

# 216: Resolution on the Human Rights Situation in the Kingdom of Swaziland

*The African Commission on Human and Peoples' Rights (the African Commission), meeting at its 51<sup>st</sup> Ordinary Session, in Banjul, The Gambia, from 18 April to 2 May 2012;*

**Recalling** its mandate to promote and protect human and peoples' rights in Africa pursuant to the African Charter on Human and Peoples' Rights (the African Charter);

**Underscoring** the provisions of the African Charter, in particular; Articles 9, 10, 11, 13, and 18(3), as well as other international human rights instruments, including the *Universal Declaration of Human Rights (UDHR)* the *International Covenant on Civil and Political Rights (ICCPR)*, and the *Protocol to the African Charter on the Rights of Women in Africa*;

**Deeply Concerned** about allegations of the violation of the right to freedom of expression, freedom of assembly, and freedom of association which, if true, may affect the conduct of free, fair and credible elections in 2013;

**Further Concerned** about the allegation of the violations of the rights of workers as seen in the de-registration of the recently formed Trade Union Congress of Swaziland (TUCOSWA) by the Office of the Commissioner of Labour acting on the advice of the Attorney General of the Swaziland Government;

**Alarmed** by the failure of the Kingdom of Swaziland to implement the decision of the African Commission in **Communication 251/2002- Lawyers for Human Rights v Swaziland**, and the recommendations in the report adopted by the African Commission following a promotional mission to the country in August 2006;

i. *Calls on* the Government of the Kingdom of Swaziland to respect, protect and fulfil the rights to freedom of expression, freedom of association, and freedom of assembly as provided for in the *African Charter*, the *UDHR*, the *ICCPR* and other international and regional instruments;

ii. *Calls on* the Government of the Kingdom of Swaziland to implement the decision of the African Commission in **Communication 251/2002- Lawyers for Human Rights v Swaziland** and submit a report on the status of implementation;

iii. *Calls on* the Government of the Kingdom of Swaziland to implement the recommendations in the report adopted by the African Commission following a promotional mission to the country in August 2006;

iv. *Further urges* the Government of the Kingdom of Swaziland to take all necessary measures to ensure the conduct of free, fair and credible elections in 2013;

**Done in Banjul, The Gambia, 2 May 2012**