

ADVANCE QUESTIONS TO SWAZILAND – ADD.1

NETHERLANDS

1. Political reform

Demands for political reform in Swaziland have swelled as a result of the sharp economic downturn, starting early 2011. We have received reports that the government has responded harshly to these demands. In paragraph 103 of the national report, the government acknowledges these challenges and constraints by stating that the Law enforcement agents have a challenge of striking a balance between enforcement of the provisions of the STA and respect for the human rights to freedom of expression and association. Taking into account paragraphs 75 – 77 of the national report about freedom of association and paragraphs 78-80 of the national report about freedom of expression, could the government respond to the allegations of a harsh response? How is the government planning to address these challenges? Could the government elaborate on the other challenges it is facing in light of the economic downturn? How does the economic downturn affect for instance the right to education, as mentioned in paragraphs 31 – 40?

2. Rule of Law

We took note of paragraph 40 of the OHCHR-Compilation, which states that the realization of the freedom of expression and media freedom has been restricted by the Suppression of Terrorism Act 2088. Could the government respond to this paragraph and elaborate on the question whether these restrictions also apply to members of opposition movements? If so, in what way is the independent judicial review of these particular cases being guaranteed, especially as some provisions are deemed unconstitutional?