I present this preliminary report on the events surrounding the civil unrest which occurred towards the end of June 2021 on behalf of the Eswatini Commission on Human rights and Public Administration (the Commission). As indicated in the statements issued by the Commission (attached to this report), the Commission was deeply concerned by the violations of human rights that transpired during this time and continued to call for all involved to adhere to the protection and promotion of human rights as enshrined in the Constitution and human rights instruments that the country is a party to.

The preliminary report focuses on key issues that the Commission felt it had the comparative advantage to tackle. There were limitations presented by the lack of human resource and certain technical expertise to cover a full investigation, hence the Commission embarked on a verification exercise and there is no apportionment of blame at this stage of the report. Our findings and recommendations propose the next possible direction that the country could take to get to the bottom and understanding of the civil strife with possible solutions.

The recommendations indicates the need for further investigation of these events and the use of necessary technical expertise. It is unfortunate that the situation remains unabated and fluid as there were still ongoing violations that continued to be reported at the time of publishing the report. The Commission emphasises the need for an all-inclusive transparent dialogue that will facilitate a sustainable and systematic way forward addressing all the root causes that have led to the country going through this difficult situation.

Sincere appreciation is extended to our development partners namely UNICEF, UNDP and OHCHR for the technical and financial support towards this important assignment. I would like to also thank The Ministry of Health, Ministry of Home affairs, His majesty’s Correctional Services, Royal Eswatini Police Service for their cooperation during the assessment. Appreciation is also extended to Civil society partners, in particular Eswatini Action Group Against Abuse (SWAGAA) and Foundation for socio economic Justice Eswatini (FSEJ) for the collaboration and support towards this preliminary assessment. We look forward to further collaboration on the next steps and in the implementation of the proposed recommendations.

I would also like to commend the Commission team of investigators under the leadership of the Legal Advisor for their dedication to this very important assignment. I would also like to commend the overall guidance from the Commissioners at every stage of this assignment.

Last and most importantly, the Commission wants to appreciate members of the public and victims for their willingness to share their experiences and sad stories. We understand the trauma that they have gone through and having to relieve it by telling their stories must not have been an easy task. We hope that there will be interventions that will focus on the mental health issues over and above the socio-economic impact that these victims have gone through.

The Commission is ready to receive any additional information that may not have been available at the time of doing this report. We urge all duty bearers to implement the recommendations to help the country forge a way forward from this experience.
EXECUTIVE SUMMARY

An unprecedented and unfortunate occurrence gripped the Kingdom of Eswatini in the first quarter of the year. What began gradually as protests calling for constitutional and political reforms, turned violent at the end of June. Reports of vandalism, burning of buildings and other properties; looting of shops; and, burning of tyres emerged. This was witnessed throughout the country over two successive days. In response to the protests, and after the intensification of violence members of the Umbutfo Eswatini Defence Force (UEDF) were deployed, noticeably on the 29th June. Consequently, allegations of human rights violations and threats of violations were put forward.

Security forces allegedly used excessive force to disperse the protesters which included tear gas, stun grenades, rubber bullets and live ammunition amongst others, resulting in the loss of life, gunshot injuries, and assaults were made against the security.

The Commission on Human Rights and Public Administration/ Integrity (the Commission) was prompted to conduct an assessment with the purpose of establishing the facts and circumstances of alleged human rights violations in pursuant to section 164(2) of the Constitution. This section empowers the Commissioner to sanction an investigation to alleged human rights violations, without a complaint made, where ‘in good faith, he considers that the Commission ought to investigate the matter on the ground that some person or body of persons has or may have sustained an injustice’.

The Commission verified 46 deaths, 245 people were injured and 235 were arrested and detained. Interviews with the survivors of the unrest revealed what transpired and the impact of the injuries sustained thereafter.

INTRODUCTION

On and around May 2021, calls for political reformation started circulating on various platforms across the country. Three members of parliament also advocated for these changes. A challenge to prove that these Members of Parliament had the mandate from their constituencies to make this call resulted in a series of petitions being delivered to the Parliament in support of the call for change. Protesters were calling for constitutional and political reforms as well as lamenting government’s failure to deliver basic services to its citizens; socio-economic challenges; and police brutality. Petitions were delivered to various tinkhundla centres predominantly by the youth to their members of parliament as an endorsement of the call for constitutional and political reforms.

These calls were heightened during protests against ‘police brutality’ following the death of a 25 year old University of Eswatini law student Thabani Nkomonye. The three legislators (Honourable MP Bacede Mabuza, Honourable MP Mthandeni Dube and Honourable MP Mduduzi Simelane) joined the call for #justiceforThabani movement which supported the call for constitutional and political reforms. On 24th June 2021 a ban of the delivery of these petitions was pronounced by the then Acting Prime Minister, the Right Honourable Deputy Prime Minister, Mr. Themba N Masuku. In his address, the Acting Prime Minister said that this was “a conscious decision to maintain the rule of law and de-escalate tensions that had turned the exercise into violence and disorder”. Protesters continued to deliver petitions against the ban and were blocked by the police.

1- Press statement by His Excellency Mr T. Masuku Acting Prime Minister, 24 June 2021, on https://www.youtube.com/watch?v=P8g-onxDzm4
VIOLENCE BY DEMONSTRATORS

The Commission noted many cases of violence by demonstrators. Demonstrators also erected barricades, including burning tyres. On 28 June and during clashes with security forces, they allegedly threw stones and also destroyed and looted a number of businesses.

On 29 June 2021 the protests reportedly got more violent with reports of continued vandalism and burning of buildings and other properties, looting of shops, and, burning of tyres on roads making some areas inaccessible. This was witnessed throughout the country.

In response to the protests, the government introduced a curfew between 1800hrs to 0500hrs and imposed a shutdown of the internet countrywide. Members of the Umbuto Eswatini Defence Force (UEDF) were deployed to restore order, however, there was no evidence of government warning the citizens on their deployment. On the 1 July 2021, the government said the deployment of the UEDF restore the rule of law. To disperse the crowd, the UEDF used tear gas, stun grenades, rubber bullets and live ammunition amongst others resulting in the loss of life, gunshot injuries, and assaults.

There were differing reports on data and information given regarding the situation on the ground. Government reported that 27 people had died while civil society groups reported over 60 killed. There were also allegations that about 14 people were burnt alive at the Eswatini Beverages Company by members of the armed forces. The government did not deny the incident, but alleged that they were killed mercenaries and others were killed in the stampede during looting of shops.

These serious allegations therefore necessitated the Commission to issue a statement where it condemned the violence and arbitrary use of force by security forces. The Commission’s voice was also echoed by regional and international bodies with the African Union and the United Nations High Commissioner for Human Rights calling for immediate steps to protect life and property and urging stakeholders to refrain from acts that could exacerbate the situation. Other countries also expressed their concern and called for a peaceful and meaningful dialogue.

In line with its mandate, the Commission on Human Rights and Public Administration/ Integrity (the Commission) to conduct an assessment with the purpose of establishing the facts and circumstances of alleged human rights violations during this period. This is pursuant to section 164(2) of the Constitution which empowers the Commission to institute investigations on its own accord. Importantly the Commission sought to verify the numbers of people who lost their lives during the unrests and those who sustained injuries. Also, the Commission monitored the cases and treatment of those who were arrested.

METHODOLOGY

The assessment was conducted with the support of various stakeholders. Additional information was obtained from the Ministry of Health, Ministry of Home Affairs, His Majesty Correctional Services (HMCS), Royal Eswatini Police Service (REPS), and the Judiciary. Further, the Commission relied on media reports, consultations with stakeholders such as Foundation for Social Economic Justice Eswatini (FSEJ) and Swatini Action Group Against Abuse (SWAGAA) as well as interviews with those affected.

The assessment used quantitative tools, developed by the Commission to ascertain the the information on the deceased and the injured person. The tool also disaggregated victims by age gender and nature of injuries.

The Commission conducted field visits to health care facilities, particularly to Out-Patient Departments (OPDs), theaters, emergency units and wards where data was collected. This data was useful to establish the number of persons who were treated, admitted, operated on and discharged. A total of 12 hospitals were visited and they are: Mbabane Government Hospital; Pigg’s Peak Government Hospital; Mkhuzweni Health Centre; Dvokolwako Health Centre, Raleigh Fitkin Memorial; Luke Commission; Mankayane Government Hospital; Hlatikhulu Government Hospital; Nhlangano Health Centre; Matsanjeni Health Centre; Sithobela Health Centre and Good Shepherd Hospital.

The Commission was able to confirm deaths using a variety of sources which included hospital records (mortuaries), Birth, Marriages and Deaths Department (BMDs), REPS and next of kin. Verification was endorsed where two or more sources confirmed the death and injury to have been as a result of gunshots.

In order to establish the number of persons arrested, the Commission collaborated with HMCS who provided information on detained individuals who were charged with crimes emanating from the unrest. Due to Covid-19 restrictions and resource constraints, the Commission visited two detention centres where the majority of the detainees were held. Interviews were conducted with the detainees and thereafter analysis of court records was done to validate information obtained.

The Commission also conducted interviews with the survivors of the unrest to ascertain what transpired and the impact thereafter on their lives. Attached are their stories.

Generally, human rights are by their nature kindred, interdependent and indivisible, thus, the unrest posed a potential domino effect on human rights. The information gathered reflect deaths and injuries due to gunshot wounds. The Commission’s findings are as follows:

<table>
<thead>
<tr>
<th>Reports</th>
<th>27 Died</th>
<th>60 Killed</th>
<th>14 Burnt</th>
</tr>
</thead>
</table>

2. Statement by Acting Prime Minister dated 29 June 2021 https://www.youtube.com/watch?v=TYwTjKbguAQ
3. Acting Prime Minister’s statement issued. 
6. https://www.youtube.com/watch?v=TYwTjKbguAQ
7. See also the statement by the Chairperson on the African Union Commission on the Situation in the Kingdom of Eswatini, 1 July 2021. See also, Željko Loškić “Press Briefing notes by Spokesperson for the UN High Commissioner for Human Rights 4 July 2021.
The findings of this section is sourced from the Correctional Services on records of persons detained for offences emanating from the unrest. From the investigation, the Commission established that 13 children (0-18 years); 31 young persons (19-24 years) and 60 women were detained. However, other reports indicate a much higher figure as a number of persons were released without appearing before the Court. Most of the arrests occurred in the Manzini region, with 249 arrests, as shown below:

<table>
<thead>
<tr>
<th>Region</th>
<th>No. of arrests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manzini</td>
<td>249</td>
</tr>
<tr>
<td>Shiselweni</td>
<td>25</td>
</tr>
<tr>
<td>Hhohho</td>
<td>30</td>
</tr>
<tr>
<td>Lubombo</td>
<td>33</td>
</tr>
</tbody>
</table>

The police and the military were deployed to control protesters and prevent looting and damage of public and private property. Protesters were met with violence resulting in a number of casualties and arrests. Those who were arrested were kept in police custody for prolonged periods without charge.

At the backdrop of these reports there were allegations that there was a directive issued by the ‘authorities’ precluding Magistrates from admitting the accused persons to bail. On the 13, 14 and 15 of July 2021, the Commission visited detainees in the Matsapha and Mawelawela correctional facilities as part of the verification process.

The Commission interviewed 67 detained persons who testified that they were arrested for various offences relating to contravention of the Public Order Act, looting, theft and malicious injury to property. However, the majority of people were charged under the Public Order Act for allegedly being in possession of ‘looted’ items. The arrested persons stated that they were either taken from their homes by police or arrested from public places for violating the curfew.

‘The police were making door to door searches when they arrested me for groceries found in my house,’ said Mhloli Dlamini (not real name), a resident of Manzini. ‘We had received food parcels from a local NGO, our crime was that we did not have receipts to show to the police.’

Information gathered is to the effect that arrested protestors were either assaulted or ill-treated by the police during the arrest. For instance, Thobani Dludlu (28)(not his real name) who was arrested on 30 June 2021 said he was shot on the buttocks with rubber bullets during the arrest, and was not afforded immediate medical care until his committal to the Matsapha Maximum Facility on 2 July 2021. Another detainee, Bandile Gule (19) (not his real name) alleged that he was assaulted with open hands and kicked all over his body sustaining body injuries before he was arrested by the police on 30 June at Siphofaneni.

LIMITATIONS

Due to time and human resource constraints the commission did not manage to cover all the alleged human rights violations during the unrest. This forced the focus to be on areas that the Commission felt it had the comparative advantage.

The lack of technical expertise in some of these issues limits the ability to draw conclusive findings and make comprehensive recommendations for those areas.

Given the wide range of those who were affected by the road blocks staged during the unrest, the Commission was not able to capture the stories and experiences of the trauma suffered. The Commission is aware of the trauma that a number of citizens went through due to these illegal roadblocks, and although it has not been possible to ascertain the numbers of those affected, we realize the impact of these experiences and that this was very traumatic for a number of the victims that went through it.

The Commission did not do a public call for reporting of the incidences that happened during the unrest. This may have limited the access to some information and victims that the commission could not reach based on the implemented modality.

Further, the Commission intended to gather some information on the impact on businesses and to get a sense of the extent of the losses suffered during the unrest. Unfortunately, these efforts were hindered by the lack of cooperation from some of the business people that were approached for information. They were skeptical that sharing such information with the Commission might jeopardise their chances of getting support from (National Disaster management Agency (NDMA).

Right to liberty and security of persons

The Commission sought to ascertain the number of arrested persons, nature of their charges and how the courts dealt with the cases. Further, particular focus was placed on the treatment of protesters during their arrest and detention. Even though reports indicate that most of the arrests occurred soon after 28 June, more arrests continued during the month of July resulting in over 337 detained persons.

10. As above
11. Most of the people were not arrested during the protest, they were taken from their homes.
Arrested children

Eswatini’s domestic legal framework permits the arrest of children under exceptional circumstances. Stakeholders reported that arrests and detention of children was not conducted in compliance with the law. The law requires the presence of social workers and parents where a child is in conflict with the law. Sources indicated that there were 13 children who were arrested during the unrest. The arrested children were allegedly kept with adults in police cells before being transferred to juvenile facilities. In addition to this number, the stakeholders reported that dozens of children were arrested and coerced to admit guilt and were allegedly released upon payment of a fine.

Prolonged Detention

Detainees were kept in detention for prolonged periods before making their first appearances in court. For instance, Portia Shabangu (not real name) was arrested on 29 June and presented to court on 6 July 2021. During the detention period, the detainees reported that they were denied visitation rights. This was also extended to lawyers who attempted to provide assistance to the detained persons. In all the detention facilities, the detainees were overcrowded in a single room and most of them slept on mattresses with a few blankets and poor sanitization facilities. The Commission also discovered that the overcrowding had exposed the arrested individuals to the Covid-19 pandemic as some indicated that there were cases discovered.

The Commission was informed by the detainees that they did not experience ill-treatment within the correctional facilities. Most of the injured persons were able to access medical care within Correctional centers.

Access to justice

The detained persons could not afford the services of legal representation and relied on assistance from a group of volunteer lawyers under the NGO FSEJ. We also learnt that due to the high number of arrested individuals, the lawyers were overwhelmed and were not able to meet the high demand. In the main, the legal support focused on assisting with bail applications.

Despite the courts’ reluctance to admit the arrested persons to bail, two weeks post the unrest, Magistrates began to grant bails with high fixed amounts which was unaffordable for most of the arrested individuals. As a result, arrested persons spent longer periods in jails whilst their families raised the bail fees. It was observed that where trials were conducted courts imposed excessive fines.

DEATHS AND INJURIES

Right to physical integrity

The Commission verified that a total of 245 people sustained gunshot injuries: 36 of which were upper body injuries; 4 head injuries; 63 lower body injuries; 2 people had been amputated at the time of the assessment; 22 people sustained multiple gunshot injuries; and 118 people sustained unspecified injuries. The Commission at this stage could not verify if these were as a result of rubber bullets or live rounds of ammunition.

Injured persons were admitted in the hospitals while a large number of them underwent operations to extract the bullets from their bodies. However, some of the victims could not have their bullets removed from their bodies because of health related risks. It was further established that an unknown number of casualties did not go to hospital for treatment due to fear of arrest.

Further, it transpired that some victims sustained life changing injuries as a result of the gunshot injuries and as such they use catheters, and others cannot function without support. In other cases, victims were left with permanent disabilities as a result of the injuries.

During the assessment, the Commission was shown some of the bullets extracted by doctors. However, most victims alleged that hospital authorities refused their requests to see and/or to take the bullets.

It was observed that some of the hospital registers did not reflect the gunshot injuries, rather they only recorded ‘injury’. Impledly, there may have been other casualties with gun-shot wounds from those recorded ‘injuries’. The Commission therefore, verified only recorded gunshot injuries.

12. Foundation for Socio-Economic Justice (FSEJ) assembled a team of lawyers who provided free legal assistance to those arrested in the four regions of the country.
14. n 1 above.
15. Victims interviewed in detention centres made submissions to this effect.
16. Most appearances were made in Mbabane, Siteki, Nhlangano, Pigg’s Peak and Big Bend Magistrates Court. Only one bail application was made at the High Court; this involved a pregnant lady.
17. The arrested children were alleged to have been kept with adults in police cells before being transferred to juvenile facilities.
18. For instance, in one case a individual who was charged for stealing items worth E60, she was given E10000 bail by a Manzini Magistrate.
19. A female protestor was sentenced to 4 years imprisonment with an option of a fine of E16000 for an offence under the Public Order Act.
20. Gun bullets are lodged in critical areas of the body including, head, spine and abdomen.
21. Two victims, a minor and an elderly can no longer do basic daily tasks and have severe support needs.
22. During a field visit at RFM hospital on 28 July, 2021 the Commission was shown about 15 bullets which were extracted from victim’s bodies.
Right to Life

Following the unrest, the government reported that 27 people had died during the unrest while CSOs reported that over 70 people died. Amnesty International noted that 20 people were confirmed dead and more than 150 hospitalized; other media reports stated that over forty people had been killed, 150 people injured while hundreds are missing. The Office of the High Commissioner for Human Rights (OHCHR) and the African Commission on Human and Peoples Rights (ACHPR) in their statements reported that dozens were killed or injured.

During the assessment, the Commission was able to verify 46 deaths. This figure does not rule out the possibility of more deaths which could not be validated by the processes employed. To this end, the Commission gathered that some deaths were not registered and swift funerals were conducted. The 46 confirmed fatalities included children, young people, women, men and the elderly.

Victims interviewed alleged that they were shot by members of the Eswatini armed forces. On the other hand, government through Minister ofICT, Princess Sikhanyiso and the Minister of Commerce, Mancoba Khumalo alleged that unknown mercenaries invaded the country in army uniform, to kill the people. However, due to the limited technical capacity to conduct for instance ballistic examinations/assessments, the Commission was not able to substantiate the allegations.

The table below illustrates the number of verified deaths for each category.

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>NUMBER OF PEOPLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children</td>
<td>17</td>
</tr>
<tr>
<td>Young persons</td>
<td>36</td>
</tr>
<tr>
<td>Women</td>
<td>17</td>
</tr>
<tr>
<td>Elderly</td>
<td>2</td>
</tr>
<tr>
<td>Men</td>
<td>173</td>
</tr>
<tr>
<td>Total</td>
<td>245</td>
</tr>
</tbody>
</table>

Sporadic protests continue to characterise the civic space. Burning of public and private property continues around the country. The most affected are schools, and there has been reports of police houses being ‘petrol bombed’.

Two of the three MPs (MP Mthandeni Dube and MP Mduduzi Bacede Mabuza) were arrested on 25 July, 2021. The third MP, Mduduzi Simelane is currently in hiding after a warrant for his arrest was issued. The arrested MPs are charged under the Suppression of Terrorism Act 2008 and have been denied bail on two separate occasions by High court of Eswatini.

The first bail was dismissed on 09 August 2021 and the second on 14 September 2021 by the same judge.

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23. The table below illustrates a disaggregated number of the injured people.

<table>
<thead>
<tr>
<th>CATEGORY</th>
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</tr>
</thead>
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<tr>
<td>Total</td>
<td>245</td>
</tr>
</tbody>
</table>

25. The first bail was dismissed on 09 August 2021 and the second on 14 September 2021 by the same judge.
Conclusion

The Commission found that human rights violations and abuses were perpetrated during the unrest. A number of people lost their lives during the civil unrest, and many people sustained injuries as a result of gun shots. Further, the assessment indicates that lethal force was used indiscriminately on protesters and members of the public who were not even part of the protests. This is demonstrated by the death of children and women. Also, the injuries sustained by victims on the upper body such as head, abdomen, and spinal area.

The protestors themselves appear to have been violent in that some areas were rendered inaccessible by road blockages and burning of tyres. There was widespread damage, burning of properties and businesses and looting of shops. Protestors had little or no regard to the laid down procedures for protest actions as set out in the country’s legislative framework such as the Public Order Act, 2017.

The majority of people arrested were detained for unreasonably prolonged periods without trial. Even though they were eventually afforded their right to bail, the courts often imposed excessive bails and steep fines.

The conclusions presented in this report only relate to the preliminary findings of the Commission. The information presented cannot be considered to be an exhaustive list of all human rights violations and abuses perpetrated by the unrest. The Commission is of the view that these findings necessitate further investigation.

Recommendations

The Commission recommends that the government of Eswatini should:

Immediatley, take concrete steps towards reconciliation and pave way towards a constructive and all inclusive dialogue to identify and resolve the root cause of the unrests.

Further; to implement its international human rights obligations by conducting thorough investigation; ensuring redress to victims; provision of social support systems for women and children who are orphans and vulnerable as a result of the unrest;

When implementing the above the Commission also recommends to the government to:

- Initiate an independent, thorough, credible, transparent and impartial investigation by experts with relevant skills and knowledge into allegations of human rights violations and abuses and to bring those responsible to justice;
- Ensure the full exercise of the right to peaceful assembly and protest, in accordance with the Eswatini's Constitution and international obligations; and use all appropriate means to ensure that these rights can be exercised freely and securely, including by making sure that the safety of demonstrators is guaranteed; to ensure the protection of the human rights and fundamental freedoms of all persons, such as women and children; and to ensure that any restrictions on those freedoms respect the principles of legality, necessity and proportionality;
- Equip REPS and other security agencies with adequate material means to manage public protests where they must maintain or re-establish public order, to remove lethal weapons and to authorise the use of force only as a last resort and in compliance with the principles of necessity, proportionality and legality, in accordance with international standards;

On the other hand the Commission, condemns the violence exhibited by the protestors and call upon, leaders and organizers of peaceful protests to:

- To publicly discourage the violent acts such as looting and destruction of properties during the exercise of their fundamental rights and promote principles of nonviolence.
- Follow the laid down lawful and legislative procedures that guide protests actions for the full protection of the law during protests.
Dated at Mbabane................. on this ....... of October 2021

INVESTIGATORS

Phumlni Diamini- Lead investigator
Nelsiwe Zwane Mamba- Investigator
Newman Mamba - Investigator
Phakama Shili – Investigator
Hlobsile Mkhwanazi – Investigator
Xolile Fakudze - Investigator
STORIES FROM SAMPLED SURVIVERS

1. B. L. (15yrs of male of Sicelwini)

He is doing grade 6 and stated that on the 29th June 2021 he was sent by his mother to buy vegetables at kaKhoza markets. The streets were quiet as protesters were done protesting. He was on his way back home when suddenly a police van came and three (3) police officers alighted and started shooting (each carrying their own gun) and then left him lying on the ground until he was assisted by a bystander.

He was shot twice on the right thigh and all bullets were removed at the hospital. “There were a few people and I don’t understand why the police fired their guns”, he said.

He is now unable to assist his mother who survives by selling at the market and he cannot walk without the aid of crutches as a procedure ORIF has been put to his right leg to support it.

Police came once while he was admitted at the hospital and then later came home after his discharge to record a statement.

2. M. A. (15 Years male of Siphocosini)

He is doing Form 2 and on the 01st July 2021 while at home he was asked by a friend to assist in cleaning one of the shops owned by an Indian national at a nearest complex that was vandalized and looted the previous day. Whilst inside the shop cleaning an OSSU van came, one officer entered the shop and started shooting and he found himself on the floor motionless as a result of being shot.

The officer together with his colleagues rushed him to Hospital and upon arrival at the hospital it transpired that he was shot few inches away from the spinal cord. He was operated on and the bullet was removed. He was admitted for a week and his hospital bills were paid by his grandmother. He is currently on wheel chair and was referred to physiotherapy.

3. M. L. (16 year old male of Lomahasha)

He is doing Form 1 and stated that on the 30th June 2021 at around 4 pm around the shops, there were a group of people burning tyres a few metres from where he was. Subsequently, there were gunshots in the air and the group was dispersed running towards his direction. He also ran and in the process tripped and fell; he the rose up and continued running. He was shot twice: once on the spinal cord and once to the left shoulder. The second bullet came out on the right side at the same time while the second bullet was removed after an operation.

Two members of the UEDF passed by and did not offer any assistance until the demonstrators came to assist and took him to hospital where he was admitted for four weeks.

The lower part of his body is dysfunctional and he cannot feel anything. He cannot sit up and he currently uses a wheel chair which he received from the DPMO’s offices. He cannot bath himself and uses diapers and a catheter which he changes at the hospital once a month. Each time he goes to for monthly check ups he has to request for an ambulance which sometimes takes long to arrive which results in him missing appointments.

4. M. D. (17 year old male of Mbasheni)

He was shot while around his home area near the sports ground on the 1st July 2021. There was a group of young men a few metres from where he was who had blockaded the road. He had just alighted from a motor vehicle when a motor vehicle with members of the UEDF came and fired gunshots.

He got shot around his left leg on his ankle and was rushed to hospital where he was admitted for four weeks. His leg bones totally fractured and as such his leg is still being aligned. He walks with the aid of crutches which were donated to him by a Good Samaritan.

He still experiences excruciating pain and goes to the nearest hospital for debridement and change of bandages.
5. D. L. (17yrs female of Mahwalala)

She is a school going child, currently doing Form 4. She narrated that on the 29th June 2021 around 0930hrs they were released from school and they discovered that there was no form of transport so they then walked to her friends place. Later in the day whilst trying to find her way home, she was shot on the hand. She walked to hospital and was assisted by strangers as she was getting weak.

She discovered that she was shot on the palm of the hand and exited through the thump and there was a hole. As it was already night time and the curfew had started she spent the night at the hospital. The following day she was prepared for theater where she was operated and later admitted. She stayed in the hospital for a week, her Doctor informed that her hand will need physiotherapy so to train the hand back to functionality. She is now encountering problems when trying to use her hand which tends to affect her school work.

6. B. M. (18 year old male of Ekudvwaleni)

He is doing Form 3 and was shot on the 1st July 2021 whilst at the bus station. There was a demonstration taking place on the road and protesters were burning tyre and also blocking the road.

Suddenly, a double cab motor vehicle fired shots and they started running away and he was shot from the back side of the stomach and the bullet came out at the front ripping through his stomach and intestines. He was taken to hospital by good Samaritans on the same day and was admitted for 6 days.

7. N. S. (21year old male of Mdzangwini)

On the 30th June 2021 he was from the construction site around Sidwashini and headed home together with his friend. When they were passing OK Foods there was a crowd running away from the police, they too joined and ran. He was shot the pelvic area. The police saw that he was shot as he was already bleeding but they left and continued chasing the crowd.

He hid under the bush bleeding strongly for almost two hours until his family came to his rescue and took him to the hospital where he was admitted.

He was operated on and due to the position of the bullet hole, they had to lock in a 15cm procedure ORIF so that he can stand. He was discharged after a week with the procedure ORIF launched in his pelvic for life and the hospital bills were paid by his family.

8. M. M. (21 year old male of Matitila)

He is doing Form 5 and was shot on the 30th June 2021 while walking with a friend. He saw members of the UEDF coming towards their direction and was suddenly shot on the elbow and left arm. He was taken to hospital by relatives and was treated and discharged. The bullet stayed in his body for over a month but has been subsequently removed. He still receives treatment in hospital and pays for the hospital bills.

Presently, he cannot bend his arm and it easily gets tired and as such affects his schoolwork.

9. N. M. (23yrs of Mdabula in Hlathikhulu)

He is employed as a security guard and on the 29th June 2021 he was on his way to his duty station. He waited for transport at the bus stop where there were protestors although they were about a hundred meters away. Protesters were rioting and throwing stones to a nearby supermarket and Lavumisa police station.

Police started shooting and protesters fled to all directions and some ran towards the bus stop where he was. He was shot below the right knee and was assisted by the protesters who took him to hospital where he was admitted for 5 days.

He was taken by his employer to a private clinic where part of the bullet was removed and the employer paid all medical costs, and he is now back at work.
10. X. H. (23yrs male of Mvutshini)

He is employed at a construction company and stated that after being released from work due to the unrest, he walked home with a friend. They discovered that all roads leading home had crowds and blocked so they tried another route only to be met by a group of rioters running away from the police who were already shooting. Apparently the crowd was trying to break into one of the shops and the police were dispersing them and firing in the process. He joined in and ran and was shot at the back of his shoulder blade. He was able to walk home even though it was difficult and stayed the night. He still has a bullet lodged between the shoulder blades. The following day on the 30th June 2021 he went to Mbabane Government hospital where he was treated and discharged. An x-ray was conducted and it was discovered that there was a bullet wedged on the shoulder blade. The doctor informed his that the bullet will not be removed because it would cause complications. To date he is walking with a bullet on his shoulder.

11. F. H. (63 years old elderly male of Lobamba)

He is employed as an Inspector of works and stated that on the 03rd July 2021 whilst driving from work with his niece they met a crowd of protesters running towards their direction. As he was passing the crowd a flood of gunshots were shot at them. He managed to drive for a distance after which he discovered that he was shot just above the pelvic and on the spine and his niece B.Z. was shot twice on the shoulder blade. He was assisted by army personnel out of the car and a passerby who came to his rescue and took him to hospital together with the niece where they were both admitted. A report was made to Lobamba Police Station where they were informed that the area where they were shot was to be patrolled by the army thus they were not responsible.

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He was operated four times as the bullets had ripped through the stomach, thus was admitted for four weeks. To date he is using a catheter to ease himself and has been informed by the doctors that he might have to use same for the rest of his life.

12. J. V. K. (63yrs elderly of Velezizweni)

On the 29th June 2021 he was from work aboard a public transport, it was 0545hrs and it was still dark when alighted. At that time people were running away from the police who were shooting and throwing teargas.

He was shot three times: one gunshot wound on the buttock; one on his waist; and a third one on the left leg. All these were inflicted at a close range.

After an explanation that he was from work they then released him to go and did not assist with medical help. One bullet did not go through his body; another fell off as he was walking and one remained and was removed at the theatre Because he was bleeding profusely he then boarded a kombi to the hospital where he was taken to theatre and the last bullet removed.

13. M. N. T. (37 year old male of Mvutjini)

An unemployed father of three children, who survives by doing menial jobs so to provide for his children. On the 29th June 2021 whilst around Zulwini he came across a crowd of rioters running towards his direction. Police were on guard to protect property in the vicinity and all of a sudden police started shooting at close range and was shot on the leg.

He was assisted by members of the public to be driven to Hospital where he was admitted. His leg was treated, stitched and after four days it showed signs of decaying so the Doctor suggested amputation which was then carried out. He was admitted for two weeks, and hospital bills were paid by his mother who also bought him crutches. Currently, his amputated leg is recovering though his life will never be the same as he has become a dependent.

14. D. N. (29 year old male of Mvutshini)

He is self-employed and does gardening to make ends meet. He stated that on the 29th June 2021 around 1500hrs while passing through the bus station headed home, an OSSU truck stopped and the officers in it began shooting. He tried to run away but could not run as he was bleeding and he discovered that he was shot on the spinal area. He was assisted to a nearby home where he stayed the night with the bullet wound bleeding. He was then taken to hospital the following day where he was admitted and the bullet removed.
15. P. M. (29 year old of Mvutshini)

He is employed at a construction company, and after being released from work due to the unrest, he walked home with a friend. They discovered that all roads leading home had crowds and road blocks so they tried another route only to be met by a group of rioters running away from the police who were already shooting. Apparently the crowd was trying to break into one of the shops and the police were dispersing them by shooting. He joined in and ran and was shot at the back of the neck and the bullet penetrated through the cheek.

The police took him to Mbabane Government hospital where he was admitted for a week. At the hospital they discovered that about four of his teeth were uprooted and his jawline was not functioning well thus he was failing to open his mouth.

16. S. N. (31yrs male of Motshane)

He was shot whilst on his way to his residence in Mathangeni. He informed the investigation team that he met soldiers and ran away because it was during the curfew hours. They then shot him on the right thigh and was admitted at the hospital for four weeks. He does not recall who took him to the hospital but recalls being in a UEDF car when they took him from the scene. He joined in and ran and was shot at the back of the neck and the bullet penetrated through the cheek.

While at the hospital no police officer came to record a statement and he had to pay his hospital bills.

17. B. M. K. (44yrs male of Gobholo)

He is self-employed and was part of the protests on the 29th June 2021 and whilst running away from the police, they shot on the right thigh at close range. After shooting him he fell to the ground and they came to kick him. The police left him lying on the ground and continued dispersing the crowds until he called a friend to come and take him to the hospital. Due to the shooting he was then amputated from the middle of the thigh.

He said he was not aware of any investigation as the police never recorded him a statement let alone checking on him while he was admitted at the hospital for four weeks.

18. B. S. S. (35yrs of Sicelwini)

Whilst at his home working on the roof on the 30th June 2021, people stated running past his home and chased on by the police. Suddenly a number of police and soldiers got into his home and shot stun grenades. He came down from the roof to enquire security officers as to why they were shooting at his home. They responded by assaulting him with buttons and pulling him to the ground; another police officer slapped him with an open hand and he therefore retaliated. Seeing that he was fighting back they went towards the gate and while he was a few meters away they started shooting and throwing insults at him.

They shot him once on the left knee and they left him lying on the ground and was taken to the hospital by his family. At the first Hospital in Manzini they refused to help him because he was not in possession of a police report. After 4 days he went to another hospital (Siteki) where the bullet was removed.

Ever since the shooting he is unable to make ends meet as he is self-employed and a bread winner for his family and parents.

19. N. M. (31yrs of Ncabaneni)

On the 29th June 2021 he went to the market in Mahlanya and then found protesters demonstrating and then he stood afar to watch. He then decided to leave the market together with his friend and cannot narrate what then happened as he woke up in hospital. He was assisted by his landlord with transportation to the hospital

He was shot 4(four) times on the head and was unconscious for 3 weeks. He was assisted by Phalala Fund which paid his hospital expenses. Of the 4 bullets only 3 were successfully extracted and the last one could not be removed because the doctor said it is in a critical position.

He is now unable to carry out farming as he used to for his survival, he cannot use his left hand, he suffers from memory at times and his speech was also affected.
20. L. M. M. (29yrs male of Ncabaneni)

On the 30th June 2021 whilst going to the shops security officers approached in a truck and started shooting at people on the roads. He ran with other people who were on the street and discovered that he has been shot. He was shot on the spinal cord and was assisted by friends to go to the hospital. Doctors advised that the bullet was in a critical position and suggested that it should not be removed, however, the bullet was eventually removed. He is on a wheelchair and undergoing physiotherapy.

Before he was shot he was self-employed as a consultant helping people with business plans and as a mechanic and with these he was able to take care of his unemployed parents.

21. B. G. (34yrs male of Siphofaneni)

A self-employed father of three, on the 01st July 2021 was waiting for a parcel which was to be delivered by a mini bus. At the time there were riots in the area and he distanced himself from the protesters to a bus station away from them.

Suddenly a mini bus emerged and thinking that it was the one he was waiting for, he stopped it while running to it and it stopped. When he was close to it he realized that it was written “Southern Star” on the sides and there were soldiers and police in it. The police came out and shot him twice on the spine at close range and thereafter left.

One bullet was removed and the other one could not be removed because it was ‘close to the veins’ and is still in his body.

He is now on a wheelchair though now he can move his body after three weeks of physiotherapy, for which he is paying from his pocket.

22. S. D. (35 year old of Pigg’s Peak)

A father of two minors, was shot whilst at the centre of his local town. He met people who were looting at the same time when the police tried to disperse them. He was shot in the elbow, pelvic bone and bum and as a result his two fingers are dysfunctional and his arm has bent and is numb.

He went to hospital on the same day and was admitted for a week. He is employed but has not yet not reported for duty because he cannot properly do his duties as an operator.

23. M. M. (37 year old of Siteki)

A father of four, stated that on the 30th June 2021 while they were burning tyres opposite the EEC gate, police fired shots in the air to disperse the crowd and they moved to Yithabantu.

He was shot with a pellet gun on the head, shoulder, chest, stomach next to the pelvic bone and knee. Only the bullet on his stomach was removed while the other 4 are still lodged in his body as he was advised by the doctors that the bullets are in dangerous positions so removing them is risky.

He was taken to the health centre the following day by the police and was admitted for four days. He takes medication to dissolve blood clots and clean poison in his body. He still goes to hospital for check-ups.

24. F. H. (47yrs old male of Mpaka refugee camp)

He stated that on the 30th June 2021 while he was at his workplace in a truck shop at Lobamba about a kilometer from Parliament, he saw a truck full of uniformed police officers coming towards the shop. He immediately went to his boss to tell him to close the shop. As he was approaching his boss, he was shot on the left back side and the bullet moved to his chest. He was assisted by a lady who stays next door to the truck shop who administered first aid to him and called the police to take him to hospital where he was admitted for a day. The bullet is still in his body and he has to make follow up visits to the hospital but has not honored some of the appointments because of lack of money for transport.

25. B. Z. (45yrs male of Lobamba)

A breadwinner and a father of nine (9), stated that on the 03rd July 2021 whilst in the company of his uncle driving in a van from work at Ludzidzini passing by Mashimbini, they met a crowd of rioters running towards their direction. He stated that as they were passing the crowd gunshots were shot towards their direction. They drove aimlessly through the crowd straight to Nkhaini offices where they sought refuge. Upon reaching the premises he discovered that he had been shot at the back part of the shoulder and he was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and he was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was bleeding strongly. A certain man came to their rescue and took them to RFM hospital where they both admitted. The doctor confirmed that he had been shot at the back part of the shoulder and was ble
PRESS STATEMENT
CALL FOR RETRAIN AND RESPECT OF RIGHTS FOR ALL DURING THIS TIME

The Commission on Human Rights and Public Administration/Integrity (CHRPA) is deeply concerned about the ongoing unrest and acknowledges that this is unprecedented for the country. The Commission wants to emphasize on the importance of the protection of fundamental rights and freedoms articulated and enshrined in Chapter III of our Constitution even during these times of unrest.

It is essential that Government actors as key duty bearer and the custodians of the Constitution ensure compliance with the Bill of rights and all the international and regional instruments that have been ratified by Eswatini. The limitations to these rights can only happen under the stipulated conditions and only when absolutely necessary.

The rights holders/citizens in the enjoyment of these rights also have a responsibility to adhere to the laws and limitations put in place for their own protection and public interest.

THE COMMISSION VEHEMENTLY CONDEMNS:

1. The use of unnecessary force to disburse citizens by Police officials or force by armed forces on protesters and civilians.

2. Unjustified limiting of citizen’s rights to freely associate and express themselves in their different constituencies in compliance of the Covid-19 regulations. The application of these Regulations should not be used as a tool to limit the enjoyment of rights unless it is not possible to follow the necessary guidelines in the process of delivery of the petitions.

3. The vandalizing of Government, individuals’ and businesses properties by protesters and reiterate that violence is not the solution to the situation;

THE COMMISSION THEREFORE CALL FOR:

1. Joint efforts and collaboration in order to ensure solutions are at the best interest for the country and its people;

2. Facilitation of safe spaces for citizens to dialogue on the pertinent issues ensuring that they are able to exercise their right to freedom of expression and they articulate their grievances amicable and sustainable solutions.

3. Deliberate efforts by all involved to ensure that these concerns are systematically and holistically addressed post these dialogues.

4. The review of the decision to ban the delivery of petitions by Acting Prime Minister and exploration of alternative measures to facilitate this process with compliance to the regulations.

5. Practice of restraint in use of force to restore order to instances where absolutely necessary and where there are no other available options. Where minimal force is necessary restore order, it should be proportionate to the risk presented and all necessary precaution should be put in place to ensure the protection of the right to life.

WE REITERATE THE IMPORTANCE OF:

1. Responsible, accurate and timely communication to the public;

2. Respect of rights in whatever protest by the protesters or petitioners and those responsible for the safeguarding those rights.

3. Strategic thinking in all interventions ensure that the actions do not create long term financial and economic wars for the country still working to recover from the impact of Covid-19.

WE IMPLORE government to therefore provide space for dialogue and also to respect the views of the citizens. We further implore government to take immediate action in resolving this situation as the continued protests and violation of rights may lead to more violence and unrest. We appeal for patience and respect of laws of the land by the citizens and willingness to reach a peaceful resolution to the current impasse.

THE COMMISSION STANDS FOR THE RESPECT AND PROTECTION OF THE RIGHTS FOR ALL AND CALLS FOR PEACE AND AMICABLE RESOLUTION TO ALL THE CONCERNS PRESENTED.

STATEMENT DATED AND ISSUED BY THE COMMISSION ON THE 2ND JULY 2021 AT MBABANE.

COMMISSIONER
COMMISSION ON HUMAN RIGHTS AND PUBLIC ADMINISTRATION/INTEGRITY.