



SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Enabling Environment Snapshot

Eswatini

May 2025

Context

Eswatini, an absolute monarchy, remains classified as a "closed" country according to the latest [CIVICUS](#) rating, with a legislative environment that continues to be hostile toward civil society and human rights defenders. Laws such as the [Public Order Act of 2017](#), the [Suppression of Terrorism Act of 2008](#) and the [Sedition and Subversive Act of 1938](#) are frequently weaponised by the state to suppress dissent and silence critics. The proposed NGO Bill of 2024, if enacted in its current form, is expected to [severely curtail](#) the civic space even further. Additionally, [King's Proclamation](#) of 12 April 1973, which banned political parties and progressive organisations under the late King Sobhuza II, remains in effect despite the adoption of the 2005 [Constitution](#). Under the current legal framework, such organisations are still prohibited from registering or operating legally. Civil society and political activism continue to face serious challenges. The sentencing of [pro-democracy Members of Parliament](#) Mthandeni Dube and Mduduzi Bacede Mabuza, along with the ongoing [arrests](#) of students and activists, highlight the persistent repression and violations of fundamental freedoms in the country.

1. Respect and protection of fundamental freedoms

In 2025, Eswatini continues to experience a severe erosion of civic space, with the government increasingly using repressive laws to target civil society actors and suppress fundamental freedoms. The Suppression of Terrorism Act of 2008 and the Sedition and Subversive Activities Act of 1938 [are routinely invoked](#) to persecute human rights defenders and pro-democracy activists, raising serious concerns about violations of the rights to freedom of expression and peaceful assembly.

On 29 March 2025, armed police violently [disrupted](#) a peaceful gathering organised by the People's United Democratic Movement (PUDEMO). The same day, a meeting of the Eswatini Police Staff Association at the Catholic Centre was also forcibly broken up, as was another PUDEMO event at the same venue. Dumsile Khumalo, Secretary General of the Police Staff Association, was [detained and harassed](#) for advocating for salary increases—highlighting the risks faced by activists who speak out.

The Public Order Act of 2017 grants broad discretionary powers to the National Police Commissioner, including the authority to deny permission for public gatherings and to justify the use of force. Civil society organisations [report](#) that this law is frequently used to deny permission to assemble and legitimise use of force deemed fit by the Commissioner of Police against peaceful protesters, further shrinking the space for lawful assembly. Despite constitutional guarantees of fundamental rights under Chapter 3 (Sections 14–35) of the 2005 [Constitution](#), the government continues to harass, intimidate, and arrest civil society leaders and activists for exercising these very rights. Former Members of Parliament Mthandeni Dube and Mduduzi Bacede Mabuza remain imprisoned under charges stemming from their participation in pro-democracy protests, prosecuted under the same repressive laws. The government maintains extensive control over both broadcast and print media. While some outlets are privately owned—including the only privately owned television channel—these are often indirectly linked to the royal family. In practice, nearly all media platforms are either directly or indirectly [influenced](#) by the state.

2. Supportive legal framework for the work of civil society actors

The legal framework governing civil society in Eswatini continues to impose significant constraints on the formation, registration, and independent operation of non-governmental organisations (NGOs) and community-based organisations (CBOs). While the [2005 NGO policy](#) has served as the de facto regulatory guide, it lacks the legal force and clarity needed to protect civil society actors. In practice, this policy has formalised the relationship between NGOs and the state but has also enabled selective enforcement and inconsistent application. Despite these constraints, some grassroots and community-based organisations continue to operate without formal registration. However, this leaves them vulnerable to legal uncertainty and state interference, especially in politically sensitive contexts.

The proposed Non-Profit Organisations (NPO) Bill of 2024 introduces a more structured legal framework for NGO registration and oversight. While it purports to enhance transparency and accountability, civil society actors—supported by [legal analysis](#) from the International Commission of Jurists and the Coordinating Assembly of Non-Governmental Organisations (CANGO)—warn that the bill grants excessive powers to the state. These include intrusive oversight mechanisms that threaten the autonomy of NGOs and could be used to suppress dissenting voices.

The misuse of international legal instruments—such as the [International Convention for the Suppression of the Financing of Terrorism](#)—has been cited as a tactic to obstruct access to foreign funding. The Central Bank of Eswatini, in coordination with commercial banks, has intensified scrutiny of financial transactions involving civil society organisations, further undermining their operational independence. Meanwhile, government rhetoric and actions have increasingly targeted civil society. Authorities have [threatened](#) to deregister NGOs and churches perceived as political, and have moved to [control](#) the flow of donor funding.

Legal reforms have produced mixed outcomes. The Supreme Court's [decision](#) to uphold the Suppression of Terrorism Act of 2008 has reinforced concerns about the shrinking space for freedom of expression and assembly. Conversely, the 2024 Supreme Court [ruling](#) in favour of the Eswatini Sexual and Gender Minorities (ESGM) organisation marked a rare victory for freedom of association. The court found it unconstitutional to deny ESGM registration under the [Companies Act No. 8 of 2009](#), setting a precedent for the inclusion of marginalised groups.

These developments reflect a broader trend of legal and administrative measures being used to restrict civic space, limit organisational autonomy, and stifle dissent under the guise of regulation and national security.

3. Accessible and sustainable resources

Access to funding remains a critical concern for civil society in Eswatini. While many organisations that rely on international donor support are still able to secure funding, the sustainability of this support is increasingly uncertain. The evolving legal framework, particularly the proposed NPO Bill, coupled with a shrinking civic space, poses a serious risk to the financial health and independence of Eswatini's civil society sector.

The aftermath of the 2021 civil unrest marked a turning point, as the government began to [scrutinize and politicize](#) human rights-related funding entering the country. This shift in attitude has culminated in the drafting of the NPO Bill of 2024, which proposes tighter state control over the operations and financing of CSOs. If enacted in its current form, the bill

could significantly restrict the ability of organisations to access and manage external resources independently, thereby threatening their operational autonomy and long-term viability.

The [hostile](#) regulatory and political environment has already begun to undermine the implementation of impactful programmes. Donors are [increasingly cautious](#) about investing in a context where legal and administrative uncertainty prevails. This has led to a decline in donor confidence, making it more difficult for CSOs to secure consistent and long-term funding. Moreover, the sustainability of civil society initiatives is compromised by the lack of a supportive infrastructure for local resource mobilisation. With a limited domestic philanthropic culture and increasing restrictions on foreign funding, many organisations struggle to maintain operations beyond short-term project cycles.

4. State openness and responsiveness

Government openness and responsiveness to civil society in Eswatini remain limited and inconsistent, with structural and political barriers undermining meaningful engagement. While there have been isolated legal gains—such as the 2024 Supreme Court ruling in favour of the Eswatini Sexual and Gender Minorities organisation—these are exceptions in an otherwise restrictive environment. Access to information held by the state is not guaranteed by law, and CSOs face persistent challenges in obtaining government data necessary for informed advocacy and participation. The [absence](#) of a dedicated Access to Information law continues to hinder transparency and accountability.

Participation in policymaking and national dialogue is often selective and superficial. While the government has occasionally invited CSOs to consultations—such as during the [development](#) of the NPO Bill of 2024, the national budget [process](#), and the drafting of reports to UN mechanisms—many organisations, particularly those critical of the state, are routinely excluded. The much-anticipated [national dialogue](#) following the 2021 civil unrest failed to meaningfully include a broad spectrum of civil society voices, further eroding trust in state-led processes. The [persecution](#) of civil society leaders and activists presents a significant obstacle to open dialogue. Intimidation, harassment, and criminalisation of dissenting voices have created a climate of fear, discouraging participation and weakening the civic space. This environment has led to the marginalisation of independent and community-based organisations, particularly those advocating for human rights and democratic reforms.

Despite these challenges, there are signs of potential progress. The [establishment](#) of the National Mechanism for Reporting and Follow-Up (NMRF) represents a step toward institutionalising engagement between government and civil society, particularly in the context of fulfilling international human rights obligations. Early indications suggest improved coordination and responsiveness in this area. Additionally, some national development strategies, such as the African Development Bank's 2025–2030 [Country Strategy Paper](#), have included civil society in consultations, although these engagements are often ad hoc and lack institutionalised mechanisms for sustained participation. While these are emerging opportunities for engagement, Eswatini's civil society continues to operate in a constrained environment marked by limited transparency, selective participation, and insufficient legal protections for inclusive governance.

5. Political Culture and Public Discourses on Civil Society

Eswatini's political culture remains repressive, with civil society frequently portrayed by state actors as threats to national stability. Government officials, including the Senate President, have [publicly accused](#) CSOs of being foreign-influenced and [linked to political parties](#) or even supporting political parties, without giving concrete evidence. This rhetoric has fuelled public suspicion and justified increased surveillance and financial scrutiny of CSOs by the Ministry of Finance and the Central Bank.

Following the April 2025 University of Eswatini student protests, the government [announced](#) that students involved in activities “undermining the status quo” would be denied scholarships—signalling a broader intolerance for dissent. The Ministry of Home Affairs also [threatened to deregister](#) organisations advancing “political agendas”, reinforcing a climate of fear.

Marginalised groups—including people with disabilities and women in mourning gowns—[continue to face exclusion](#) from traditional decision-making spaces such as royal kraals, where community meetings are held. Their exclusion reflects broader cultural and institutional barriers to inclusive civic participation.

6. Access to a secure digital environment

As of early 2025, [internet penetration](#) in Eswatini stood at 57.6%, with increasing use of social media platforms—particularly Facebook (Meta). Despite this growth, concerns about digital surveillance and cyber harassment remain widespread, especially [targeting](#) human rights defenders and activists.

The establishment of the Eswatini Communications Commission has played a central role in shaping the country's digital regulatory landscape. It has overseen the enactment of several key laws: the [Computer Crime and Cybercrime Act](#) (2022), the [Data Protection Act](#) (2022), and the [Electronic Communications and Transactions Act](#) (2022). Together, these laws form the foundation for regulating Eswatini's digital space.

However, the Computer Crime and Cybercrime Act has drawn criticism for being [more repressive](#) than protective. It [can be used to target individuals](#)—particularly human rights defenders—who express dissenting views online. The law lacks adequate safeguards for the right to freedom of expression, raising concerns that it could be used to criminalise legitimate speech and silence critics. Without clear protections for human rights, these cyber laws risk becoming tools of repression rather than instruments of digital governance.

The digital divide remains a significant barrier, particularly in rural areas where internet access and digital literacy [are limited](#). This gap restricts the ability of many communities to engage in online advocacy or access critical information.

Despite these challenges, civil society continues to leverage digital platforms for advocacy and mobilisation. Since the 29-30 June 2021 internet shutdown, there have been no reported deliberate internet blackouts by the government, offering some reassurance for digital access. However, the threat of surveillance and legal reprisals continues to cast a shadow over online civic engagement.

Challenges and Opportunities

In the coming months, civil society organisations (CSOs) in Eswatini are likely to face heightened government scrutiny and potential crackdowns. This risk is particularly tied to the anticipated passage of the Non-Profit Organisations (NPO) Bill, which threatens to significantly curtail the operational independence of CSOs. The bill could also lead to the deregistration of certain organisations, resulting in the loss of funding and disruption of critical programmes. These developments are unfolding alongside the continued use of repressive legislation such as the Suppression of Terrorism Act of 2008—which the government successfully defended in court in August 2024—and the Public Order Act of 2017. These laws are frequently weaponised to suppress dissent and restrict civic freedoms. Simultaneously, the digital space is expected to shrink further. The Computer Crime and Cybercrime Act (2022) and the Electronic Communications and Transactions Act (2022) have enabled increased online surveillance and harassment of activists, fostering a climate of fear and self-censorship.

Despite these challenges, there are meaningful opportunities for civil society to strengthen its role and improve the operating environment. The expansion of internet access and digital platforms continues to offer powerful tools for civic engagement, advocacy, and public mobilisation. Institutions such as the National Mechanism for Reporting and Follow-Up (NMRF) and the Commission on Human Rights and Public Administration provide formal channels for engagement with the state. Moreover, Eswatini's civil society benefits from strong regional and international networks, as well as sustained global attention on governance and human rights issues. These connections offer critical support and visibility, helping to safeguard civic space and amplify local voices on the international stage.

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