EU SEE

SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Eswatini

Country Focus Report

2026



TABLE OF CONTENTS

A. An Introduction to the Enabling Environment

B. Assessment of the Enabling Environment

1. Respect and Protection of Fundamental Freedoms
2. Supportive Legal and Regulatory Framework
3. Accessible and Sustainable Resources
4. Open and Responsive State
5. Supportive Public Culture on Discourses on Civil Society
6. Access to a Secure Digital Environment

C. Recommendations

D. Research Process



A) An Introduction to the Enabling Environment

What we understand by an Enabling Environment is the combination of laws, rules, and social attitudes that support and promote the work of civil society. Within such an environment, civil society can engage in political and public life without fear of reprisals, openly express its views, and actively participate in shaping its context. This includes a supportive legal and regulatory framework for civil society, ensuring access to information and resources that are sustainable and flexible to pursue their goals unhindered, in safe physical and digital spaces. In an enabling environment, the state demonstrates openness and responsiveness in governance, promoting transparency, accountability, and inclusive decision-making. Positive values, norms, attitudes and practices towards civil society from state and non-state actors further underscore the supportive environment.

To capture the state of the Enabling Environment, we use the following six principles:



In this Country Focus Report, each enabling principle is assessed with a quantitative score and complemented by an analysis and recommendations written by our Network Members. Rather than offering a singular index to rank countries, the report aims to measure the enabling environment for civil society across the six (6) principles, discerning dimensions of strength and those requiring attention.

The findings presented in this report are grounded in the insights and diverse perspectives of civil society actors who came together in a dedicated panel to discuss and evaluate the state of the Enabling Environment. Their collective input enriches the report with a grounded, participatory assessment. This primary input is further supported by secondary sources of information which provide additional context and strengthen the analysis.

Brief Overview of the Country Context

Reporting period: August 2025-June 2026

Eswatini is widely regarded as the last absolute monarchy in Africa. King Mswati III and his mother, Queen Mother Ntombi, reign as monarchs and hold veto power over the three branches of government, placing them above the constitution. This constitutes the fundamental tension within Eswatini's political system: a written constitution that catalogues an extensive set of civil and political rights, superimposed on a governance architecture — the *Tinkhundla* system — that obscures the separation of powers and typically renders such rights unevenly enforced. The provisions of the 1973 Proclamation continue to take precedence over those of the 2005 Constitution. This legislation banned political parties and vested executive, legislative, and judicial powers in the King — a structural reality embedded in the present-day Constitution of Eswatini. According to the government's own legal position, the constitutional rights to freedom of assembly and association do not extend to political parties or their participation in elections. This means that parties can exist as informal associations, but cannot register, campaign, or contest seats.

The political status quo negatively affects civil and political rights, as well as national development. In Freedom House's report, Freedom in the World 2026, the country was scored 17 out of 100 overall, with 1 out of 40 for political freedoms and 16 out of 60 for civil liberties. As in previous years, the report concluded that Eswatini is 'not free'. Meanwhile, the CIVICUS Monitor classifies Eswatini as having closed civic space. The Bertelsmann's Transformation Index (BTI) illustrates the practical impact of this situation on policy outcomes, with a governance index of 2.61 out of 10, reflecting ratings in areas such as international cooperation, consensus building, resource efficiency and steering capacity. The government appears to be failing in its planning, prioritising, and implementation duties, either due to a lack of political will or because the King is enforcing his veto power when his priorities or interests diverge – which explains the scores of 3.43 and 3.64 out of 10 for political and economic transformation, respectively.

The legal system continues to face significant challenges in protecting rights guaranteed by the constitution, while security legislation, including the Suppression of Terrorism Act, Public Order Act, and Sedition and Subversive Activities Act, creates substantial risks for dissent and civic participation. The 2021 pro-democracy uprising and the state response continue to shape the civic environment. Legislative developments have not yet created a dedicated, rights-protective framework for civil society. The proposed 2024 Non-Profit Organisations Bil (NPO)l remains unpassed; concerns, therefore, relate to its potential effects if enacted, including registration, monitoring, inspection and reporting requirements. The 2026 assessment also applies a Gender, Equality, Diversity and Inclusion (GEDI) lens to identify how restrictions

affect women, young people, persons with disabilities, LGBTIQ+ people, rural communities, grassroots organisations and other marginalised groups differently.

Summary of score movement from the previous assessment:

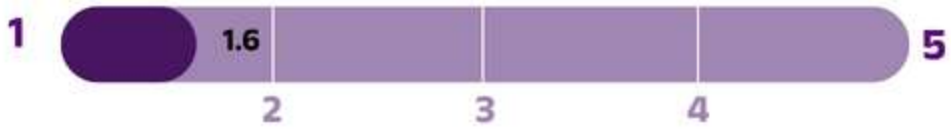
Principle	2025	2026	Change	Assessment
1. Fundamental Freedoms	1.7	1.6	-0.10	Moderate deterioration
2. Legal & Regulatory Framework	2.7	2.0	-0.70	Significant deterioration
3. Accessible & Sustainable Resources	2.8	2.5	-0.30	Moderate deterioration
4. Open & Responsive State	2.2	1.4	-0.80	Significant deterioration
5. Public Culture & Discourses	2.0	1.33	-0.67	Significant deterioration
6. Secure Digital Environment	3.3	2.33	-0.97	Significant deterioration

B) Assessment of the Enabling Environment

PRINCIPLE SCORE

1. Respect and Protection of Fundamental Freedoms

Score: [1]



The assessment indicates that civic space in Eswatini deteriorated further, with the overall score declining from 1.7 in the previous assessment to 1.6 in 2026. The decline is due to continued restrictions on peaceful assembly, expression, and association, including the disruption of labour demonstrations in April 2026 and the prohibition of the May Day commemoration in May 2026. Formal constitutional guarantees therefore continue to coexist with significant practical barriers to the full exercise thereof. The reporting period also demonstrates differentiated effects on human rights defenders, trade unionists, students, women, LGBTIQ+ people, persons with disabilities, rural communities and grassroots organisations.

The change from 2025 is a modest but clear deterioration rather than a new pattern of restriction. The cumulative effect is an environment in which individuals and organisations may self-censor or avoid public mobilisation because of the perceived risks associated with dissent, public assembly, and advocacy.

1.1 | Freedom of Association

Freedom of association remains constrained in Eswatini, both politically and for civil society. Section 25 of the Constitution provides formal protection for association, but political parties remain unable to participate in elections under the 1973 Proclamation to the Nation. In May 2009, the People's United Democratic Movement (PUDEMO), its youth wing SWAYOCO, and the South Africa–based Swaziland Solidarity Network were designated 'terrorist

[1] *This is a rebased score derived from the CIVICUS Monitor rating published in December 2025.*

organisations', exposing members to potential prosecution under the Suppression of Terrorism Act for their organisational activity. This has resulted in the criminalisation of political dissent on a systemic level, severe restrictions on freedom of association, and the routine use of arbitrary detention against pro-democracy activists. Furthermore, given the country's history of restrictions on political activity, the general population has chosen to disassociate from PUDEMO for fear that association could affect their social and economic well-being, access to social services, or personal safety.

The continued criminalisation of political dissent has a wider chilling effect on civil society, as individuals may fear that association with pro-democracy organisations could affect their personal safety or social and economic wellbeing. Beyond the continued disregard for progressive court rulings that uphold the right to freedom of association, the Registrar of Companies still refuses to register the Eswatini Sexual and Gender Minorities (ESGM), a LGBTI rights organisation in Eswatini. Anti-LGBTI sentiments have been expressed at the highest levels of Swazi society. In January 2026, Minister of Education and Training, Mr Owen Nxumalo, stated that same-sex relationships have 'no place' in schools and that LGBTI+ students should be expelled. These remarks were discriminatory, denying social services to a section of the population, and harmful in that they legitimised stigma against already marginalised individuals. During the National Easter Prayer Service at the National Church in Lobamba in April 2026, King Mswati III made strong anti-LGBTQI+ comments. He declared that same-sex relationships would 'never' be permitted in Eswatini, equating homosexuality with an 'evil act' and the 'spirit of Sodom and Gomorrah'. It is important to note that the King's pronouncements effectively become national policy in Eswatini. This de facto reality stems from the supreme authority of Swazi law and custom, combined with highly deferential court rulings. Under this system, the king's pronouncements are effectively treated as absolute and unchallengeable. These statements contribute to stigmatisation and can discourage marginalised people and organisations from participating openly in civic and public life.

The NPO bill remains active but unpassed, continuing to cast a chilling effect over civil society's operational environment in Eswatini. If it were to be passed in its 2024 form, it would affect an array of enabling environment principles.

1.2 | Freedom of Peaceful Assembly

Conditions regarding freedom of peaceful assembly have worsened since the last report in 2025. The repeated use of legislation, police interventions, and administrative restrictions suggest a systematic restriction of public spaces for collective action rather than isolated violations. These incidents demonstrate an ongoing pattern whereby the authorities treat peaceful assembly as a security threat rather than a constitutional right.

At the invitation of the Eswatini government, the African Commission on Human and Peoples' Rights (ACHPR) conducted a country visit in July 2025. The ACHPR concluded that the Public Order Act, Suppression of Terrorism Act, and Sedition and Subversive Activities Act are routinely used to suppress dissenting voices and curtail freedoms of expression, assembly, and association — a notable assessment coming from a regional human rights body operating with the host government's consent.

On 23 April 2026, the right to peaceful assembly in Eswatini was allegedly violated when armed police intervened against trade unionists from the Public Sector Union (PSU) and members of the Swaziland National Teachers Association (SNAT) who were participating in a peaceful demonstration in Mbabane. The demonstrators were attempting to deliver a petition

to the Prime Minister's office regarding unpaid salary increments. Among those reportedly abducted were Lot Vilakati, Secretary General of the Swaziland National Association of Teachers (SNAT), and several other union leaders. According to reports, those detained were assaulted before being abandoned in remote forested areas.

In addition, the Public Order Act was invoked to prohibit the May Day celebration organised by the Swaziland National Teachers Association (SNAT) and the Trade Union Congress of Swaziland (TUCOSWA) on 1 May 2026. Security personnel have continually raided and dispersed peaceful gatherings organised by political groups and civil society, often utilising excessive force, tear gas, and live ammunition. It is also noted that broader civil society organisations in Eswatini, including women's, youth, LGBTIQ+ and disability groups, have not participated in any peaceful demonstrations or marches since the period following the civil unrest in 2021. This may indicate a systemic closing of civic space.

1.3 | Freedom of Expression

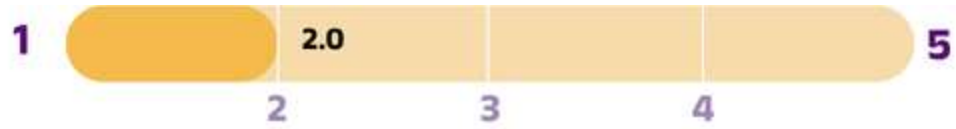
Former members of parliament Mduduzi Bacede Mabuza and Mthandeni Dube were arrested in July 2021 for peacefully advocating for constitutional reform. They were convicted in 2023 and, in July 2024, sentenced to concurrent terms equating to 25 and 18 years' imprisonment, respectively, under the STA and SSA. Dube was released on 5 November 2025 under a conditional royal pardon. However, the conditions attached, including prohibitions on engaging with the press, using social media, and attending social gatherings, as well as other restrictions supervised by His Majesty's Correctional Services, amount to a continuing state-imposed restriction on his freedom of expression that extends beyond the formal end of his incarceration. Menzi Bongeka Bhembe, a university student and activist, was arrested at his family home on 16 January 2024 and charged under the STA for allegedly burning a national flag and damaging a police vehicle near Mbabane. He and his co-accused remain in pretrial detention after the Supreme Court dismissed their appeal against the High Court's refusal to grant them bail. These cases extend beyond violations of the individual rights of those directly affected. They create a climate of fear that deters citizens from exercising their fundamental freedoms, particularly the rights to peaceful assembly and freedom of expression. This suppresses dissent and undermines civic participation.

This pattern suggests that freedom of expression in Eswatini is restricted not only through direct censorship, but also through the strategic use of the criminal justice system and executive authority to make dissent more costly. The cumulative effect is that individuals are not only prevented from saying particular things, but also from expressing themselves freely. Rather, the use of legal, judicial, and executive powers raise the personal cost of dissent to such a level that individuals may choose silence before the state ever needs to censor them directly. In this sense, prolonged pre-trial detention, conditional pardons, and the judicial validation of restrictive legislation act as complementary mechanisms for the ongoing, legally legitimised repression of freedom of expression.

PRINCIPLE SCORE

2. Supportive Legal and Regulatory Framework

Score:



Principle 2 declined from 2.7 in the previous assessment to 2.0 in 2026. The deterioration is not attributable to a single new law; rather, it reflects the continued absence of a coherent CSO registration framework, unresolved registration disputes, and restrictive operational and interference risks created by existing legislation and administrative practice. The three dimensions therefore require different explanations: registration remained broadly unchanged at a disabling level; operational conditions are partially enabling in routine organisational work but constrained for advocacy; and protection from interference remains weak in practice. The assessment also considers whether these rules affect women-led, youth-led, disability-rights, LGBTIQ+, rural and grassroots organisations differently.

The UN Special Rapporteur has set out minimum criteria for a legal framework that supports the enjoyment of rights under Articles 21 and 22 of the ICCPR. This framework emphasises that states have negative obligations to refrain from unjustified interference and positive obligations to create and maintain an enabling legal and institutional environment in which people can effectively exercise their rights. Any restrictions must satisfy the cumulative requirements of legality, legitimate purpose, necessity and proportionality, and must not discourage participation or have a chilling effect.

The assessment considers not only whether rights exist formally in law, but also whether the legal and institutional framework, administrative practices, and state conduct create the conditions necessary for the effective and meaningful exercise of freedom of peaceful assembly and association

---

2.1 | Registration

There was no material improvement in the registration framework compared with the 2025 baseline. Section 25(4) of the Constitution provides for the registration of trade unions, employers' organisations, companies, partnerships, co-operative societies and other associations, while section 25(5) protects the voluntary nature of association. In practice, however, there is no single, comprehensive CSO registration law. Organisations use different legal routes depending on their form and purpose, including the Companies Act 2009, Societies Act, and sector-specific statutes. Section 17 of the Companies Act provides a route for not-for-profit associations to be incorporated as companies limited by guarantee, but this is a corporate-registration mechanism rather than a dedicated CSO framework.

The existing laws contain requirements that can make registration formalistic and resource-intensive. Under section 17 of the Companies Act, an association must have a lawful purpose, meet the statutory requirements for incorporation, apply its income to its stated objects and prohibit distribution of dividends to members. The Companies Act also creates continuing corporate compliance obligations, including annual returns, and provides for deregistration in defined circumstances. These requirements are not inherently illegitimate, but the absence of a dedicated, rights-based CSO regime means that organisations must navigate company-law procedures that were not designed specifically for civil society. The Baphalali Swaziland Red Cross Society Act 41 of 1970 is entity-specific and incorporates that particular organisation; it is therefore not a general registration route for CSOs. The Societies Act and other sector-specific regimes similarly regulate particular categories rather than providing one accessible framework for all civil society entities. The proposed 2024 NPO bill remains unpassed and should not be treated as current law.

Consequently, the practical registration process is fragmented. The relevant authority depends on the legal form selected, and the available evidence does not provide a reliable national estimate of standard processing times, total registration costs, rejection rates or the accessibility of registration services outside urban centres. This is itself a weakness in the enabling environment: prospective organisations cannot rely on one predictable, transparent, and uniformly accessible procedure. Smaller organisations may also have less capacity to obtain legal advice, prepare incorporation documents, travel to relevant offices, meet compliance requirements or challenge administrative decisions. The assessment, therefore, finds that the legal route exists, but accessibility and predictability are not sufficiently assured.

The ESGM registration dispute provides the clearest evidence of how formal registration rights can become a practical barrier. ESGM applied for registration in 2019 under the Companies Act. The Registrar refused registration and the High Court upheld that decision, but the Supreme Court in June 2023 set aside the Registrar’s decision on administrative-justice grounds and remitted the matter for reconsideration. The minister subsequently refused registration again in September 2023, and ESGM remains unregistered. This case shows that judicial review and appeal mechanisms exist, but their practical effect remains limited if a favourable judicial outcome does not result in timely registration. The experience is particularly relevant to LGBTIQ+ organisations because it demonstrates the vulnerability of organisations whose work is politically or socially contested.

There is no evidence in the available material that women-led, disability-rights, or rural organisations are formally prohibited from registration because of their identity. The concern is instead differential practical burden: grassroots and rural organisations may have fewer financial and legal resources; youth-led groups may face greater scrutiny where their work is associated with democratic mobilisation; women-led organisations may face additional gendered social and institutional barriers; and disability-rights organisations may face accessibility barriers in administrative processes. The continuing refusal to register ESGM and

the unresolved registration of SNUS provide concrete examples of how politically or socially sensitive organisations can experience a more difficult path to recognition.

During the reporting period, the main registration-related development was continued regulatory uncertainty rather than a new enabling reform. The NPO bill remained unpassed, while existing registration disputes and administrative decisions continued to shape the operating landscape. Human rights and civil society reporting continues to characterise registration as part of a wider pattern of restricted civic space. The evidence shows stagnation in the registration dimension, with persistent practical barriers and no measurable improvement.

2.2 | Operational Environment

The operational environment is assessed as disabling, which is a decline from last year's partially enabling assessment. There is no evidence in the reporting period of a general prohibition on CSOs carrying out routine organisational functions, such as employing staff, delivering services, entering into contracts or conducting lawful programme activities. Section 25 of the Constitution provides a formal basis for association, and many organisations continue to operate, particularly in service delivery and community programmes. However, the practical operating environment becomes considerably more restrictive when organisations move from service delivery into advocacy, accountability, public mobilisation or work on politically sensitive issues.

Suppression of Terrorism Act No. 003 of 2008, he the Companies Act, and sector-specific regimes impose legitimate governance and reporting obligations, but these are burdensome for small organisations with limited administrative capacity. Financial-service and compliance requirements also increase operating costs and create difficulties for organisations already facing funding constraints. The proposed 2024 NPO bill would, if enacted in its current form, add registration, monitoring, inspection and reporting requirements. Because it remains unpassed, these should be treated as possible rather than current restrictions.

The operational environment for civil society organisations is shaped by both formal regulatory requirements and their interaction with a broader set of security and public order laws. Legislation, such as the Suppression of Terrorism Act, Public Order Act, and Sedition and Subversive Activities Act, has increased the extent to which the state can oversee activities relating to advocacy, public mobilisation, and political expression. While these laws do not explicitly prohibit civic engagement, their broad provisions and potential for discretionary interpretation generate an atmosphere of legal ambiguity for organisations involved in rights-based advocacy and policy critique. Consequently, civil society actors often adopt precautionary strategies, including self-censorship, reduced public visibility, and avoiding politically sensitive issues. This reflects the anticipatory effects of regulation beyond its formal enforcement.

Importantly, the consequences of this regulatory environment are not experienced uniformly across the sector. Organisational vulnerability is mediated by differences in institutional capacity, access to resources, and political positioning. Smaller and community-based organisations frequently face greater challenges in complying with administrative and reporting obligations owing to their limited financial, technical, and legal resources. These constraints are particularly pronounced among youth-led, women-led, disability rights and rural organisations whose resource limitations increase their susceptibility to regulatory burdens. At the same time, organisations working with marginalised groups encounter additional constraints arising from societal prejudice and heightened public scrutiny. LGBTIQ+ organisations, for example, operate within a context marked by regulatory uncertainty and

social contestation, while organisations representing marginalised communities often rely on collective mobilisation and advocacy strategies that are more susceptible to monitoring and restriction. The cumulative effect is an uneven civic landscape, where legal and regulatory pressures shape organisational autonomy, advocacy capacity, and opportunities for participation in public affairs differently.

2.3 | Protection from Interference

Protection from interference remains weak. The Constitution of Eswatini includes the rights of association, assembly, and administrative justice, and affected organisations can, in principle, seek judicial review of unlawful administrative decisions. The legal framework contains some safeguards against arbitrary action. However, there is no single, uniform protection regime for CSOs covering registration, inspection, suspension, deregistration and dissolution. The applicable safeguards depend on the legal form of the organisation and the statute under which it operates. This fragmentation reduces clarity and predictability for civil society.

The Companies Act provides procedural safeguards around de-registration, including a notice period and an opportunity to show cause in the circumstances covered by its de-registration provisions, and a route for restoration of the registration through the courts. These are important safeguards, but they primarily address corporate-status issues rather than the broader question of protection from politically motivated interference. The absence of a comprehensive CSO law means that organisations do not benefit from a single, clearly articulated set of protections governing inspections, regulatory intervention, suspension or dissolution. The proposed NPO bill would introduce additional oversight powers if enacted and as a result, requires careful scrutiny for due-process safeguards.

The ESGM litigation demonstrates both the availability and limits of legal remedies. The Supreme Court set aside the Registrar's decision on administrative-justice grounds and required reconsideration, showing that restrictive administrative decisions can be challenged. However, the subsequent refusal of registration indicates that a successful court challenge does not automatically translate into effective protection in practice. This weakens confidence in remedies for organisations facing politically or socially sensitive administrative decisions.

During the reporting period, the broader protection landscape was also shaped by the April 2026 intervention against trade unionists and the May 2026 prohibition on the May Day gathering, as well as the continuing detention and restrictions affecting activists. These incidents demonstrate that interference is not limited to registration decisions. Human rights reporting and civil society monitoring continues to describe a pattern in which security and public-order powers can be used to deter collective action and dissent.

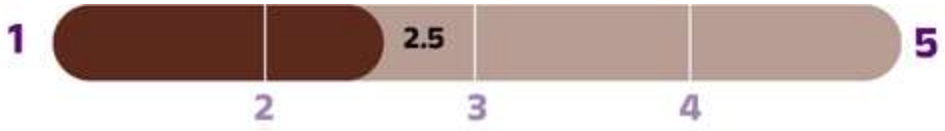
Trade unions and pro-democracy organisations face heightened risks because of the political character of their advocacy; youth activists face increased scrutiny when they participate in democratic mobilisation; LGBTIQ+ organisations face administrative and social hostility; women human-rights defenders can face gendered harassment and reputational attacks; and rural or grassroots organisations have fewer resources to obtain urgent legal representation. While formal safeguards exist, they do not provide equal protection in practice.

Overall, the protection dimension shows stagnation rather than meaningful improvement. The primary concern is not the complete absence of remedies, but the gap between remedies on paper and effective protection when state action affects politically sensitive organisations or groups with fewer resources to challenge it.

PRINCIPLE SCORE

3. Accessible and Sustainable Resources

Score:



Overall, the score for Principle 3 declined from 2.8 in the previous assessment to 2.5 in 2026, reflecting a decrease in the 'effectiveness of resources' dimension from a score of 3 to 2, while accessibility and sustainability remained unchanged at 3 and 2, respectively. The decline is not attributable to reduced access to funding opportunities, but rather to a weakening of the extent to which available resources support organisational effectiveness. Increasingly restrictive, project-based funding and limited flexible institutional support have constrained long-term planning, organisational resilience, and capacity development, reducing the ability of CSOs to effectively pursue their mandates. While continued international funding opportunities, EU sub-granting mechanisms, and emerging commitments to locally-led development have helped maintain access to resources, these positive developments have not been sufficient to offset the decline in funding to sustain impactful civic action.

3.1 | Accessibility

The status quo remained unchanged during this reporting period, with the accessibility of funding for civil society in Eswatini remaining partially enabled. CSOs continue to rely heavily on international donors, particularly those working with human rights, governance, and marginalised communities. Meanwhile, domestic and government funding remains limited and is largely directed towards organisations that are aligned with state priorities. The proposed NGO legislation, which is still in its draft form, continues to raise concerns about the potentially disproportionate anti-money laundering and counter-terrorism requirements, which could further restrict access to funding and discourage donor engagement.

Although funding opportunities are disseminated through platforms such as CANGO and international partners, smaller and emerging CSOs struggle to access and meet the complex requirements of donors due to capacity constraints. EU sub-granting mechanisms have provided some support to grassroots organisations. Existing tax provisions offer limited enabling conditions for CSO financing, but awareness of these incentives remains low. CSOs

also continue to experience challenges with financial service providers, including difficulties accessing banking services and navigating compliance requirements, as well as concerns about financial surveillance.

The effects of the freeze in United States government funding have carried through to 2026. Consequently, this year has seen the continuation and intensification of the funding crisis impacting PEPFAR-funded HIV prevention and community services, USAID-supported HIV and health programmes, and initiatives targeting specific groups, including key populations, youth, and adolescent HIV programming, as well as gender-based violence prevention and response programmes. On 15 August 2026, the *Times of Eswatini* reported that a recent impact measurement survey conducted between November 2025 and February 2026 had recorded an increase in new HIV infections. This threatens not only the country's targets of zero infections by 2030, but also speaks volumes about the impact of funding cuts on the HIV response for both the government and CSOs. Evidence suggests that CSOs are facing not just a reduction in project funds, but a crisis of survival, with organisations either closing down or adapting their operations and personnel.

Access to funding for civil society organisations working on disability, youth, and women's rights remains partially enabled. The reduction and restructuring of international development assistance for intersectional and cross-cutting issues has further increased uncertainty and competition for funding. Apart from being highly competitive, funding is often project-specific and dependent on organisations having the technical and institutional capacity to meet donor requirements. Consequently, although organisations working on disability, youth, and women's rights continue to have some access to funding, this access is not yet sufficiently predictable, sustainable, or equitable, particularly for smaller, grassroots organisations.

3.2 | Effectiveness

Donor funding is subject to a number of conditions, including defined objectives and results, eligible activities and expenditure categories, reporting requirements, financial controls, procurement requirements, safeguarding measures, anti-fraud and anti-corruption provisions, and monitoring. For instance, the EU's funding framework for civil society organisations in Eswatini requires result-based activities with clearly defined outputs, outcomes, target groups and timeframes, and imposes specific conditions on sub-granting to third parties. While these conditions are not new, their significance has increased as funding becomes more constrained and donors seek greater demonstrable impact. The UN's 2025 Annual Results Report for Eswatini explicitly refers to constrained Official Development Assistance (ODA), stronger national ownership, results-based management, pooled financing and the alignment of funding with strategic priorities.

The funding environment is becoming more strategically directed, with a preference for activities that are low-investment and high-impact. For donors who engage in stakeholder consultation that influences their investment priorities, there is bound to be partial alignment between donor and CSO priorities. The new UN Sustainable Development Cooperation Framework for 2026–2030, developed through consultations involving the government, civil society, academia, the private sector and development partners, provides an example of an effort to establish shared priorities. This kind of stakeholder consultation is particularly feasible for the UN, as they have a local office — a mechanism lacking among many funding partners.

Although there is a growing awareness of the need for adaptive programming, funding mechanisms often fail to provide civil society organisations with the unrestricted or rapid-response resources they need to adapt independently. This is particularly important in Eswatini's civic space, where organisations may need to respond quickly to political, legal, or

security-related developments. Rather than providing flexible institutional protection funding, security support is often incorporated into project budgets. These funding conditions can disproportionately affect smaller and marginalised organisations because they are less able to cross-subsidise protection, compliance, and core organisational costs.

3.3 | Sustainability

In 2026, funding sustainability for civil society organisations in Eswatini remains constrained and fragile. Although international donors continue to provide funding opportunities, CSOs remain heavily reliant on external, predominantly project-based funding. They have limited access to diverse, predictable, and unrestricted resources.

Key sustainability challenges include short and uncertain funding cycles, gaps between grants, limited core and unrestricted funding, growing competition for shrinking donor resources and reliance on a small number of donors. These issues impact staff retention, programme continuity, organisational development and the capacity of CSOs to engage in long-term strategic planning.

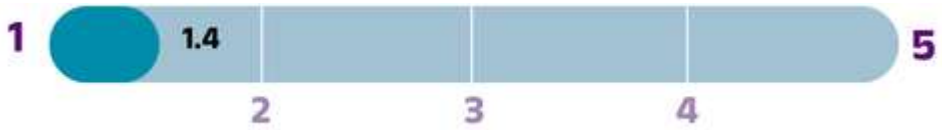
Although emerging opportunities exist for locally-led funding and resource mobilisation, domestic philanthropy, individual donations, corporate support and income-generating activities are insufficient to provide a reliable alternative to external funding. Smaller and grassroots organisations face particular difficulties due to their limited fundraising capacity, reserves, and institutional infrastructure.

Overall, while the funding environment continues to support important civil society interventions, it does not yet provide a sufficiently stable or diversified financial base for long-term organisational sustainability. Greater access to multi-year, core, and flexible funding, alongside stronger domestic resource mobilisation, is necessary to strengthen the resilience and independence of CSOs.

PRINCIPLE SCORE

4. Open and Responsive State

Score:



There was a significant decline in Principle 4, from 2.2 in the previous assessment to 1.4 in 2026, representing a deterioration of 0.8 points. This decline reflects the cumulative effect of long-standing shortcomings in the institutional framework for transparency, participation, and accountability. Although there are formal mechanisms for engagement, the assessment found that freedom of information is limited by the lack of comprehensive access to information legislation. Participation processes are often characterised by a lack of transparency, short consultation periods, weak feedback loops and little evidence that civil society contributions influence policy outcomes. These weaknesses diminish the substantive quality of state–civil society engagement and restrict opportunities for meaningful public oversight. The effects of these issues are exacerbated for grassroots, rural, youth-led, women-led and disability-focused organisations whose comparatively limited resources reduce their ability to engage effectively in complex or time-sensitive processes. These factors collectively point to a governance environment in which participation is largely procedural rather than influential, thereby weakening civic oversight and state responsiveness.

4.1 | Transparency

Transparency and access to information in Eswatini remain significantly constrained. The situation has shown no substantive improvement since the previous reporting period, and has even deteriorated in some respects. The country lacks comprehensive access to information legislation expressly guaranteeing individuals and civil society organisations a general right to access information held by public institutions or private entities performing public functions. Consequently, there is no overarching legal framework that clearly obliges public bodies to proactively disclose information or establishes a consistent system for requesting and

obtaining government-held information. Freedom House also reports that Eswatini lacks access to information legislation, and that public requests for information are largely ignored .

The absence of such legislation is exacerbated by laws and practices that favour confidentiality. The Official Secrets Act of 1968 criminalises the unauthorised disclosure of certain state information, contributing to an institutional environment in which officials exercise considerable discretion over what information can be made public. This leads to the uneven and inconsistent publication of information across state institutions, which can deter officials, journalists, and civil society actors from seeking or disclosing information in the public interest. Access to information, therefore, often depends on the willingness of individual institutions or officials rather than being treated as an enforceable public right.

The only slight improvement has been in public finance and procurement. Some budgets, audit-related information, tender invitations, procurement documents and notices of intention to award have been made available online. The 2011 Public Procurement Act expressly identifies transparency and accountability as objectives of the public procurement system. However, transparency is stronger at the advertisement and intention-to-award stages than throughout the entire procurement cycle, particularly with regard to contract implementation and management. The Act also permits modifications to procurement procedures for defence and national security purposes, when necessary to protect the public interest. This highlights the importance of ensuring that such exceptions are narrowly defined, justified, and subject to appropriate oversight.

The same limitations apply to draft laws, policies, and other decision-making information. Although some parliamentary documents and legislation-related information are available online, publication is inconsistent across ministries. Procedures for requesting information remain weak. In the absence of a dedicated access to information law, there is no standardised, simple, legally-enforceable procedure for submitting information requests that can be applied across state institutions.

Evidence from the civil society panel suggests that constraints on transparency and access to information in Eswatini are structural rather than procedural. This limits the ability of civil society to conduct evidence-based advocacy, monitor public institutions, and hold decisionmakers to account. The absence of a comprehensive access to information framework, coupled with inconsistent disclosure practices, creates significant information asymmetries that undermine civic participation and oversight. While limited improvements in budget and procurement transparency offer some opportunities for scrutiny, these remain inconsistent and do not extend to policy and decision-making processes. These barriers disproportionately affect women-led, youth-led, rural and disability-focused organisations. Women-led and rural organisations often have greater difficulty accessing information through informal channels; youth-led organisations typically have less institutional access to decisionmakers; and organisations for persons with disabilities are at a disadvantage when information is not provided in accessible formats. Consequently, restricted access to information undermines not only transparency and accountability, but also reinforces existing inequalities in participation and representation.

4.2 | Participation

Citizen participation is a cornerstone of democratic governance. When citizens participate effectively, governments can make informed decisions; accountability is strengthened; and public services improve. Civil society organisations play a vital role in bridging the gap between government and citizens, representing community interests, advocating for policy reforms and monitoring government performance.

In Eswatini, however, civil society participation in national decision-making processes remains limited despite constitutional guarantees of freedom of expression, association, and assembly. Besides the country being an absolute monarchy, where major political decisions are centralised, there are also no institutionalised mechanisms requiring the government to consult CSOs at the early stages of policy development. Inputs from civil society on gazetted legislation rarely influence final decisions. This contradicts section 79 of the Constitution, which states that the system of governance is democratic and participatory, based on the *tinkhundla* system. Critics argue that the *tinkhundla* system decentralises administrative and political functions to the people without decentralising real political power.

The 2023 National Dialogue highlights the centralisation of power. Following the civil unrest of 2021, regional and international bodies urged the government to hold an inclusive national dialogue, to which the King gave his provisional agreement. However, civil society organisations and the Multi-Stakeholder Forum, an umbrella body bringing together political parties, churches, businesses, student groups and CSOs, rejected the format as undemocratic. No advance debate or agreement had taken place regarding the dialogue's structure, topics, or procedures, and the King had convened it.

Participation opportunities are further constrained by fear of retaliation which limits open expression during consultations. Activists, journalists, trade unionists and ordinary citizens resort to self-censorship, avoiding public expression of views critical of government policies or governance issues.

During the period under review, it was observed that Eswatini remained stagnant in terms of meaningful civic participation. A panellist further stated that, 'On 31 August 2026, I received a text message invitation from the Clerk to the Portfolio Committee of the Ministry of Justice and Constitutional Affairs to make an oral or written submission, or both, on any date between 2 and 3 September 2026, regarding the Commission on Human Rights Bill 2025'.

While this demonstrates that a formal opportunity for civil society participation was made available, the timing and limited notice period raised concerns about whether the opportunity was genuinely inclusive and meaningful. For legislation dealing specifically with the institutional framework, mandate, and function of a national human rights commission, stakeholders (including CSOs, human rights defenders, legal practitioners, affected communities and other relevant actors) would ordinarily require adequate time to review the bill, consult their constituencies and technical experts, develop evidence-based recommendations, coordinate submissions where appropriate, obtain internal organisational approval, and make the necessary logistical arrangements to participate

The short notice period significantly constrained civil society's ability to undertake these preparatory processes, particularly disadvantaging smaller, grassroots and community-based organisations with limited technical and financial capacity. While the availability of oral and written submission mechanisms is positive, their effectiveness depends on stakeholders receiving timely information and sufficient time to prepare.

Allowing a reasonable period between the publication or circulation of notices and the dates scheduled for public hearings and submissions could therefore strengthen civic participation through parliamentary portfolio committees. Parliament could also enhance its legislative calendar and public information systems by providing advanced, publicly-accessible schedules of planned public hearings and consultations. This would enable affected stakeholder groups to anticipate upcoming legislative processes, organise effectively, and participate in an informed and equitable manner.

4.3 Accountability

Stagnation has been observed in the area of accountability. There is limited evidence that the government systematically engages with or acts upon evidence generated by civil society actors. CSOs continue to conduct research, carry out monitoring activities, engage in advocacy work and document human rights, governance and civic space issues, but their findings do not appear to consistently inform government policy or legislative responses. Similarly, the African Commission on Human and Peoples' Rights identified inadequate cooperation between the government and CSOs. There is a lack of feedback on how civil society input influences decisions. However, civil society can sometimes track this through annual performance reports and other public accountability documents.

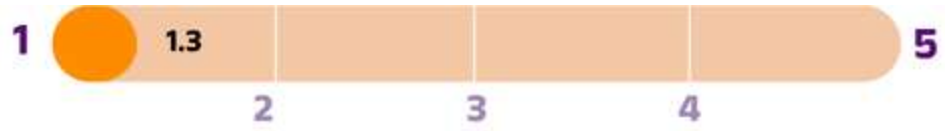
However, there are also weak, inconsistent accountability structures which are often inaccessible to civil society. The Eswatini Anti-Corruption Commission was established under the Prevention of Corruption Act 2006 as an independent investigative body. While it has significant powers to investigate corruption, its enforcement authority is not unlimited. Its primary role is to investigate, prevent, and refer cases for prosecution rather than to prosecute offenders directly. Furthermore, certain investigative actions, such as searches of premises or access to certain records, require judicial authorisation in order to protect constitutional rights.

Furthermore, the absence of a whistleblower protection law in Eswatini discourages accountability. While the Prevention of Corruption Act encourages the reporting of corruption, there are very limited reporting channels and a lack of confidentiality. There is also no comprehensive framework to protect whistleblowers from retaliation or a compensation mechanism for those who have faced retaliation.

PRINCIPLE SCORE

5. Supportive Public Culture and Discourses on Civil Society

Score:



Overall, Principle 5 declined from 2.0 in the previous assessment to 1.33 in 2026, representing a deterioration of 0.67 points. Evidence suggests a narrowing of societal acceptance of rights-based civic action, particularly when civil society organisations engage in advocacy, accountability, governance and human rights issues. Organisations focused on service delivery and less politically sensitive activities continue to operate with relatively greater public acceptance. However, actors seeking to challenge state decisions or advance rights-based claims face heightened contestation and weaker recognition as legitimate participants in public affairs. This trend is exemplified by the state authorities' response to litigation challenging the executive migration agreement, which resulted in the case being dismissed on standing grounds. Together, these events highlight the limited influence of public-interest advocacy in shaping government decision-making. The implications are particularly significant, as civic actors representing historically marginalised constituencies — including LGBTIQ+ persons, women human rights defenders, youth, persons with disabilities, rural communities and grassroots organisations — are more vulnerable to exclusionary narratives and social stigma. Therefore, the decline reflects reduced societal support for certain forms of civic engagement, as well as the uneven distribution of civic legitimacy. Organisations advocating for marginalised groups face greater obstacles to participation, representation, and influence.

5.1 | Public Discourse and Constructive Dialogue on CSO

The relationship between the government and civil society organisations in Eswatini is highly strained and deeply fragmented. It is also strictly controlled by the state. Government officials have openly opposed civil society groups seeking constitutional accountability. A notable instance of this occurred when human rights groups, including the Eswatini Litigation Centre

and the Swaziland Rural Women's Assembly, challenged a contentious executive migration agreement. In response to the legal action, the Attorney General officially dismissed the civil society's legal challenge, labelling it 'frivolous'. The High Court subsequently dismissed the case due to a lack of standing, a decision that the Southern Africa Litigation Centre (SALC) said further restricted the public's ability to challenge state actions.

The situation has not improved since the last report on the relationship between the media and civil society. The dominant broadcast and print news are state-owned and state-controlled, and they continue to cover civil society only when organisations collaborate with the state on neutral social welfare programmes such as health clinics, USAID initiatives, or HIV/TB campaigns. Independent, privately-owned local print media outlets, such as the *Times of Eswatini*, frequently attempt to give a voice to civil society concerns by publishing op-eds and covering structural legal battles. However, their coverage is restricted by an entrenched culture of self-censorship.

Public perceptions of civil society organisations in Eswatini remain polarised. While the general public relies heavily on and values CSOs for essential service delivery, public attitudes towards CSO political-related advocacy are more reserved due to the highly restricted civic space and fear of reprisal. Based on the foregoing, it can be concluded that public discourse and constructive dialogue have remained stagnant.

5.2 | Perception of Civil Society and Civic Engagement

Evidence from the reporting period suggests that public perceptions of civil society in Eswatini are still mixed and closely linked to the activities of CSOs. CSOs are generally viewed positively when they are engaged in service delivery, humanitarian assistance, education, health, poverty alleviation and community development. However, stakeholder consultations and previous Country Focus Report findings indicate that organisations involved in governance, human rights, accountability and advocacy continue to encounter greater skepticism and contestation. This perception is partly shaped by limited civic education and public understanding of civil society's broader role beyond service provision. As the Civil Society Legal Reform Advocacy Strategy, developed by Kwakha Indvodza, notes, public discourse on development remains heavily focused on socio-economic needs, with less recognition of civil society's contribution to legal, policy, and institutional reform processes.

The evidence also suggests limited public confidence in citizens' ability to influence political decisions. The restricted influence of civil society, weak feedback mechanisms from public institutions, and the lack of examples of the government being responsive to input all contribute to the perception that participation has little impact on policy outcomes. This perception was reinforced during the reporting period by the response to litigation challenging the executive migration agreement, and by the subsequent dismissal of the case on standing grounds. This illustrated the challenges faced by civil society actors seeking to influence public decision-making through formal accountability mechanisms. Although there are still opportunities for civic engagement, they are widely perceived as having limited capacity to influence the actions of the state.

Civic education remains fragmented and unevenly accessible. Much of the public's engagement with civic and governance issues is facilitated by civil society organisations rather than through systematic, state-led programmes. Consequently, awareness of rights, participation mechanisms, and the role of civil society varies considerably among different population groups and in different geographic areas. These limitations have significant implications. Women, young people, disabled people, rural communities and other

marginalised groups often face additional barriers to accessing public information, participating in public debates, and engaging in decision-making processes. Where civic education and public information are limited, people are less likely to possess the necessary knowledge, networks, or resources to effectively influence public affairs.

Compared to the previous reporting period, evidence suggests a decline in the perception and legitimacy of rights-based civil society engagement which has contributed to the fall in the Principle 5 score. Stakeholder consultations continue to highlight polarised perceptions of civic actors, while public commentary during the reporting period emphasised the need for CSOs to rebuild trust and legitimacy in their relationship with the state following the 2021 unrest. Overall, these developments suggest that, although civil society is still recognised for its role in service delivery, acceptance of its advocacy, accountability, and rights-based engagement is becoming increasingly limited, thereby reducing the scope for meaningful civic participation and influence on public policy.

5.3 | Civic Equality and Inclusion

Young people and disabled people continue to face systematic exclusion from civic processes. Intolerance towards gender and sexual minorities has been displayed at the highest political levels. In January 2026, Minister of Education and Training, Mr Owen Nxumalo, stated that same-sex relationships had 'no place' in schools and that LGBTI students should be expelled. These remarks were discriminatory, denying social services to a section of the population, and harmful towards already marginalised individuals.

During the national Easter prayer service at the National Church in Lobamba in April 2026, King Mswati III made strong anti-LGBTQI+ comments. He declared that same-sex relationships would 'never' be permitted in Eswatini, equating homosexuality with an 'evil act' and the 'spirit of Sodom and Gomorrah'. These statements drew widespread praise from conservative and religious groups, as well as severe condemnation from human rights organisations. It is important to note that such pronouncements become national policy in Eswatini. Prime Minister Russell Mmiso Dlamini reaffirmed the government's full support for the monarch's position on social and moral issues, stating that leadership must be grounded in respect for Eswatini's culture and religious beliefs.

Statements by senior political leaders have a particularly powerful effect because they carry institutional and social authority. The risk is that remarks such as these normalise the idea that LGBTI persons are not entitled to equal access to public institutions and services. The Easter 2026 remarks carry even more weight due to the symbolic and political authority of the monarchy; his statements influence state policy. Describing same-sex relationships as morally wrong and stating that they will not be permitted in Eswatini sends a strong message about which identities are considered socially legitimate.

Disability in Eswatini intersects with multiple deprivations, including limited access to education, healthcare, and employment, rendering people with disabilities (PWDs) among the most vulnerable members of society. In Eswatini, disability and poverty are deeply interconnected, forming a mutually reinforcing cycle: poverty increases the risk of acquiring a disability through poor nutrition, inadequate healthcare, and exposure to hazardous conditions, while disability deepens poverty by limiting economic participation and access to social services.

Given the limited progress made in advancing women's rights in Eswatini, this reporting period notes the regression in women's political participation. In July 2026, Parliament unanimously adopted a motion calling on the government to amend Eswatini's electoral laws to bring them

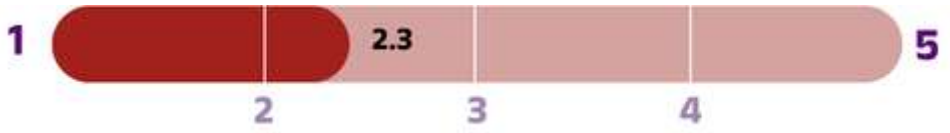
into line with the Constitution. This motion challenges the constitutional mechanisms that promote women's representation in parliament. Conversely, the ongoing delay of the Matrimonial Property Bill and the Marriages Bill (2022) suggests that achieving gender equality in Eswatini is more of a pipe dream than a realistic prospect. If these bills are passed into law, they will align national laws with the constitutional values of equality, human dignity, and fairness, and will incorporate the provisions of the UN Convention on the Elimination of All Forms of Discrimination Against Women into domestic law. Furthermore, the legal conflicts arising from the dual legal system of Roman Dutch Law and Swazi Law and Custom, which mostly disadvantages women, would be resolved.

Advocacy groups report that patriarchal traditions and norms are the biggest obstacle to women's equality, alongside the dual legal system. For example, women often find it more difficult to access land independently under customary systems. Access is usually granted through *kukhonta*, a chiefly allocation process that has traditionally been associated with male household heads. Consequently, many women acquire land-use rights through a husband, male relative, or son. According to advocacy groups, patriarchal traditions and norms, along with the dual legal system, have proven to be the biggest stumbling block for women's equality rights.

PRINCIPLE SCORE

6. Access to a Secure Digital Environment

Score:



Overall, Principle 6 was scored at 2.33 in 2026, which is down from 3.3 in the previous assessment and represents a significant deterioration of 0.97 points. This decline reflects the increasing disparity between the growth of digital technologies and the ability of the supporting environment to protect digital rights, privacy, security and equal participation online. Although there was no evidence of nationwide internet shutdowns during the reporting period, concerns about surveillance, self-censorship, cybersecurity vulnerabilities and unequal access to digital resources continue to hinder civil society's ability to utilise digital spaces with confidence and effectiveness. The assessment also shows that digital inclusion is increasingly affected by more than just connectivity; it is also influenced by the resources, skills, and institutional capacities needed to safely engage with evolving digital technologies. These challenges have distinct implications: rural and grassroots organisations, low-income communities, organisations led by women and young people, and smaller CSOs often face compounded barriers related to affordability, connectivity, accessibility, digital literacy, and access to secure digital tools. Consequently, inequalities in digital access increasingly translate into inequalities in civic participation, organisational resilience, and influence within digital public spheres.

6.1 | Digital Rights and Freedoms

The digital rights environment in Eswatini remained constrained during the reporting period, with no significant legislative or policy reforms identified since the previous assessment. Although there was no evidence of a nationwide shutdown of the internet or social media, digital freedoms continue to be shaped by the broader environment of civic space and the application of security and public order legislation, including the Suppression of Terrorism Act, Sedition and Subversive Act, and Public Order Act. Human rights reports and stakeholder consultations indicate ongoing concerns about state monitoring and surveillance, particularly

among pro-democracy, governance, and advocacy-oriented civil society organisations. These concerns lead to self-censorship and caution when engaging online, even when there are no direct restrictions on internet access. While the reporting period did not reveal any systematic arrests or prosecutions specifically linked to online expression, the broader legal environment continues to create uncertainty regarding the limits of permissible civic and political speech online.

The continued growth of digital news platforms and social media, however, has created new opportunities for civil society to disseminate information, highlight governance issues, and encourage public discussion. For many CSOs, digital platforms remain an important alternative to traditional media channels, enabling the amplification of community voices that would otherwise receive limited attention. Nevertheless, these opportunities coexist with growing digital risks. A continental assessment reports that Eswatini accounts for roughly 0.2% of detected cyber vulnerabilities in Africa. It notes that cybersecurity vulnerabilities primarily arise from outdated software, legacy systems, and limited cyber defence capacity rather than from politically motivated cyberattacks. Reported cyber incidents during the reporting period were largely associated with cyber-enabled fraud and criminal activity and had no direct, documented impact on civil society organisations. The increasingly digital nature of civic engagement means organisational resilience is becoming more dependent on digital security and risk management capacities.

Compared to the previous reporting period, the deteriorating score reflects the growing disparity between digital expansion and the protection of digital rights, privacy, and online civic freedoms. Although access to digital platforms has increased, concerns relating to surveillance, self-censorship, and cybersecurity have largely remained unaddressed. Women human rights defenders, youth activists, and grassroots and governance, accountability, and human rights organisations often rely heavily on digital platforms for advocacy and mobilisation, and are therefore more vulnerable to online harassment, monitoring, and self-censorship. Similarly, smaller, less resourced organisations may lack the technical capacity and financial resources to adopt secure digital practices, resulting in uneven access to safe, effective participation in digital civic spaces. Consequently, digital inequalities increasingly translate into unequal opportunities for civic engagement, advocacy, and influence.

6.2 | Digital Security and Privacy

Eswatini's digital security and privacy legal framework is anchored in the Data Protection Act (2022) and the Computer Crime and Cybercrime Act (2022), which establish protections for personal data, criminalise cyber offences, and provide mechanisms for addressing data breaches and unlawful digital activities. The Eswatini Data Protection Authority (EDPA) serves as the primary oversight body with powers to investigate complaints, enforce compliance, and promote awareness of digital rights. During the reporting period, the EDPA continued public awareness and outreach initiatives aimed at strengthening understanding of data protection rights and online safety. These developments provide an institutional foundation for digital rights protection; however, evidence suggests that implementation capacity, and public awareness and confidence in available remedies remain uneven, particularly among civil society actors working on sensitive governance and human rights issues.

Several incidents during the reporting period highlighted both the growing cyber threat environment and the country's response capacity. In April 2026, Eswatini authorities arrested more than 200 individuals linked to a transnational cybercrime and online fraud syndicate reportedly involved in online gambling and "pig-butchering" scams, demonstrating the increasing sophistication and cross-border nature of cybercrime risks facing the country.

During the same period, two individuals were arrested and charged under the Computer Crime and Cybercrime Act for allegedly manipulating MTN Eswatini's airtime allocation systems and fraudulently diverting airtime valued at more than E10 million. While neither incident directly targeted civil society organisations, they exposed broader vulnerabilities within Eswatini's digital ecosystem and reinforced concerns regarding cybersecurity preparedness. In addition, national authorities reported cyber-related losses exceeding E15.9 million over a one-year period, attributed to offences such as phishing, identity theft, mobile-money fraud, online scams, fraudulent banking transactions and system intrusions.

Despite the existence of a formal legal framework, human rights reports and stakeholder testimonies continue to highlight concerns regarding the relationship between cybersecurity legislation, surveillance powers, privacy rights and freedom of expression. Independent analyses indicate that broad national security and public order exceptions could lead to monitoring and surveillance practices that undermine confidence in privacy protections, particularly among organisations working on governance, accountability, and human rights issues. Stakeholders have also reported that concerns over possible surveillance lead to precautionary behaviour and self-censorship in digital spaces. Furthermore, many civil society organisations, particularly emerging and community-based ones, continue to face challenges in investing in cybersecurity infrastructure, secure communications, staff training and incident-response systems. Compared to the previous reporting period, conditions have declined rather than improved. Although the legal and institutional framework remains in place, the growth in cyber threats, continued surveillance concerns, and persistent capacity deficits have increased digital security risks for civil society.

These challenges have significant implications. Smaller and grassroots organisations often have limited access to cybersecurity expertise, secure digital tools, and legal support when responding to digital threats. Women human rights defenders, youth activists, journalists and organisations working on governance and accountability issues may be more exposed to online harassment, intimidation, privacy violations and monitoring due to the visibility of their advocacy activities. People with disabilities and organisations representing marginalised communities may encounter additional barriers when digital security awareness materials, reporting mechanisms, and support services are not fully accessible. Consequently, the benefits of existing legal protections and redress mechanisms are distributed unevenly, leaving marginalised groups even more vulnerable to digital insecurity and less equipped to mitigate emerging online risks.

6.3 | Digital Accessibility

Digital accessibility in Eswatini is a mixed picture of expanding connectivity alongside persistent inequalities in access, affordability, and digital capabilities. Evidence from the Digital Readiness Assessment indicates that the country has made progress in digital infrastructure development and broader digital transformation, creating new opportunities for civil society actors and citizens to access information, communicate, participate in public debate and engage in advocacy. The assessment reports that internet penetration reached approximately 58% of the population, while mobile-phone penetration exceeded 90%, demonstrating significant growth in digital connectivity. However, it also concludes that civic engagement through digital platforms remains underdeveloped and that the benefits of digitalisation are distributed unevenly across society.

Stakeholder consultations and findings from the Digital Readiness Assessment reveal that affordability remains one of the major barriers to digital inclusion. The cost of internet services,

devices, and data packages continues to limit access among low-income households, grassroots organisations, and community-based actors. Connectivity and service quality also vary considerably between urban and rural areas, with rural communities experiencing lower-quality access and fewer digital opportunities. These constraints affect the ability of CSOs to access and share information online, participate in virtual consultations, and utilise digital tools for advocacy and citizen engagement. The assessment further highlights gaps in digital literacy, noting that effective participation increasingly depends not only on connectivity but also on the skills required to navigate digital platforms, identify misinformation, protect organisational data, manage cybersecurity risks and engage safely online. Smaller CSOs and community-based organisations frequently lack the resources, equipment, and technical expertise necessary to fully leverage digital technologies for civic action.

The reporting period also highlighted the growing significance of artificial intelligence (AI) and other emerging technologies. Although Eswatini does not yet have a dedicated AI governance framework, awareness-building efforts have increased. Following theAI Governance Workshop for Senators in 2025, a 2026 EU-supported workshop involving CSOs demonstrated that many organisations are already beginning to integrate AI into research, communications, advocacy, and programme delivery. However, participants identified significant barriers to adoption, including inadequate digital skills, the absence of institutional AI policies, limited organisational capacity, and the high costs associated with AI subscriptions, digital infrastructure, and collaborative technologies. Participants also highlighted a significant divide between urban and rural organisations in terms of internet access, technological readiness, and capacity to utilise AI effectively.

Compared with the previous reporting period, the evidence suggests limited overall improvement. Although digital infrastructure, mobile connectivity, and online platforms are expanding, there is insufficient evidence that affordability constraints, digital literacy gaps, accessibility barriers and unequal organisational capacities have substantially decreased. These challenges disproportionately affect rural communities, low-income populations, people with disabilities, women-led and youth-led organisations, and smaller grassroots CSOs. People with disabilities may encounter further obstacles if digital content is not available in accessible formats, while rural organisations often struggle with weaker connectivity and higher access costs. Smaller organisations frequently lack the resources to adopt emerging technologies or invest in staff training. Consequently, digital inequalities continue to determine who can access information, participate in online civic spaces, utilise emerging technologies and influence public discourse. This limits the inclusiveness and democratic potential of Eswatini’s ongoing digital transformation.

C) Recommendations

Recommendations to Government and Public Institutions

- Ministry of Justice and Constitutional Affairs and the Attorney General's Chambers should review the application of the Public Order Act, Suppression of Terrorism Act, and Sedition and Subversive Activities Act to ensure that restrictions on civic action, public advocacy, and digital expression meet the principles of legality, necessity, and proportionality.

- Parliament of Eswatini should enact comprehensive access to information legislation that establishes enforceable rights of access, proactive disclosure obligations, standardised request procedures, and independent review mechanisms. This will address persistent information asymmetries, weak transparency, and barriers to evidence-based advocacy identified throughout the assessment.

- The Deputy Prime Minister's Office, together with relevant ministries, should adopt minimum standards for public participation requiring adequate consultation periods, publication of consultation outcomes, feedback on stakeholder submissions and accessible formats for persons with disabilities and rural communities.

- The Registrar of Companies, Registrar of Societies, and other registration authorities should publish clear registration criteria, fees, procedures, processing timelines and appeal mechanisms, and ensure that registration decisions are issued in writing with justification.

- The Eswatini Data Protection Authority (EDPA) and Eswatini Communications Commission (ESCCOM) should strengthen implementation of digital-rights protections through awareness-raising programmes, accessible complaint mechanisms, and targeted support for CSOs on privacy, cybersecurity, and responsible technology use.

- The Commission on Human Rights and Public Administration (CHRPA) should systematically monitor and publicly report on restrictions affecting civic freedoms, access to information, public participation and the rights of marginalised groups, providing an evidence base for accountability and reform.

- The judiciary, particularly the High Court and Supreme Court, should promote timely adjudication of cases involving freedom of association, public participation, access to information and administrative justice, thereby strengthening confidence in legal remedies available to civil society actors.

Recommendations to Donors and Development Partners

- The European Union Delegation, bilateral donors, UN agencies and international foundations should increase the provision of multi-year, flexible, and institutional funding. Evidence from the assessment suggests that while access to resources remains relatively stable, their effectiveness has declined due to the predominance of short-term, project-based funding.

- Donors should establish dedicated funding windows for women-led, youth-led, disability-rights, rural, grassroots and LGBTIQ+ organisations, recognising that these groups face disproportionate barriers in accessing and competing for funding.

- Development partners should invest in organisational sustainability by supporting enterprises, staffing, governance systems, policy engagement, research capacity, monitoring and evaluation, and institutional strengthening rather than focusing exclusively on project outputs.

- Donors should provide dedicated support for digital security, cybersecurity infrastructure, digital literacy, AI readiness, accessibility technologies and responsible technology governance, particularly for smaller and community-based organisations that lack technical and financial capacity.

- International partners should expand support for legal aid, emergency protection mechanisms, and strategic litigation initiatives to assist civil society actors facing administrative restrictions, legal uncertainty, or reprisals linked to legitimate civic action.

- Development partners should strengthen locally led grant making and resource mobilisation initiatives to reduce dependence on shrinking international funding streams and improve the long-term resilience of Eswatini's civil society sector.

Recommendations to Civil Society Actors

- Strengthen collective advocacy efforts on civic freedoms, access to information, public participation, and accountability reforms by engaging through coalitions and networks that can amplify evidence-based policy engagement.

- Invest in digital security practices, including staff training, cybersecurity protocols, secure communications, data-protection compliance and incident-response mechanisms, given the growing cybersecurity risks and concerns regarding surveillance.

- National CSO networks and intermediary organisations should provide mentorship, technical assistance, and peer-learning opportunities for smaller, rural, women-led, youth-led, disability-focused and grassroots organisations to improve their participation in policymaking and their access to resources.

- Strengthen civic education and public awareness initiatives that explain the broader role of civil society beyond service delivery, including its contributions to governance, accountability, human rights, and democratic participation. This responds directly to evidence that public understanding of advocacy-oriented civil society remains limited.

- Develop institutional policies governing the ethical and responsible use of artificial intelligence and emerging technologies, while investing in staff capacity to utilise these tools effectively for research, communication, advocacy and programme implementation.
- Adopt and mainstream Gender, Equity, Diversity and Inclusion (GEDI) principles across their programmes, participation strategies, digital practices and organisational structures to ensure that women, youth, persons with disabilities, rural communities and other marginalised groups are meaningfully represented in civic processes and advocacy efforts.

D) Research Process

Each principle encompasses various dimensions which are assessed and aggregated to provide quantitative scores per principle. These scores reflect the degree to which the environment within the country enables or disables the work of civil society. Scores are on a five-category scale defined as: fully disabling (1), disabling (2), partially enabling (3), enabling (4), and fully enabling (5). To complement the scores, this report provides a narrative analysis of the enabling or disabling environment for civil society, identifying strengths and weaknesses as well as offering recommendations. The process of drafting the analysis is led by Network Members; the consortium provides quality control and editorial oversight before publication.

For Principle 1 - which evaluates respect for and protection of freedom of association and peaceful assembly - the score integrates data from the CIVICUS Monitor. However, for Principles 2–6, the availability of yearly updated external quantitative indicators for the 86 countries part of the EUSEE programme are either limited or non-existent. To address this, Network Members convene a panel of representatives of civil society and experts once a year. This panel uses a set of guiding questions to assess the status of each principle and its dimensions within the country. **The panel for this report was convened in June 2026.** The discussions are supported by secondary sources, such as V-Dem, the Bertelsmann Stiftung Governance Index, RTI Rating from the Centre for Law and Democracy and other trusted resources. These sources provide benchmarks for measuring similar dimensions and are complemented by primary data collection and other secondary sources of information available for the country. Guided by these deliberations, the panel assigns scores for each dimension, which the Network Members submit to the Consortium, accompanied by detailed justifications that reflect the country's specific context. To determine a single score per principle, the scores assigned to each dimension are aggregated using a weighted average, reflecting the relative importance of each dimension within the principle. This approach balances diverse perspectives, while maintaining a structured and objective evaluation framework.

This publication was funded by the European Union. Its contents are the sole responsibility of the author and do not necessarily reflect the views of the European Union.



EU SEE
SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Funded by
the European Union

Hivos
CIVICUS
DEMOCRACY REPORTING INTERNATIONAL
European Partnership for Democracy
forus
TRANSPARENCY INTERNATIONAL