



Published on *Freedom House* (<https://freedomhouse.org>)

[Home](#) > Swaziland

Swaziland

Country:

Swaziland

Year:

2016

Press Freedom Status:

Not Free

PFS Score:

82

Legal Environment:

25

Political Environment:

30

Economic Environment:

27

Overview

A web of repressive laws, combined with governmental intimidation and harassment of journalists, severely constrains Swaziland's media environment.

Key Developments

- In June 2015, the editor of the *Nation* magazine, Bheki Makhubu, was released from prison after winning an appeal of a 2015 contempt conviction connected to articles critical of Swaziland's chief justice.
- Journalists claimed that authorities prevented media coverage of a vehicular accident in August that killed a number of young women who had been traveling to the country's traditional Reed Dance.
- Student protesters attacked a television crew in August, apparently a due to concerns that they would be identified in news footage and punished by authorities.

Legal Environment: 25 / 30

Swaziland is Africa's last absolute monarchy. After mounting domestic and international pressure to reform, the constitution was revised in 2005 to explicitly protect freedom of expression and the press. King Mswati III, however, maintains the authority to suspend these rights at his unilateral discretion. Freedom of expression and of the press are already severely restricted in practice, especially when concerning political issues or the royal family.

A range of draconian laws limit media freedom in Swaziland, most notably the 2008 Suppression of Terrorism Act and the Sedition and Subversive Activities Act, which was first enacted in 1938 by the British colonial government. If convicted under the latter, individuals can be penalized with a prison sentence of up to 20 years. These laws, plus a range of others journalists risk violating—including the Proscribed Publications Act, the Cinematograph Act, the Obscene Publications Act, and the Protected Places and Areas Act—help create a chilling environment for media.

Defamation cases have been used to suppress critical media, and convictions can carry exorbitant fines. In 2014, the Supreme Court ordered the privately owned daily *Times of Swaziland* to pay a fine of 550,000 lilangeni (\$49,000) to senate president Gelane Simelane-Zwane, who launched a defamation case over a 2009 article that had questioned her family lineage and thus her claim to the chieftaincy of the KoNtshingila community. The fine was the highest ever issued in Swaziland for defamation.

The king has absolute authority to appoint and remove judges, which significantly compromises judicial independence. In June 2015, the editor of the *Nation* magazine, Bheki Makhubu, as well as activist and lawyer Thulani Maseko, won an appeal against their conviction on contempt of court charges and were released from prison, where the two each spent more than a year. The decision followed an assertion by the director of public prosecutions that their initial conviction had been “unsupportable,” and that the prosecution had failed to make a credible case. Their convictions were linked to the publication in 2014 of separate articles in which Makhubu and Maseko criticized the former Chief Justice Michael Ramodibedi, who had initiated the case against them.

Swaziland does not have a freedom of information law, and accessing government information is difficult. The Official Secrets Act further prohibits access to government-held information. However, retrieving information relevant to the rule of law and Swazi court decisions has become easier, following recent pressure from international human rights groups.

The Swaziland Media Complaints Commission, a supposedly self-regulatory body of journalists, was registered in 2011, but the commission is underfunded and press freedom advocates have raised concerns about its lack of independence. There has also been minimal progress on the establishment of the Swaziland Communication Commission, which was first approved in 2013; it essentially exists in name only.

Political Environment: 30 / 40 (↓2)

Swazi media content is marked by a high degree of both official censorship and self-censorship, primarily on official or royal matters. Self-censorship at both public and

privately owned outlets is encouraged by hostile rhetoric from government officials. Concerns about sanctions, job loss, and criminal prosecution also contribute to significant self-censorship among journalists.

Authorities have prevented journalists from covering newsworthy events. In 2015, journalists claimed that authorities moved to block reporters from covering a traffic accident in August, in which a number of women traveling to the traditional Reed Dance event were killed.

Intimidation by authorities, who often refer pointedly to laws that can be employed against journalists and media outlets, deters critical and independent reporting. Many press freedom advocates operate under pseudonyms on social media to avoid detection by and potential harassment from Swazi authorities. When speaking to international news outlets, Swazi journalists often insist on anonymity for “security reasons.” Swaziland’s hundreds of local chiefs are generally loyal to King Mswati, and journalists are subject to their surveillance. Journalists are reluctant to criticize advertisers for fear of losing contracts, and also experience significant pressure to provide favorable coverage of the monarchy and state-supported cultural events.

Separately, the *Times of Swaziland* reported in August 2015 that student protesters had attacked journalists from the privately owned Channel S television station, reportedly because the students were concerned that authorities could identify them in video footage and that they would subsequently face penalties.

Economic Environment: 27 / 30 (↓1)

The country’s two daily newspapers—the *Times of Swaziland* and the *Swazi Observer*—are read almost exclusively in urban areas. The *Times* is privately owned; the *Observer* is both owned and controlled by the king through a royal investment company, and many residents are unaware of its connections with the monarchy. The Swaziland Television Authority dominates the airwaves and generally casts a favorable light on the monarchy. State broadcasters are prohibited from reporting on the activities of labor unions, and private individuals cannot express opinions through state outlets without prior approval. The Swaziland Broadcasting and Information Services own and operate the main radio station in the country. Authorities have reportedly issued unwritten directives barring members of parliament from appearing on programs operated by the state broadcaster.

Those with sufficient funds are able to purchase South African newspapers and use satellite dishes to receive signals from international news media. However, 7 in 10 Swazis survive on less than \$2 a day, and can rarely afford such expenses. There is one largely independent radio station, Voice of the Church, which focuses on religious programming. Civil society and prodemocracy groups claim that authorities monitor electronic communications and social-networking websites. Access to the internet is low but has been increasing slowly, with about 31 percent of residents accessing the medium during 2015.

Advertisers, including the government, regularly exert financial pressure on media outlets to deter negative coverage of the monarchy, and their influence is highly significant in Swaziland's small economy. The government withholds advertising from critical outlets; for instance, it holds no direct contracts with the *Nation*, a monthly magazine (edited by Makhubu) that is critical of Swazi authorities. Journalists are poorly paid, and many have left the industry to work for the government or in the private sector.

Source URL: <https://freedomhouse.org/report/freedom-press/2016/swaziland>