

Universal Periodic Review
(25th session, April-May 2016)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Swaziland

I. BACKGROUND AND FRAMEWORK

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	State party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	17/09/1975, ratification	N/A	N/A	Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	30/10/2012, acceptance	N/A	N/A	Right to take part in cultural life
Convention on the		N/A	N/A	Right to take part in

Protection and Promotion of the Diversity of Cultural Expressions (2005)	30/10/2012, acceptance			cultural life
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II. INPUT TO PART III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS, TAKING INTO ACCOUNT APPLICABLE INTERNATIONAL HUMANITARIAN LAW TO ITEMS F, J, K, AND P

Right to education

1. NORMATIVE FRAMEWORK

1.1 Constitutional Framework

1. The right to education is recognized in the **Constitution of the Kingdom of Swaziland Act (2005)**¹, where **Article 29 (6)** states that: “Every Swazi child shall within three years of the commencement of this Constitution have the right to free education in public schools at least up to the end of primary school, beginning with the first grade.”
2. Additionally this right is assured in **Article 60 (8)**, where it is determined that: “Without compromising quality the State shall promote free and compulsory basic education for all and shall take all practical measures to ensure the provision of basic health care services to the population.”
3. Moreover, according to **Article 23 (3)**: “A religious community is entitled to establish and maintain places of education and to manage any place of education which that community wholly maintains, and that community may not be prevented from providing religious instruction for persons of that community in the course of any education provided at any place of education which that community wholly maintains or in the course of any education which that community otherwise provides.”
4. Regarding political objectives, **Article 58 (3)** stipulates that: “The State shall cultivate among all the people of Swaziland through various measures including civic education respect for fundamental human rights and freedoms and the dignity of the human person.”
5. Regarding equality before the law, **Article 20** provides:

¹ <http://www.unesco.org/education/edurights/media/docs/c8997f008d2d9629d2b5bfb6f5172885aa0a0f36.pdf>, Accessed on 28/04/2015

- “(1) All persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law.
 - (2) For the avoidance of any doubt, a person shall not be discriminated against on the grounds of gender, race, colour, ethnic origin, tribe, birth, creed or religion, or social or economic standing, political opinion, age or disability. (...)”.
6. On the rights and freedoms of women, **Article 28** states:
- “(1) Women have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities.
 - (2) Subject to the availability of resources, the Government shall provide facilities and opportunities necessary to enhance the welfare of women to enable them to realise their full potential and advancement.
 - (3) A woman shall not be compelled to undergo or uphold any custom to which she is in conscience opposed.”
7. With regard to the rights of persons with disabilities, **Article 30** provides:
- “(1) Persons with disabilities have a right to respect and human dignity and the Government and society shall take appropriate measures to ensure that those persons realise their full mental and physical potential.
 - (2) Parliament shall enact laws for the protection of persons with disabilities so as to enable those persons to enjoy productive and fulfilling lives.”

1.2. Legislative Framework

8. “The basic law governing education in Swaziland is the **Education Act No. 9 of 1981**. This repealed the Education Act of 1964, the Medical Inspection of Schools Act of 1928, and the Inspection of Schools Act of 1934.
9. **The Teaching Service Act** was promulgated in 1982. It repealed the Unified Teaching Service Act of 1962 and established a Teaching Service Commission. The powers of the Minister and the Director of Education are established, as are the composition of the Teaching Service Commission and its powers and functions—including proceedings of the commission, offences and penalties, pensions and other terminal benefits. Under the Teaching Service Act, the **Teaching Service Regulations** were promulgated in 1983. These regulations provide for: registration of teachers; point of entry into service; confidential reports; general leave; liability for misconduct and inefficiency; retirement; subsistence allowance; etc.

10. The **University of Swaziland Act No. 2 of 1983** provides for the establishment and functions of the University, the main higher education institution in the country. A schedule of the statutes is provided in the Statutes of the University of Swaziland of 1983.
11. A schedule outlining a **Minimum Standard of Professional Conduct for Teachers** in Swaziland has also been prepared and signed by all teachers. It provides for recognition of responsibilities for the child under the teacher's care, the community in which the teacher lives, the teacher's profession and the employer. Various circulars are prepared from time to time and distributed to schools and administrative units. These are collected in a booklet form and published as Selected Circulars for the benefit of teachers and administrators. A Guide to school regulations and procedures is updated regularly, with the oldest dating back to 1978. There is no compulsory schooling in Swaziland."²

1.3. Policies

i) **General Information**

12. "All [...] national policies such as the National Development Strategy Vision 2002 (1997), Smart Programme on Economic Empowerment and Development (SPEED, 2005), Poverty Reduction Strategy and Action Plan of 2006, re-affirm the importance of education and the implementation of the Education for All agenda as an important program aimed at ensuring efficient and equitable distribution of educational resources and guarantees that all citizens have access to basic education. SPEED further made specific mention of special education as a great concern to Government. In that regard it states thus, "efforts will ne made to improve and expand existing services, infrastructure, equipment and facilities for children with special needs"."³
13. "The goal of education as presented in the **National Policy Statement on Education (1999)** is the provision of opportunities for all pupils of school-going age and adults to develop themselves in order to improve the quality of their own lives and the standard of living of their communities. [...]"⁴

² World Data on Education, IBE, 7th Edition, 2010/11, pp. 2-3, accessible at:

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Swaziland.pdf, Accessed on 28/04/2015

³ National Report submitted to the 48th Session of the International Conference on Education, 2008, p. 2, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/swaziland_NR08.pdf, Accessed on 28/04/2015

⁴ National Report submitted to the 48th Session of the International Conference on Education, 2008, p. 3, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/swaziland_NR08.pdf, Accessed on 28/04/2015

14. “Since Education in Swaziland is not compulsory there are still children who do not attend school because there is no law that requires all school-going age children to be in school.”⁵
15. “The Education and Training Sector (EDSEC) Policy exists in a national, regional and international context but is driven in the first instance by the legal framework of the Education Act and the National Development goals presented in the Poverty Reduction Strategy Action Plan (PRSAP).”⁶ (Before, guided by the 1999 Draft on Education Policy which never graduated into a full policy document)
16. “On the implementation side of the NDS - National Development Strategy by the Ministry of Economic Planning and Development (MEPD) and the Poverty Reduction, and Monitoring & Evaluation Division (PRMD)-, the government has developed and initiated a significant number of sectoral, sub-sectoral and thematic policies and strategies (including legislative Acts and Bills like the Constitution) primarily aimed at realizing the ultimate aspirations of Vision 2022 and NDS strategic goals. For instance as part of the move to operationalize the NDS, in 2006, through lengthy and extensive consultations as well as broad-based participation, the Government developed and adopted the Poverty Reduction Strategy and Action Programme-PRSAP (2007-2015). The PRSAP was crafted to serve as a critical means and guide to attain the ultimate long term national vision and Millennium Development Goals through conscious and concerted development planning and budgeting. To strengthen the implementation of the PRSAP, a Sector Wide Approach (SWAp) was adopted and piloted to the planning and budgeting process in four priority sectors, namely agriculture, education, health and water & sanitation. The Approach is to facilitate the development of competent sector policies and strategies as well as ensure proper alignment of intervention programmes with the national development frameworks; thereby achieve better results. Briefly, as far as short-and medium term planning is concerned, a number of national documents, including Sectoral Development Policies and Plans, were produced and implemented during the NDS era.”⁷

⁵ National Report submitted to the 48th Session of the International Conference on Education, 2008, p. 11, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/swaziland_NR08.pdf, Accessed on 28/04/2015

⁶ “Swatizland Education and Training Sector Policy”, Ministry of Education and Training, April 2011 p: 7 http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2Fswaziland%2FswazilandEducationSectorPolicy2011.pdf&ei=_Pt2VbWCNYq8ygOS64G4Ag&usg=AFQjCNGxCx_0edhzxsjvgzjMPX0Q-GKYCA&bvm=bv.95039771,d.bGQ

⁷ Swaziland: A framework for the National Development Strategy (NDS) Review”, issued by the Ministry of Economic Planning and Development in, January 2013 p:11 http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCoQFjAA&url=http%3A%2F%2Fwww.sz.undp.org%2Fcontent%2Fdam%2Fswaziland%2Fdocs%2Fpublications%2FUNDP_SZ_Poverty_NationalDevelopme

17. “Like the formulation process, the NDS review process is expected to pass through different stages. This Framework will serve as a roadmap on how to successfully and efficiently accomplish the NDS review process within the desired time frame and disposal of resources. (...)The key NDS macro, sectoral, and sub-sectoral strategies including thematic areas on which the initial review process may concentrate are: (...) f) Education and Training (...) h) Gender and Disadvantaged Groups; i) Gender; ii) Persons with Disabilities, Children, Youth and Elderly”⁸
18. **“Millennium Development Goals (MDGs):** Although the country is lagging behind in some of the MDGs, at this stage, there are good and noticeable strides towards the achievement of MDG (Universal Primary Education); MDG (Gender Equality), and MDG (Environmental Sustainability).”⁹
19. **“Limited Financial, Technical and Institutional Capacities to Implement Proposed Reform Measures:** Beyond financial difficulties, the government faces serious capacity constraints due to the high turnover of experienced staff and outdated curricula in educational and training institutions. These and others have transpired into a slow pace (backlog) of reform implementation; thereby posing serious challenges to the structural and economic transformation of Swaziland.”¹⁰
20. **“BASIC EDUCATION:** For purposes of this document, Basic Education refers to the first ten (10) grades or stages of schooling which comprises of primary education (first stage of basic education) and lower secondary education (second stage) the first 10 stages of general education. »¹¹

ii) Inclusive Education

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Accessed on 09/06/2015

⁸ Ibid p. 22

⁹ Ibid p. 14

¹⁰ Ibid p. 16

¹¹ “Swatziland Education and Training Sector Policy”, Ministry of Education and Training, April 2011 p: x

http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2FSwaziland%2FSwazilandEducationSectorPolicy2011.pdf&ei=Pt2VbWCNYq8ygOS64G4Ag&usg=AFQjCNGxCx_0edhzxsjvgziMPX0Q-GKYCA&bvm=bv.95039771,d.bGQ

Accessed on 09/06/2015

21. “Inclusive Education Policy Objectives: To assure every learner in Swaziland of meaningful participation and achievement in the teaching and learning process; To ensure that: every child is entitled to enroll in a school near to where he/she lives; no child shall be denied access to education at any level on the basis of disability; the education system accepts difference, exercises no discrimination and respects the individuality of each child; all attitudinal and physical barriers to inclusive education shall be removed in public, private and other schools and institutions; all education and training facilities shall be improved to meet the individual needs of learners experiencing barriers to learning and participation; and sufficient financial, physical and human resources are provided to educate every child, whatever their life circumstances.”¹²
22. “Increasing Vulnerability and Over-Stretched Social Protection Responsibilities: For various reasons (man-made and natural hazards), a significant section of the Swazi population is exposed to different types of vulnerability. In this case, orphaned, vulnerable children, disabled, elderly, etc. need support in terms of food, shelter, health care, education and other social amenities. Also, people falling victims of natural calamities and the unemployed need immediate protection. Though the government, in collaboration with development partners, is doing its best; the challenge still remains so huge claiming much financial resources and energies of the country.”¹³

iii) Curriculum

23. “Curriculum Development Policy Objectives: To centrally and systematically coordinate curriculum development activities for the school system; To periodically review emerging developmental issues including, but not limited to, ESD, ICT, HIV and AIDS, the environment, corruption, gender and other related human rights issues ; To adopt a competency-based approach in the curriculum to reflect the aspirations, developmental priorities and needs of society as well as national development goals of Swaziland in its curriculum; To meet the diverse needs of learners, including those experiencing barriers to learning and participation, and the provision of vocational alternatives such as, but not limited to Visual Arts; Performing Arts; Culture; Entrepreneurship, etc as a matter of choice; Continually conduct research to ensure appropriateness and relevance of the

¹² Ibid, p. 18

¹³ Swaziland: A framework for the National Development Strategy (NDS) Review”, issued by the Ministry of Economic Planning and Development, in January 2013 p:16/17
http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCoQFjAA&url=http%3A%2F%2Fwww.sz.undp.org%2Fcontent%2Fdam%2Fswaziland%2Fdocs%2Fpublications%2FUNDP_SZ_Poverty_NationalDevelopmentStratedgyReview2013.pdf&ei=NvF2VaK B-GGyWP m4LACg&usg=AFQjCNFpAzMDEZ5XzWil-Wy7CKltO3Z6RA&bvm=bv.95039771,d.bGQ

Accessed on 09/06/2015

curriculum; Provide a child-centred inclusive curriculum for the school system; To redesign report cards to reflect skills and competencies and inform other instruments for communicating learning progress; Provide guidance to MOET on issues of curriculum.”¹⁴

iv) Quality education

24. “In response to the impact of the HIV and AIDS pandemic, drought, violence and food insecurity and any other emerging disasters, which together act as barriers to quality teaching and learning and the promotion of healthy lifestyle to pupils, the MoET will implement SCCS (Schools as Centres of Care and Support) which seeks to ensure that every school in Swaziland delivers child-centred, quality teaching and learning including the promotion of physical education activities; and provides care, support and protection to every child, with the active involvement of parents, community and stakeholders, in order for quality teaching and learning to take place.”¹⁵
25. “There is need to monitor the relevance and quality of education. This is being explored at the primary level through the Southern Africa Consortium for Monitoring Education Quality (SACMEQ), of which [Swaziland] is a member, in particular assessing learning achievement in English, mathematics and science at grade 6 level. This will assist the country to review its standards in the region and internationally. In addition, the National Assessment Framework monitors the progress of the students in the system, which in turn will assess the effectiveness of the teaching process. Grades 4, 7 and 10 (basic education) students are tested to provide information on the standards and performance of the system”¹⁶.
26. “The Ministry realizes the need to strengthen relevance of education to the increasingly digital work place. To this end, the Ministry, through the Computer Education Trust and the Republic of China (Taiwan) is supplying computers to secondary schools throughout the country. So far computers have been supplied to 120 secondary and high schools (61%) of the total number of secondary high schools and pupils are taught basic computer skills. The schools construct computer laboratories in rural secondary and high schools and the Ministry of Education continues to electrify the schools. [...]
27. The campaign for introduction of Information Technology (IT) in schools has seen the Ministry making considerable investment in IT infrastructure in Teacher Training

¹⁴ Ibid p. 18

¹⁵ Ibid p. 16

¹⁶ World Data on Education, IBE, 7th Edition, 2010/11, p. 13, accessible at:

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Swaziland.pdf, Accessed on 28/04/2015

Colleges. The recent years have seen the construction of computer laboratories in all the three Teacher-training institutions. The computer laboratories are also equipped with 50 computers, 4 printers, 1 video projector and 1 video camera.”¹⁷

v) Education levels

a. Early childhood care and education

28. “EARLY CHILDHOOD CARE AND EDUCATION (ECCE): ECCE refers to a comprehensive approach to policies and programmes for children from birth to eight years, their parents and guardians. Its purpose is to protect the child rights to develop his/her full cognitive, emotional, social and physical potential which are promoted by proper care, early stimulation, proper socialisation and education. It is the stage where most of the brain is developed.”¹⁸

b. Primary education

29. “A significant improvement in the education sector has been achieved through a host of government interventions through the introduction of Free Primary Education (FPE), including construction of more classrooms, furniture and employment of more teachers. Since 2002, both primary school enrolment and the 13 Net Enrolment Ratio (NER) have increased significantly. The increase in primary school enrolment is particularly an impressive achievement given the decrease in the primary school-aged population between 1997 and 2010 (Swaziland Population and Housing Census [SPHC] 1997 & Swaziland Population Projections 2007-2030) and is a reflection of increasing efforts by the Government of Swaziland to ensure that all children have access to education irrespective of their socio-economic status pursuant to the aspirations articulated in the Constitution. Overall, the above interventions have resulted in an increase in the Net Enrolment Ratio-NER (includes vulnerable and non-vulnerable children) from 72% in 2002 to 92% in 2010, which is a commendable achievement. Towards this end, there has been significant increase in the budgetary allocations for education.”¹⁹

¹⁷ National Report submitted to the 48th Session of the International Conference on Education, 2008, pp. 7-8, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/swaziland_NR08.pdf, Accessed on 28/04/2015

¹⁸ “Swaziland Education and Training Sector Policy”, Ministry of Education and Training, April 2011 p: xi http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2Fswaziland%2FswazilandEducationSectorPolicy2011.pdf&ei=_Pt2VbWCNYq8ygOS64G4Ag&usg=AFQjCNGxCx_0edhzxsjvgzjMPX0Q-GKYCA&bvm=bv.95039771,d.bGQ Accessed on 09/06/2015

¹⁹ Swaziland: A framework for the National Development Strategy (NDS) Review”, issued by the Ministry of Economic Planning and Development, in January 2013 p:12/13 http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCoQFjAA&url=http%3A%2F%2Fwww.sz.undp.org%2Fcontent%2Fdam%2Fswaziland%2Fdocs%2Fpublications%2FUNDP_SZ_Poverty_NationalDevelopme

30. “Primary Education Strategic Framework in Short- Term to: Ensure all public primary schools are child-friendly and aligned to the standards of SCCS in order to meet the needs of all special needs, orphaned, vulnerable and other stigmatised children, without discrimination (...) In long term to: Eliminate all barriers to learner achievement, including but not limited to those related to gender, disability, special needs, stigma or discrimination.”²⁰

c. Secondary education

31. Swaziland adopted “[...] the **International General Certificate of Secondary Education (IGCSE)** curriculum in schools all through the country [...]. IGCSE is a two-year curricular program leading to an internationally recognized qualification.”²¹

d. Technical and vocational education

32. “The TVETSD Policy Objectives: To meet the diverse socio-economic development needs of the country through the training and sustained expansion of a competent and employable work force with relevant, marketable skills; To establish effective TVETSD governance, management and training system with clearly allocated roles and responsibilities, accountable to the National Assembly through the Ministry responsible for Education and Training; To establish mechanisms for the portability of formal, non-formal and informal qualifications, with provision for flexible exit and entry to both academic and skillrelated pathways; To establish equitable access to skills for formal sector or self-employment within the TVETSD system for all those wishing to participate.”²²

e. Higher education

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Accessed on 09/06/2015

²⁰ “Swatizland Education and Training Sector Policy”, Ministry of Education and Training, April 2011 p: 33
http://www.googol.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2Fswaziland%2FswazilandEducationSectorPolicy2011.pdf&ei=Pt2VbWCNYq8ygOS64G4Ag&usg=AFQjCNGxCx_0edhzxsjvgziMPX0Q-GKYCA&bvm=bv.95039771,d.bGQ Accessed on 09/06/2015

²¹ National Report submitted to the 48th Session of the International Conference on Education, 2008, p. 6, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/swaziland_NR08.pdf, Accessed on 28/04/2015

²² “Swatizland Education and Training Sector Policy”, Ministry of Education and Training, April 2011 p: 37
http://www.googol.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2Fswaziland%2FswazilandEducationSectorPolicy2011.pdf&ei=Pt2VbWCNYq8ygOS64G4Ag&usg=AFQjCNGxCx_0edhzxsjvgziMPX0Q-GKYCA&bvm=bv.95039771,d.bGQ Accessed on 09/06/2015

33. “Tertiary & HE Policy Objectives : To introduce an inclusive, principled and comprehensive draft Higher Education (HE) policy, aligned to, and consistent with national EDSEC Policy and the Higher Education Bill; To establish a revolving loan fund to ensure equitable access to HE for all suitably qualified high school graduates; To ensure student flows into prioritised course options realigned and increased to meet socio-economic development needs; To lower unit costs and improve cost-efficiency by an average one-year reduction in course duration; To audit and analyze infrastructural and human resource capacity in the Tertiary and HE sector and expand this to provide equitable access for all qualified senior secondary school graduates; To accommodate student diversity through flexible entry level assessment which recognizes different ways of demonstrating understanding, knowledge and language differences, etc; To reserve between 4% and 10% of spaces for disabled and disadvantaged students in every institution to ensure their entry into tertiary or higher education; To optimize access to HE through expansion/strengthening of distance learning.”²³

f. Formal and non-formal education

34. “Non-Formal & Continuing Education Policy Objectives: To place non-formal and continuing education development under the control of a well-staffed and resourced sub-sector Directorate; To extend non-formal and continuing education programmes to selected primary schools and provide non-formal primary education (NPE) programmes to all overaged and adult learners; To align the NPE curriculum to the formal primary curriculum to facilitate primary school re-entry at grade/age appropriate levels; To provide all non-formal and continuing education teachers/facilitators with regulated pre-service (PRESET) and in-service (INSET) training; To incorporate and upgrade Emlalatini Development Centres (EDC) to become a fully-fledged Open and Distance Learning (ODL) institution; To align non-formal education levels and standards in Swaziland with other countries in the SADC region.”²⁴

vi) Financing education

35. “The Government of Swaziland has, through the Ministry of Education, continued to provide bursaries to Orphaned and Vulnerable Children (OVCs) both at primary and secondary levels. This programme has benefited mainly children who have been orphaned due to HIV/AIDS and poverty. [...]
36. The Ministry of Education provides ‘free’ textbooks to all pupils at primary school level. This intervention started in 2002. By 2005, the Ministry provided workbooks to primary school pupils. In 2006 the Ministry intensified her efforts in reducing the cost of

²³ Ibid p.39

²⁴ Ibid p. 44

education at primary level by providing ‘free’ exercise books and stationery to pupils in grades 1 to 4. In 2007 school year, the programme was rolled out to all primary grades 1 to grade 7. [...]

37. Introduction of Capitation Grant. The main objective is to increase access to basic education and enhance the quality of education. This programme which started with only 10 schools has been extended to more schools. Schools that participate in the capitation programme are given a flat rate of E100.00 per child (for all learners enrolled in the school). The schools further receive a total of E125.00 per orphaned and vulnerable child registered in the schools”²⁵.
38. However, “The demand for educational grants is increasing tremendously following the high prevalence of HIV/AIDS, rising unemployment rate, increased levels of poverty and the escalating cost of education. The funds allocated for educational grants do not match the number of children who genuinely need the grant.
39. The bursary funds do not cater for all the fees thus learners are still sent home for outstanding fees or top-up fees”²⁶.
40. “Though Swaziland does not have a comprehensive protection system, at present, a policy on social protection is under development and reforms are now focusing to broaden the pension fund to social security system. Due to the adoption of the Constitution in 2005, the country was faced with various obligations in fulfilment of the provisions of the provisional dispensation. These included: 1) State Funded Primary Education (...) »²⁷

vii) Teachers

²⁵ National Report submitted to the 48th Session of the International Conference on Education, 2008, p. 9, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/swaziland_NR08.pdf, Accessed on 28/04/2015

²⁶ National Report submitted to the 48th Session of the International Conference on Education, 2008, p. 11, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/swaziland_NR08.pdf, Accessed on 28/04/2015

²⁷ Swaziland: A framework for the National Development Strategy (NDS) Review”, issued by the Ministry of Economic Planning and Development, in January 2013 p:14
http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCoQFjAA&url=http%3A%2F%2Fwww.sz.undp.org%2Fcontent%2Fdam%2Fswaziland%2Fdocs%2Fpublications%2FUNDP_SZ_Poverty_NationalDevelopmentStratedgyReview2013.pdf&ei=NvF2VaK B-GGywP m4LACg&usg=AFQjCNFpAzMDEZ5XzWil-Wy7CKItO3Z6RA&bvm=bv.95039771,d.bGQ

Accessed on 09/06/2015

41. “In Swaziland, for example, remote rural schools are mostly staffed with newly recruited, inexperienced teachers and teachers with low qualifications.”²⁸
42. “In Swaziland, teachers are reluctant to be posted in rural areas and receive no bonus for being positioned there. Remote rural schools are mostly staffed with newly recruited, inexperienced teachers, teachers with low qualifications or those with family ties in the area.”²⁹
43. “Teacher Education & Training Policy Objectives: To develop and implement a revised CBET teacher-training curriculum and upgrade/ professionalize student teaching practice; To mainstream life-skills, ARH, STIs and HIV and AIDS and other disasters into the PRESET and INSET teacher-training curriculum as a compulsory and examinable subject area; To ensure a recurrent flow of Swazi teachers qualified to teach Early Childhood Care Education, Science, ICT, Design & Technology and Business Studies to the secondary school system.
44. To provide the physical and human resource capacity to facilitate a 20% progression rate from secondary school to educator training; To reform the demand-based financing model for teacher training and increase the number of scholarships available for PRESET and teacher up-grading to B.Ed. or PGDE level; To design and introduce a (part-time) 3-month certificate program in leadership and instructional, financial and institutional management for new deputy principals, prior to their later appointment as school principals; To research and evaluate regional models for teacher environmental incentive schemes, career development, promotion and retention to guide the improvement of related conditions in Swaziland.³⁰
45. “Gender-sensitive training in developing countries has been largely funded by donors or international NGOs, either as add-on programmes or as part of wider sector reforms. The Gender- Responsive Pedagogy model is an example of a well-established add-on training model. (...) The Commonwealth of Learning, in partnership with UNICEF, supports

²⁸ EFA GMR 2013-2014, p. 28 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>, Accessed on 28/04/2015

²⁹ EFA GMR 2013-2014, p. 250 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>, Accessed on 28/04/2015

³⁰ “Swaziland Education and Training Sector Policy”, Ministry of Education and Training, April 2011 p: 41 http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2Fswaziland%2FswazilandEducationSectorPolicy2011.pdf&ei=Pt2VbWCNYq8ygOS64G4Ag&usq=AFQjCNGxCx_0edhxsjvgziMPX0Q-GKYCA&bvm=bv.95039771,d.bGQ Accessed on 09/06/2015

mainstreaming of gender-sensitive, child-friendly schooling approaches in pre-service and in-service teacher education in (...) Swaziland (...) (Umar et al., 2012).”³¹

46. “More than half the 50 countries with data for 1999 and 2012 increased the percentage of trained teachers, in some cases by wide margins. (...) Others, (...) Swaziland, moved in the opposite direction, with percentages of trained teachers declining significantly.”³²

viii) Gender equality

47. “The EDSEC does not encourage gender discrimination. This means that it strictly prohibits any distinction, exclusion or restriction which has the purpose of impairing or nullifying the recognition, enjoyment or exercise by any person of the educational rights and fundamental freedoms of a person or persons of any gender. It encourages gender equality which is the equal enjoyment of rights and access to opportunities and outcomes including resources by women, men, girls and boys. The policy therefore promotes gender mainstreaming in all its components of the EDSEC. Gender mainstreaming is the process of identifying gender gaps (in the EDSEC) and making women’s, men’s, girls’ and boys’ concerns and experiences integral to the design, implementation, monitoring and evaluation of policies and programmes in all spheres of the EDSEC so that they benefit equally”.³³
48. “Developing countries’ education policies often pay little attention to improving boys’ enrolment in and completion of primary or secondary education, even in countries with severe gender disparity at boys’ expense (Jha et al., 2012). For example, no strategies to reduce the gender gap and tackle barriers to boys’ attainment are evident in policy documents in (...) or Swaziland (...); Swaziland Ministry of Education and Training, 2011).”³⁴

³¹ EFA GMR 2000-2015: achievements and challenges p. 177

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKEwjB0-7znYrGAhVCPRQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.pdf&ei=49p6VYHWJcl6UKnXgJAD&usg=AFQjCNEso8XWrRKjEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24>
(accessed on 15/06/2015)

³² Ibid p.198

³³ “Swaziland Education and Training Sector Policy”, Ministry of Education and Training, April 2011 p: 26
http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2Fswaziland%2FswazilandEducationSectorPolicy2011.pdf&ei=Pt2VbWCNYq8ygOS64G4Ag&usg=AFQjCNGxCx_OedhxsjvgziMPX0Q-GKYCA&bvm=bv.95039771,d.bGQ Accessed on 09/06/2015

³⁴ ³⁴ EFA GMR 2000-2015: achievements and challenges p. 173

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKEwjB0-7znYrGAhVCPRQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.p>

a. Students with special needs

49. “Swaziland is in the process of exploring ways of re-organizing the structure and management of special education to meet the aspirations of inclusive education. In line with the re-structuring, the Ministry of Education to create more posts for personnel within the Special Education Department to provide support to schools at regional education levels.”³⁵
50. The “[p]rovision of Braille textbooks, devices and other learning materials for the visually impaired start[ed] in 2007. The Ministry is also considering providing Braille textbooks to visually impaired students at high school level. Procurement of equipment, software, teaching and learning material for special schools has also been done.”³⁶

2. COOPERATION

51. Swaziland is **party** to the 1960 UNESCO Convention against Discrimination in Education since 08/10/1970.
52. Swaziland did **not report** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the:
- **Sixth Consultation** of Member States (covering the period 1994-1999),
 - **Seventh Consultation** of Member States (covering the period 2000-2005),
 - **Eighth Consultation** of Member States (covering the period 2006-2011).
53. Swaziland did **not report** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the:
- **Fourth Consultation** of Member States (covering the period 2005-2008),
 - **Fifth Consultation** of Member States (covering the period 2009-2012).

[df&ei=49p6VYHWJcL6UKnXgJAD&usg=AFQjCNEso8XWrRKjEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24](http://www.unesco.org/education/ice-conf/2008/swaziland/NR08.pdf)

(accessed on 15/06/2015)

³⁵ National Report submitted to the 48th Session of the International Conference on Education, 2008, p. 4, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/swaziland_NR08.pdf, Accessed on 28/04/2015

³⁶ National Report submitted to the 48th Session of the International Conference on Education, 2008, p. 9, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/swaziland_NR08.pdf, Accessed on 28/04/2015

54. Swaziland **reported** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the:
- **First Consultation** of Member States (1993),
 - **Second Consultation** of Member States (2011).
55. Swaziland is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education and Training.

Freedom of opinion and expression

1. CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

56. Freedom of Expression is enshrined in Article 24 of the Constitution of Swaziland and can only be restricted if in the interest of defence, public safety, order, morality or health.³⁷ However, the King has absolute power to interfere and to suspend the constitutional rights at his discretion.³⁸
57. Defamation is regarded as a criminal offense in Swaziland.
58. There is no freedom of information legislation.

2. MEDIA SELF-REGULATION

59. There is one major journalists' union in Swaziland, the Swaziland National Association of Journalist. It has passed a Code of Ethics and can thus implement some functions of a self-regulatory body.³⁹
60. The Swaziland Media Complaints Commission, a self-regulatory body of journalists and other media workers, was officially registered in 2011 following a 14-year effort by local media organizations.

3. SAFETY OF JOURNALISTS

61. UNESCO recorded no killings of Swaziland so far.

³⁷ See the Constitution on the website of the Swazi government:
<http://www.gov.sz/images/stories/Constitution%20of%20%20SD-2005A001.pdf> .

³⁸ See for example Articles 65 and 117 of the Constitution.

³⁹ <http://www.rjionline.org/MAS-Codes-Swaziland-National-Association-Journalists>.

3. RECOMMENDATIONS

Right to education

62. **Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following web site: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)**

63. 76. The recommendations formulated during the interactive dialogue listed below have been examined by and enjoy the support of Swaziland:

- i. 76.17. Develop and implement a national strategy to eliminate stigma and discrimination against people living with HIV/AIDS, and ensure orphaned and vulnerable children have access to health and education services and are protected from violence and abuse (Canada);
- ii. 76.19. Adopt plans and programmes for awareness education in the field of promotion of human rights and fundamental freedoms, and ensure the follow-up and implementation of recommendations and proposals made concerning human rights (Qatar);
- iii. 76.26. Implement all necessary measures aimed to abolish discrimination against children belonging to most vulnerable groups, through a greater and more focused provision of social services, carrying out awareness-raising programmes on their particular needs and a greater access to education (Uruguay);
- iv. 76.28. Redouble efforts to achieve gender equality by adopting a more systematic approach to public education in this area, with particular emphasis on the ills and consequences of domestic violence and sexual exploitation of women (Trinidad and Tobago);
- v. 76.32. Carry out educational and awareness raising campaigns to ensure the use of alternative disciplinary measures to corporal punishments in accordance with the human dignity of the child (Uruguay);
- vi. 76.34. Intensify the training programmes for the personnel responsible for law enforcement (Algeria);

- vii. 76.35. Put in place human rights training programmes for members of the judiciary and law enforcement officials, including the police, security forces and correctional officers (Canada);
- viii. 76.39. Increase emphasis on the protection and promotion of human rights, especially in the areas of apprehension and interrogation of suspects and investigating reports of trafficking in persons, as part of the training programs of the Ubutfo Swaziland Defense Force, the Royal Swaziland Police Service and His Majesty's Correctional Services (United States of America);
- ix. 76.40. Accelerate the improvement of the judicial, policial and prison systems and training to the police force in line with international human rights standards (Holy See);
- x. 76.48. Continue and reinforce current efforts aimed to increase the access to and quality of services to health and education for all its citizens (Cuba);
- xi. 76.65. Pursue the implementation of the right to education for all with a particular attention given to the realization of this right for girls (Algeria);
- xii. 76.66. Intensify effort to raise the level of attendance of girls in school through the modification of traditional customs and beliefs that hinder girls from attending school (Indonesia);
- xiii. 76.67. Continue seeking solutions to enable children whose prison sentence is coming to an end in the middle of the school year, to continue school (Burkina Faso);
- xiv. 76.68. Pursue the efforts to establish and carry-out national programmes in relation to the right to education and the quality of education at every level through-out the country (Qatar);
- xv. 77.27. Reinforce measures designed to prevent all forms of torture and inhuman or degrading treatment, including appropriate human rights training of the law enforcement personnel, while ensuring full accountability of perpetrators as well as redress and rehabilitation to victims (Slovakia);
- xvi. 77.47. Implement measures to prevent violence against the LGBT community, through training and advocacy campaigns (United States of America);

64. Analysis:

Swaziland adopted policy strategies toward non-discrimination, quality of education, human rights education and gender equality first in its National Development Strategy vision 2022, and with the Education Training Sector Policy setting out the policies objectives (2011). Nevertheless, Swaziland has not yet, to the extent of available information, taken steps to reinforce the implementation of those measures. Our information also indicates that further measures for Human rights education and training to the authorities have not yet been discussed, as well as some aspect of inclusive education such as students from minorities, students from rural and remote areas, non-nationals, and students from lower income families. Swaziland has taken steps to implement gender-equality education and awareness-rising in teachers training (The Gender- Responsive Pedagogy model), nevertheless, according to our information, there was an important decrease of trained teachers.

65. Specific Recommendations:

1. Swaziland should be strongly encouraged to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments, notably the Convention against discrimination in education.
2. Swaziland could be strongly encouraged to continue efforts to guarantee better implementation of education plans and strengthen access to education for all, including reintegration of drop-out students, students with prison sentences, immigrant students, as well as other marginalized groups of society.
3. Swaziland could be encouraged to continue putting in place human rights education, including conducting awareness rising campaign to prevent corporal punishment in all settings, violence against women and LGBT communities in teachers training and school curricula.
4. Swaziland could be encouraged to continue its efforts to improve access to teacher's training and the quality of teaching
5. Swaziland could be encouraged to continue to define more precisely its objectives toward inclusive education and combatting boys drop outs.

Cultural rights

66. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003), and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), Swaziland is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Swaziland is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

Freedom of opinion and expression

67. Swaziland is encouraged to fully implement the constitutional provision on freedom of expression, and to introduce a freedom of information law that is in accordance with international standards.⁴⁰ The country is further recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.⁴¹

Freedom of scientific research and the right to benefit from scientific progress and its applications

68. Swaziland, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974.

⁴⁰ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

⁴¹ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.