent quota for women's parliamentary representation, including temporary special measures where necessary.
- V.** Abolish or strictly limit customary mourning restrictions that prevent widows from participating in employment, community assemblies and public or political life.

- VI.** Introduce compulsory, dedicated and assessed civic education throughout the national curriculum, including education on the functions and accountability of all State institutions, including the monarchy.
 - VII.** Align the end of compulsory education with the minimum legal working age, so no child is left outside both compulsory schooling and lawful employment.
 - VIII.** Cease the application of the Sedition and Subversive Activities Act and Suppression of Terrorism Act against peaceful student activism.
 - IX.** Adopt a costed, time-bound plan to extend free and compulsory education through at least nine years, prohibit unauthorised school fees and adequately resource inclusive education for children with disabilities, including accessible infrastructure, trained teachers and appropriate resource centres.
 - X.** Adopt a costed plan to expand accessible, community-based mental-health services through primary health care, including measures to reduce stigma and ensure access for populations affected by political violence.
 - XI.** Formally recognise and address trauma resulting from State violence in any national dialogue, reconciliation or reparations process, including its continuing effects on civic and political participation.
- 39.** The Centre therefore urges the Committee to focus its dialogue with Eswatini on strengthening women's equal participation in political life, addressing the persistent marginalisation of youth in civic engagement, and expanding effective mental health responses to state-caused violence.
- 40.** This submission may be published on the OHCHR website or any other places necessary. For any enquiries regarding this submission, please contact:

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