

**United Nations Human Rights Council
33rd Regular Session, 13 September 2016 - 30 September 2016
Agenda Item 6**

**Universal Periodic Review of Swaziland: adoption of outcome report
22 September 2016**

Mr. President

The ICJ is concerned by the lack of implementation of recommendations accepted by the Government of Swaziland during the first UPR cycle.

The Swazi Government undertook to take concrete and immediate measures to guarantee the independence and impartiality of the judiciary. However judges continue to be appointed on the basis of corrupt patronage. The current Chief Justice and another Supreme Court judge are generally perceived to have been appointed on the basis of their traditional roles as former headman and chief, respectively, in the absence of any formal or transparent merit-based recruitment process.

Swaziland still has not ratified key international instruments, including the Rome Statute, the Optional Protocol to the Convention Against Torture, and the Convention for the Protection of All Persons from Enforced Disappearance, which they accepted during the last cycle.

The police have continued to ban and disrupt peaceful protests, relying on the Suppression of Terrorism Act, the Sedition and Subversive Activities Act and Public Order Act. Human rights defenders and political activists continue to be arrested and charged with criminal offences for exercising their rights to freedom of expression, association and assembly.

Swaziland has not enacted into law the Sexual Offences and Domestic Violence Bill, or any other law guaranteeing gender equality.

For these reasons, the ICJ calls upon the Government of Swaziland to accept and fully and promptly implement UPR recommendations from this cycle relevant to:

- Ensuring the independence and impartiality of the judiciary;
- Ratifying and domesticating the international instruments they accepted at the last cycle;
- Aligning national laws with international standards to guarantee freedom of expression, association and assembly;
- Enacting the Sexual Offences and Domestic Violence Bill into legislation.

Statement delivered on behalf of the International Commission of Jurists
by Ms Briony Potts, briony.potts@icj.org
For further information contact: Mr Arnold Tsunga, Director, Africa
Regional Programme, arnold.tsunga@icj.org +27 11 024 82 68