

# URGENT ACTION

## DETAINED MPS MUST BE RELEASED IMMEDIATELY

Members of Eswatini Parliament Mduduzi Bacede Mabuza and Mthandeni Dube have been arbitrarily detained since 25 July 2021 on trumped-up charges, including those under the Suppression of Terrorism Act. While in detention, they have been beaten and denied access to their lawyer and medical care. Their prosecution stems from the peaceful exercise of their right to free speech. Their trial concluded on 31 January with judgment reserved indefinitely. They face 10 years in prison should they be found guilty. The politically motivated charges against them must be dropped and they be immediately released.

### TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*His Excellency Honourable Prime Minister*  
Cleopas Siphos Dlamini  
P.O Box 395, Mbabane, Kingdom of Eswatini  
Email: [csdlamini@gmail.com](mailto:csdlamini@gmail.com)

Dear Honourable Prime Minister,

*I am writing to bring to your attention the continued arbitrary detention of two Members of Parliament (MPs) **Mduduzi Bacede Mabuza** and **Mthandeni Dube**.*

*The two MPs' arrests came amid a wave of protests sparked in June 2021 calling for political reform following the mysterious death of 25-year-old law student, Thabani Nkomonye, who allegedly died at the hands of the police in early May 2021. Their arrest came shortly after they made speeches advocating for the election of the Prime Minister of Eswatini instead of one being appointed by the King. They advocated for the amendment of the constitution to provide to this election.*

*The two were arrested on the evening of 25 July 2021 and stand accused of contravening section 5(1) of the suppression of terrorism act of 2008, contravening section 4(b) of the sedition and subversive activities act of 1938, trumped up murder charges for the killing of Siphosethu Mntshali and Thando Shongwe on 29 June 2021, as well as contravening regulation 4 of the disaster management regulations under the disaster management act 01/2006. I understand that the two MPs were nowhere near the scene of the car accident that claimed the lives of Siphosethu Mntshali and Thando Shongwe on 29 June 2021.*

*The meeting in relation to the charge of contravening regulation 4 of the disaster management regulations, was not organised by Mduduzi Bacede Mabuza and Mthandeni Dube, they were merely attendees. Their multiple bail application including an appeal to the Supreme court of Eswatini were unsuccessful. Their trial ended on 31 January and judgment was withheld indefinitely while they remain in custody.*

*In the early hours of 22 September 2022, the two MPs were brutally attacked in their prison cell by members of a tactical unit that was responsible for transporting them to and from court. They were kicked and beaten with batons and when the other inmates tried to help, they also received a beating. Mduduzi Bacede Mabuza and Mthandeni Dube's lawyer was refused access to them, and the Department of Correctional services refused to take them to a private clinic for medical treatment for their injuries until their lawyers filed a successful urgent application to the court requesting that the MPs be taken to a private clinic for treatment.*

***I urge you to immediately and unconditionally release MP Bacede Mabuza and MP Mthandeni Dube and drop all charges against them as their prosecution stems from the exercise of their human rights. Pending their release, I urge you to order a prompt, impartial, independent, and effective investigation into the attack carried out against them and the other prisoners on 22 September 2022, ensuring those responsible are held to account.***

*Yours sincerely,*

## ADDITIONAL INFORMATION

Political activism has been suppressed for years in the Kingdom of Eswatini, where King Mswati III rules as Africa's last absolute monarch. Eswatini has a history of journalists, human rights defenders and political activists being jailed under repressive laws, including the 1938 Sedition and Subversive Activities Act (SSA Act) and the 2008 Suppression of Terrorism Act (STA), simply for speaking out against the repression of dissent.

Not only are certain provisions in the Suppression of Terrorism Act of 2008 threatening to human rights and inherently repressive – they also breach Eswatini's obligations under international and regional human rights law and the Constitution of Eswatini. This is directly in violation of the rights of freedom of expression, association and peaceful assembly. Activism, be it political or otherwise, should be possible in Eswatini without fear of reprisal. Despite political differences, respect for human rights law should be adhered to.

In July 2021, Eswatini saw one of its bloodiest protest repression. Amnesty International documented over 80 deaths from the protests, with the recent reports recording over 100 deaths. What started as a call for political reforms, through the delivery of petitions to members of parliament in their respective constituencies, was met with excessive use of force by law enforcement at the instruction of the country's leadership. Firstly, the Speaker of Parliament suggested it was 'unSwazi' to have petitions delivered. The then-acting Prime Minister ordered a stop to all petitions and unleashed the armed forces on the citizens.

### PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

### PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 1 May 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PRONOUN:** Mduduzi Bacede Mabuza, Mthandeni Dube (both he/him)

**LINK TO PREVIOUS UA:** <https://www.amnesty.org/en/documents/afr55/4971/2021/en/>

## ADDITIONAL TARGETS

Please send copies to

Hon. Pholile Dlamini-Shakantu  
Minister of Justice and Constitutional Affairs  
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