

## **Eswatini (formerly Swaziland): Affected communities and civil society organizations demand redress for forced evictions**

September 2, 2019

Today members of local communities and international and local civil society organizations in a meeting in Manzini, called on the responsible government authorities in Eswatini to take immediate measures to stop the practice of forced evictions which constitutes a violation of the right to adequate housing.

The meeting, was jointly facilitated by the Foundation for Socio-Economic Justice, the International Commission of Jurists, Amnesty International and the Southern African Litigation Centre. Participants included representatives from communities recently affected by evictions from Nokwane and the Malkerns, communities facing imminent eviction in Mbondzela, Gege, Vuvulane, Madonsa and Sigombeni, and a range of local civil society organizations, church groups and concerned individuals. Hon. Jamesina King, Commissioner at the African Commission on Human and Peoples' Rights (ACHPR), among others attended and addressed the meeting.

The meeting, which was attended by African Commission on Human and Peoples' Rights (ACHPR) Commissioner Hon. Jamesina King, brought together members of local communities who have endured or are at imminent risk of forced evictions, to continue their advocacy efforts to protect the right to adequate housing.

Hundreds of people have been rendered homeless as a result of forced evictions in Eswatini. Many Swazis are vulnerable to forced evictions because they lack security of tenure, due to the country's deeply flawed land governance system and eviction processes are not in line with international human rights law and standards.

Amnesty International previously submitted a [report](#) that documents forced evictions in Eswatini and, alongside a community representative, engaged with the African Commission on Human and Peoples' Rights (ACHPR) at its 63<sup>rd</sup> Ordinary Session in Banjul in October 2018, Gambia. As a follow-up, the community representatives invited Commissioner Jamesina King to participate in their meeting.

"It is very obvious that the laws of Eswatini have to evolve to provide these communities with legal protection and to put an end to forced evictions", Commissioner King, who is also a commissioner Member of the ICJ from Sierra Leone, told the communities. She also called for a moratorium on mass evictions in Eswatini until laws protecting communities from forced evictions and respecting their right to adequate housing had been enacted.

Participants delivered the following statement at the conclusion of the meeting:

As local communities, civil society organizations, religious groups and international human rights organisations we are fortified in our collective agreement on the following:

### 1. **A Moratorium on Mass Evictions:**

We call on the Eswatini government to urgently make public a time-bound commitment to a moratorium on all mass evictions until adequate legal and procedural safeguards are in place to ensure that all evictions comply with international and regional human rights standards. This should include a public announcement and immediate measures that the government will take to ensure that those under threat of eviction are protected.

### 2. **Enactment of Legislation:**

We call on the Attorney General to expedite the process of elaborating human rights compliant legislation, and adoption of the same by parliament, which explicitly prohibits forced evictions and sets out safeguards that must be strictly followed before any eviction is carried out. This law should be in strict compliance with Eswatini's Constitution and international and regional human rights law and standards, including in respect of the provision of effective remedies.

### 3. **Adequate Reparation, including Compensation:**

We call on the Prime Minister to immediately provide reparations for forcibly evicted families in the Malkerns and Nokwane. Such reparation should include adequate alternative housing for those rendered homeless, restitution, compensation for all losses and guarantees of non-repetition.

#### **This statement is endorsed by:**

Foundation For Socio-Economic Justice  
Amnesty International  
Southern African Litigation Centre  
International Commission of Jurists

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