

ESWATINI

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Summary

According to 2024 World Bank data, the Kingdom of Eswatini (Eswatini) has a total population of 1 242 822, of which 610 191 are male and 632 631 are female. According to Eswatini's 2017 Population and Housing Census (PHC), an estimated population of 146 554 individuals, representing approximately 13 per cent of the total population, faced one form of disability or difficulty in performing certain functions. The most prevalent form of disability is visual disability, with 47 812 persons with visual disabilities representing 32,6 per cent; followed by mobility 38 905 representing 26,5 per cent; hearing 22 054 representing 15,6 per cent; cognition 17 591 representing 12 per cent; self-care 13 268 representing 9,1 per cent; and communication 6 924 representing 4,7 per cent.

The Kingdom of Eswatini signed the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and the Optional Protocol to the CRPD in 2007 and ratified both documents in 2012. The signing and ratification of the CRPD in 2012 resulted in significant domestic legal effects, which include the enactment of the Persons with Disability Act 2018, which formally enshrines the rights of persons with disabilities and obligations in national law.

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The Constitution of Eswatini contains provisions that directly and indirectly recognise and address disability. Section 30 of the Constitution provides that persons with disabilities have a right to respect and human dignity, and the government and society shall take appropriate measures to ensure that those persons realise their full mental and physical potential. Section 14 of the Constitution contains the Bill of Rights and provides for the protection of fundamental rights and freedoms of everyone, including persons with disabilities.

Eswatini also has policies and programmes that directly address the plight of persons with disabilities. This includes the National Disability Policy 2013; National Disability Plan of Action (NDPA) (2018-2022; 2024-2028); National Deployment Strategy 1999; National Population Policy (2002); National Education Policy and Special and Special Education Policy (1999); Broadcasting Content Guidelines 2017, revised 2022; and Infrastructure and Technological Access Programmes.

At the time of drafting this report, Eswatini does not have specific official bodies other than courts or tribunals that are established to address the rights of persons with disabilities. However, there are bodies, although not specifically established to address the rights of persons with disabilities, that can address violations of such rights. A key example is the Eswatini Commission on Human Rights and Public Administration (ECHRPA).

Disabled people's organisations (DPOs) are both nationally organised and regionally coordinated and are actively involved in engaging with the government of Eswatini on issues relating to persons with disabilities.

This research report reveals that DPOs have contributed to the implementation of the CRPD, Disabled Persons Act, and other legal frameworks, as well as policies that will promote their rights; therefore, there is a need to train DPOs on disability rights and human rights programmes.

The Department of Social Issues is embedded within the Deputy Prime Minister's Office; this department and other bodies lead disability inclusion by coordinating national policy development, overseeing the National Disability Plan of Action, and engaging with DPOs.

Despite policy advancement in the country, persons with disabilities continue to face cultural and structural challenges, such as access to education, access to quality healthcare, discrimination, and other forms of challenges.

While the Kingdom of Eswatini has made significant strides in terms of legal and policy advancement, implementation remains a challenge. There must be a concerted effort to ensure that legislation and policy are translated into concrete action that will impact on the lives of persons with disabilities on the ground.

1 Population indicators

1.1 What is the total population of Eswatini?

According to World Bank data 2024, the Kingdom of Eswatini has a total population of 1 242 822, of which 610 191 are male and 632 631 are female.¹

1 World Bank Group 'Population, female – Eswatini' <https://data.worldbank.org/indicator/SP.POP.TOTL.FE.IN?locations=SZ> (accessed 25 August 2025).

1.2 Describe the methodology used to obtain the statistical data on the prevalence of disability in Eswatini. What criteria are used to determine who falls within the class of persons with disabilities in Eswatini?

Eswatini's Population and Housing Census (PHC) was used to obtain data concerning the prevalence of disability in Eswatini. The criteria used to determine who falls within the class of persons with disabilities complies or conforms with the approach recognised by the United Nations. The 2017 PHC asked sets of questions developed by the Washington Group to determine disability. These questions were adopted by the UN for consistency and comparability.² The 2017 PHC asked questions concerning difficulties in the following areas: seeing, hearing, speaking, walking/climbing, remembering/concentrating, and self-care.³ The data presented excludes children below five years of age.⁴

1.3 What is the total number and percentage of persons with disabilities in Eswatini?

According to the 2017 PHC, an estimated population of 146 554 individuals, representing approximately 13 per cent of the total population, faced difficulties in performing certain functions.⁵

1.4 What is the total number and percentage of women with disabilities in Eswatini?

Females account for 16 per cent, while males account for 11 per cent.⁶

1.5 What is the total number and percentage of children with disabilities in Eswatini?

Data also reveals that 6,1 per cent of children between the ages of 5-9 years have some difficulties, 6 per cent of children between the ages of 10-14 have difficulties, and 5,6 per cent of children between the ages of 15-19 have difficulties.⁷

1.6 What are the most prevalent forms of disability and/or peculiarities to disability in Eswatini?

The most prevalent form of disability is visual disability, with 47 812 persons with visual disabilities representing 32,6 per cent, followed by mobility 38 905 representing 26,5 per cent, hearing 22 054 representing 15,6 per cent, cognition 17 591 representing 12 per cent, self-care 13 268 representing 9,1 per cent and communication 6 924 representing 4,7 per cent.⁸

2 The Kingdom of Eswatini's 'The 2017 Population and Housing Census: Volume 6' (2019) 2 <https://gov.sz/images/FinanceDocuments/Volume-6.pdf> (accessed 14 May 2025).

3 As above.

4 As above.

5 As above.

6 As above.

7 2017 PHC (n 2) 4.

8 As above.

2 Eswatini's international obligations

2.1 What is the status of the UN Convention on the Rights of Persons with Disabilities (CRPD) in Eswatini? Has Eswatini signed and ratified the CRPD? Provide the date(s).

Eswatini signed the CRPD and the Optional Protocol to the CRPD in 2007 and ratified both documents in 2012.⁹

2.2 If Eswatini has signed and ratified the CRPD, when is/was its country report due? Which government department is responsible for submission of the report? Has Eswatini submitted its report? If not, what reasons does the relevant government department give for the delay?

According to the United Nations Treaty Body Database, the country's initial report was due in October 2014, but it was only able to submit its report on 24 August 2022.¹⁰

The reason for Eswatini's failure to submit its report on the initial scheduled date of October 2014 could not be ascertained at the time of drafting this report.

The Deputy Prime Minister's Office is responsible for the Disability Unit, which is under the Social Welfare Department.¹¹

2.3 While reporting under various other UN instruments, the African Charter on Human and Peoples' Rights, or the African Charter on the Rights and Welfare of the Child, has Eswatini also reported specifically on the rights of persons with disabilities in its most recent reports? If so, were relevant concluding observations adopted? If relevant, were these observations given effect to? Was mention made of disability rights in Eswatini's UN Universal Periodic Review (UPR) report? If so, what was the effect of these observations or recommendations?

- In its report to the Committee on the Rights of the Child (CRC), which was due in 2011 but was submitted in 2017, concerns were raised about high-level discrimination against persons with disabilities and the high poverty rate among persons with disabilities in the country.¹² The Committee observes that 84 per cent of persons with disabilities are economically inactive and experience routine social isolation.¹³ In response to the concern raised by the Committee, the Government of

9 UN General Assembly, Optional Protocol to the Convention on the Rights of Persons with Disabilities, A/RES/61/106, Annex II, 13 December 2006. https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15a&chapter=4&clang=en (accessed 14 May 2025).

10 UN Treaty Body Database 'Deadlines for the submission of documentation for CRPD' https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/MasterCalendar.aspx?Treaty=CRPD (accessed 14 May 2025).

11 UNPRPD 'Situational analysis of the right persons with disabilities: Eswatini' Country Brief (2022) 8 https://unprpd.org/new/wp-content/uploads/2023/12/Situation_Analysis_CountryBrief_Eswatini-3a8.pdf (accessed 30 June 2025).

Eswatini noted that it has adopted a number of policies, laws, strategies, and programmes to address the plight of persons with disabilities in the country. It has strengthened enabling frameworks and guides, sectoral planning, budgeting, and evaluations, mainstreaming the recognition and realisation of the rights of children with disabilities.¹⁴

- The African Committee of Experts on the Rights and Welfare of the Child (ACERWC), in 2019, released Concluding Observations and Recommendations for the Kingdom of Eswatini on the status of implementation of the African Charter on the Rights and Welfare of the Child. The Committee commended Eswatini for adopting various measures in addressing the plight of children with disabilities in the country.¹⁵ Some of the measures highlighted by the Committee include, the enactment of Persons with Disabilities Act, 2018; the development of National Plan of Action and its Minority and Evaluation Framework; identification of learners with disabilities through the school health programme; procurement and training of school health nurses and senior medical doctors on early identification; educating government officials with specialised inclusive education diplomas and conducting capacity building pilot intervention for parents of children with hearing disabilities.¹⁶ These and other initiatives adopted by Eswatini to address the plight of persons with disabilities were commended by the Committee.¹⁷

The Committee also recommended that Eswatini embark on the following measures:

- Strengthen and scale up these initiatives to reach out to children with various types of disabilities, including mobility, visual, and mental disabilities.
- Undertake community sensitisation to combat the stigmatisation of children with disabilities.
- Undertake assessment of the needs of children with disabilities in other sectors/platforms aside from education, such as healthcare, family, and alternative care environment, a child participation platform with a view to ensuring their right to non-discrimination thereof.
- Undertake the necessary measures towards the implementation of inclusive education.
- The Committee further recommends that the state party take special measures towards decreasing the vulnerability of children with disabilities to sexual abuse and exploitation.
- In the Kingdom of Eswatini's second reporting cycle to the UPR, 131 recommendations were made for the country to address.¹⁸ Among these recommendations was the plight of persons with disabilities in the country. In its third reporting cycle at the UPR, the Kingdom of Eswatini was commended for taking measures to address the 131 recommendations made in the second reporting cycle.¹⁹ The effort the country is making to address the plight of persons with disabilities was acknowledged.²⁰

12 United Nations Committee on the Rights of the Child, Concluding Observations on the combined second to fourth periodic reports of Eswatini, 22 October 2021, UN Doc CRC/C/SWZ/2-4 (2019) para 47.

13 As above.

14 As above.

15 Concluding Observations and Recommendations by the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) on the Initial Report of the Republic Kingdom of Eswatini on the status of implementation of the African Charter on the Rights and Welfare of the Child (2019) https://reporting.acerwc.africa/sites/default/files/2022-06/Eswatini_Concludig_Observation.pdf (accessed 23 May 2025).

16 As above.

17 As above.

18 The Office of the United Nations High Commissioner for Human Rights 'The third cycle of the Universal Periodic Review (UPR) of the Kingdom of Eswatini' (2022) <https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/wgsessions/39th/2022-07-14/HC-Eswatini.pdf> (accessed 23 May 2025).

19 As above.

20 As above.

2.4 Was there any domestic effect in Eswatini’s legal system after ratifying the international and regional instruments in 2.3 above? Does the international or regional instrument that has been ratified require Eswatini’s legislature to incorporate it into the legal system before the instrument can have force in Eswatini’s domestic law? Have Eswatini’s courts ever considered this question? If so, cite the case(s).

Eswatini’s signing and ratification of the CRPD in 2012 have indeed resulted in significant domestic legal effects. Because of the ratification of the CRPD, it has enacted the Persons with Disabilities Act, 2018, which formally enshrines the rights of persons with disabilities and obligations in national law.

As part of the measures to ensure that Eswatini complies with its obligation towards the CRPD, a capacity-building workshop was organised to train judicial officers on issues relating to disability rights.²¹ The workshop empowers the capacity of state actors in the protection of human rights, and in particular, ensuring that magistrates are able to utilise a disability-rights lens when dealing with matters involving persons with disabilities.²²

2.5 With reference to 2.4 above, has the CRPD or any other ratified international instrument been domesticated? Provide details.

- Eswatini enacted the Persons with Disabilities Act in 2018.
- This Act reflects various provisions of the CRPD and other international instruments.

2.6 Do ratified international treaties automatically become domestic law under Eswatini’s legal system? If so, are there any cases where the courts applied international treaty provisions directly?

Eswatini follows a dualistic system in which provisions of international human rights treaties require a legislative process for purposes of domestication in accordance with section 238 of the Constitution. Provisions of international human rights treaties have been incorporated through various pieces of legislation and policies.

At the time of drafting this report, there are no known or reported cases in Eswatini where courts have directly applied international treaty provisions on disability rights.

21 ‘Eswatini: The judiciary can and should play a critical role in enhancing access to justice for persons with disabilities’ *ICJ* (2022) <https://www.icj.org/eswatini-the-judiciary-can-and-should-play-a-critical-role-in-enhancing-access-to-justice-for-persons-with-disabilities/#:~:text=a%20just%20society,-,Eswatini%3A%20The%20judiciary%20can%20and%20should%20play%20a%20critical%20role,justice%20for%20persons%20with%20disabilities&text=Persons%20with%20disabilities%20in%20Eswatini,participation%20in%20the%20justice%20system> (accessed 6 June 2025).

22 As above.

3 Constitution

3.1 Does Eswatini's Constitution contain provisions that directly address disability? If so, list the provisions and explain how each provision addresses disability.

Section 30: Rights of persons with disabilities

(1) Persons with disabilities have a right to respect and human dignity, and the Government and society shall take appropriate measures to ensure that those persons realise their full mental and physical potential.

(2) Parliament should enact laws for the protection of people with disabilities to enable those persons to enjoy productive and fulfilling lives.

The above constitutional provision is dedicated to disability rights. It recognises the inherent dignity of persons with disabilities. It also imposes a positive obligation on the state to take measures that ensure the full development of persons with disabilities by enacting specific legislation for their protection and inclusion.

3.2 Does Eswatini's Constitution contain provisions that indirectly address disability? If so, list the provisions and explain how each provision indirectly addresses disability.

Section 14: Fundamental rights and freedoms of the individual

The Constitution of Eswatini contains provisions that indirectly address disability. Section 14 of the Constitution contains the Bill of Rights and provides for the protection of fundamental rights and freedoms. It stipulates that everyone has the right to equality before the law and equal protection under the law. While this provision is general, it lays the foundation for non-discrimination, including based on disabilities.

Section 20: Equality before the law

1. All persons are equal before and under the law in all spheres of political, economic, social, and cultural life and in every other respect and shall enjoy equal protection of the law.

2. For the avoidance of any doubt, a person shall not be discriminated against on the grounds of gender, race, colour, ethnic origin, tribe, birth, creed or religion, or social or economic standing, political opinion, age, or disability.

This is the most explicit anti-discrimination provision relating to disability. It prohibits discrimination based on disability and promotes substantive equality in all aspects of life. It imposes a constitutional obligation on both state and private actors to respect, protect, and promote the rights of persons with disabilities.

4 Legislation

4.1 Does Eswatini have legislation that directly addresses disability? If so, list the legislation and explain how the legislation addresses disability.

Eswatini has a few laws that directly address disability, they are as follows:

Persons with Disabilities Act, 2018

The Persons with Disabilities Act, 2018, caters to the general rights and well-being of persons with disabilities. The Persons with Disabilities Act was enacted particularly to make provisions for healthcare, social support, accessibility, rehabilitation, education and vocational training, communication, employment or work protection, and promotion of basic rights of persons with disabilities. It ensures the improvement of the socio-economic status of men and women, and girls and boys with disabilities. It guarantees the rights to inclusive education, ensuring that no person or child with disability is excluded from mainstream schooling.

Children's Protection and Welfare Act, 2012

Section 4 of the Act provides that no child should be discriminated against based on 'disability' and other status. Section 11 further provides the following:

A child with disability has a right to special care, medical treatment, rehabilitation, family and personal integrity, sports and recreation, education, and training to help him enjoy a full and decent life in dignity and achieve the greatest degree of self-actualisation, self-reliance, and social integration possible.²³

4.2 Does Eswatini have legislation that indirectly address disability? If so, list the main legislation and explain how the legislation relates to disability.

The Employment Act of 1980, as amended, prohibits the unfair termination of employment. In terms of section 35(3)(e) and (f), an employer is prohibited from terminating an employee's services due to an accident or injury arising out of his employment. This provision indirectly protects employees with disabilities.

23 Children's Protection and Welfare Act, 2012, sec 11.

5 Decisions of courts and tribunals

5.1 Have the courts (or tribunals) in Eswatini ever decided on an issue relating to disability? If so, list the cases and provide a summary for each of the cases indicating the facts, the decision(s), the reasoning and impact (if any) the cases have had.

Ngwenya v Eswatini Wire (High Court of Eswatini, Case 89/2020)

Facts

Mr Ngwenya, an employee who was diagnosed with a disabling condition, was unilaterally retired by his employer, Eswatini Wire. He requested the Court to interdict or halt the retirement until a medical report clarifying his disability was obtained.

Decision

The High Court determined the application to be moot because retirement had already occurred, and terminal benefits were paid.

Reasoning

Even though the retirement violated the *Rule Nisi* (a temporary court order), the Court held that granting the interdict was impractical as the action (retirement) had been completed.

Mr Ngwenya argued that his rights had been infringed. However, the Court focused on proper procedure and enforceability rather than substantive disability rights.

Impact

- Demonstrated recognition by the judiciary of procedural protection in employment, notably when disability is involved.
- Highlighted the Court's reluctance to reverse completed actions even if procedural irregularities exist.
- Showed that employees with disabilities must act before retirement or dismissal to secure a remedy.

6 Policies and programmes

6.1 Does Eswatini have policies or programmes that directly address disability? If so, list each policy and explain how the policy addresses disability.

- **National Disability Policy (2013)**

A landmark policy was adopted in June 2013, which set a broad vision and objectives for disability inclusion.

The objectives of the policy are as follows:

- To improve the socio-economic status of men, women, boys, and girls with disabilities.
- To ensure equal access to education and health services.
- To guarantee accessible infrastructure and buildings
- To promote inclusive service delivery across all institutions.

- **National Disability Plan Action (NDPA)**

Multi-year implementation roadmaps aligned with the above framework:

- **2018-2022 NDPA**

- To operationalise the 2013 Policy and the 2018 Act.
- Government-funded assistive devices (wheelchairs, white canes, prostheses, and eyeglasses).
- Establish the National Advisory Council to monitor and coordinate disability mainstreaming.

- **2024-2028 NDPA**

- Launched in the month of June 2024, this latest plan continues the work started earlier.
- Focus areas include health, education, advocacy/awareness, and mainstreaming disability across all sectors.
- Emphasises inclusive education, health access, employment opportunities, social protection, and sports participation.

- **National Deployments Strategy (1999)**

Part of Eswatini's broader development agenda, which integrates disability, includes:

- Recognition of persons with disabilities as a disadvantaged group.
- Promotes socio-economic integration, equitable infrastructure, inclusive education, legislation, and infrastructural accessibility.

- **National Population Policy (2002)**

Includes disability under its thematic strategies:

- Establishes a national unit/framework for disability issues.
- Prioritises early detection, rehabilitation, non-discrimination, accessible transport and services, public sensitisation, and community empowerment.

- **National Education Policy and Special Education Policy (1999)**

Education sector inclusion:

- Mandates improved infrastructure (ramps, adapted classrooms) for learners with disabilities.
- Supports the integration of children with special learning needs from basic through tertiary education.
- Produced a Special Education Policy Statement, later reinforced in 2011.
- **Broadcasting Content Guidelines (2017, revised 2022)**
 - Media regulations include an anti-discrimination clause, prohibiting hate speech or vilification on grounds including disability.

Infrastructure and technology access programmes

Efforts to increase access for persons with disabilities through digital tools and accessibility features:

- Universal Access Service Fund provides assistive devices and mobile gadgets to support independent access to government services.
- United Nations-backed Advisory Council, created in April 2023 to advise on disability mainstreaming and implementation of the 2018 Act.

6.2 Does Eswatini have policies and programmes that indirectly address disability? If so, list each policy and describe how the policy indirectly addresses disability.

- **Eswatini National Youth Policy, 2020**

The National Youth Policy promotes an enabling environment, regardless of disability. The policy mandates that all youth programmes serve all young people regardless of disability. It ensures inclusive access to training, civic engagement, and development opportunities.²⁴

- **National Social Development Policy, 2010**

While not elaborated on in detail, it is cited among the national policy documents that allude to the rights and recognition of persons with disabilities. This suggests that social welfare programmes are designed with the inclusion and benefit of persons with disabilities in mind. Other national policy documents that alluded to the rights and recognition of persons with disabilities include the National Children's Policy (2009), National Plan of Action for Children in Eswatini (2023-2027), and Broadcasting Content Guidelines (2017 and 2022).

7 Disability bodies

7.1 Other than the ordinary courts or tribunals, does Eswatini have any official body that specifically addresses violations of the rights of persons with disabilities? If so, describe the body, its functions and powers.

At the time of drafting this report, there is yet to be a body that specifically addresses the violation of the rights of persons with disabilities in Eswatini.

24 Eswatini National Youth Policy, 2020.

7.2 Other than ordinary courts or tribunals, does Eswatini have any official body that, though not established to specifically address the violation of the rights of persons with disabilities, can nonetheless do so? If so, describe the body, its functions and powers.

Eswatini has official bodies other than courts or tribunals that are not specifically established to address the rights of persons with disabilities; however, it can address violations of such rights. A key example is the Eswatini Commission on Human Rights and Public Administration (ECHRPA)

- **ECHRPA**

The ECHRPA was established under section 163 of the Constitution of 2005, but began operation in September 2009, with the mandate to promote and protect human rights and ensure public accountability. The ECHRPA has the following functions and powers:

Although the Commission is not exclusively dedicated to disability rights, its broad human rights mandate allows it to deal with violations against persons with disabilities. Its functions include:

- Investigating complaints of human rights violations, maladministration, abuse of powers, and injustice.
- Monitoring the state's compliance with human rights obligations, including those under international and regional treaties.
- Making recommendations to government departments or public institutions to remedy violations or prevent recurrence.
- Receiving individual complaints from members of the public.
- Advising the government on laws and policies that affect human rights, including those affecting persons with disabilities.
- Public education and awareness-raising about human rights, equality, and non-discrimination.

Relevance to disability rights:

- Discriminatory practices against persons with disabilities.
- Inaccessibility of public services or buildings
- Denial of education, employment, or healthcare.
- Abuse or neglect in institutions or communities.

8 National human rights institutions, Human Rights Commission, Ombudsman or Public Protector

8.1 Does Eswatini have a Human Rights Commission, Ombudsman or a Public Protector? If so, does its remit include the promotion and protection of the rights of persons with disabilities? If your answer is yes, also indicate whether the Human Rights Commission, Ombudsman or Public Protector has ever addressed issues relating to the rights of persons with disabilities.

- **ECHRPA**

ECHRPA, which is envisioned under section 163 of Eswatini's Constitution, has not yet been fully operationalised, but when well established, it may play a role in addressing human rights violations, including those affecting persons with disabilities.

Powers and functions

- Investigating complaints of human rights violations, maladministration, abuse of powers, and injustice.
- Monitoring the state's compliance with human rights obligations, including those under international and regional treaties.
- Making recommendations to government departments or public institutions to remedy violations or prevent recurrence.
- Receiving individual complaints from members of the public.
- Advising the government on laws and policies that affect human rights, including those affecting persons with disabilities.
- Public education and awareness-raising about human rights, equality, and non-discrimination.

Relevance to disability rights:

- Discriminatory practices against persons with disabilities.
- Inaccessibility of public services or buildings
- Denial of education, employment, or healthcare.
- Abuse or neglect in institutions or communities.

Despite the establishment of CHRPA, a lack of funding has hampered its effective functioning. Consequently, there is no public record of the Commission investigating or addressing issues specifically related to the rights of persons with disabilities.

9 Disabled peoples organisations (DPOs) and other civil society organisations

9.1 Does Eswatini have organisations that represent and advocate for the rights and welfare of persons with disabilities? If so, list each organisation and describe its activities.

• **Federation of Organisations of the Disabled in Eswatini (FODSWA)**
FODSWA is a cross-disability umbrella organisation that was established in 1993 and is managed by persons with disabilities themselves. Its activities include the following:²⁵

- Coordinates and empowers member disabled people's organisations (DPOs).²⁶
- Advocates work with the government to implement disability laws and policies

25 Southern Africa Federation of the Disabled <https://safod.net/our-affiliates> (accessed 22 June 2022).

26 As above.

- Promotes gender sensitivity and empowerment, especially of women with disabilities, drawing on its own research studies.
- Active in research; partnered with Southern Africa Federation of the Disabled (SAFOD) on the 2011 national living condition study, and UNICEF on a 2010 assessment of children with disabilities.

• **Cheshire Homes Eswatini (CheSwa)**

CheSwa is a rehabilitation NGO established in 1986.²⁷ Its activities include the following:

- Offers outpatient, inpatient, and residential rehabilitation services.
- Conducts paediatrics' clinics twice a week, providing physiotherapy, occupational therapy, speech, and language therapy.
- Provide assistive devices (wheelchairs, clutches), counselling, transport, and services for parents, learning, and carers.

• **Swaziland National Association of the Deaf (SNAD)**

SNAD came into operation in 1989. Its activities include advocacy for human rights, sign language training, HIV education, and life skills support.²⁸

• **Parents of Children with Disabilities in Swaziland (PCDSWA)**

PCDSWA came into operation in the year 2000. Its activities include advocacy for the rights of children with disabilities and raising awareness of living with disabilities among parents, the government, and society.

• **Swaziland National Association of the Disabled**

The Organisation was established in 1991 to promote accessibility, human rights, equal opportunities, and independent living of persons with disability.²⁹

• **Swaziland Association of Persons with Albinism (SAPA)**

SAPA was founded in 2013 and registered in 2016. It is the first Swati Association to raise awareness on the conditions of persons with albinism in Eswatini.³⁰ Its activities include enhancing awareness of the condition of albinism in Eswatini by educating and providing user-friendly information on albinism to communities and dispelling myths and misconceptions about albinism.³¹

• **Disabled Women of Swaziland (DIWOSWA)**

DIWOSWA was operationalised in the year 2013, and its main activities include capacity-building for persons with disabilities, women's advocacy for women with disabilities, and provision of assistive devices.³² It deals with issues relating to physical disabilities, women with visual disabilities, women with hearing

27 Cheshire Homes Eswatini <http://cheshire.org.sz/about-us.php> (accessed 22 June 2025).

28 Organisations of Persons with Disabilities in Eswatini https://rodra.co.za/images/countries/eswatini/Organisations_of_Persons_with_Disabilities_in_Eswatini.pdf (accessed 22 June 2025).

29 Independent Living Institute 'Swaziland National Association of the Disabled' <https://www.independentliving.org/cib/cibharare6.html> (accessed 22 of June 2025).

30 Submission by Africa Albinism Alliance, Albinism Society of Eswatini & Swaziland Association of Persons with Albinism to the Committee on the Rights of the Child on the situation of children with albinism in Eswatini (2021) <https://africaalbinism.network.org/wp-content/uploads/2022/09/1637237085527d3pylo49fw-1.pdf> (accessed 22 of June 2025).

31 As above.

32 Deputy Prime Minister Office of the Kingdom of Eswatini 'Organisation of and for persons with disability service directory' (2024) <https://www.unicef.org/eswatini/media/1946/file/Eswatini%20Disability%20Service%20Directory%202024.pdf.pdf> (accessed 22 of June 2025).

disabilities, women with psychosocial/psychiatric disabilities, and women with albinism.³³

9.2 In the countries in Eswatini's region, are DPOs organised or coordinated at a national and/or regional level?

DPOs are both nationally organised and regionally coordinated. In Eswatini, DPOs are coordinated primarily through national umbrella bodies. The most prominent include the Federation of the Organisations of the Disabled in Swaziland (FODSWA).³⁴ It acts as the national umbrella body for DPOs in Eswatini. It mandates, includes advocating for the rights of persons with disabilities, engages in policy dialogue, and represents DPOs at national and regional forums. At the regional level through SAFOD.³⁵

9.3 If Eswatini has ratified the CRPD, how has it ensured the involvement of DPOs in the implementation process?

Participatory drafting of National Disability Policy (2013) and Persons with Disabilities Bill (2014)

Eswatini ratified the CRPD on 24 September 2012, and shortly after organised a consultative workshop (24-28 September 2012) for drafting its 2013 National Disability Policy.³⁶ The Deputy Prime Minister's Office invited inputs from government ministries, civil society, the private sector, and DPOs, ensuring that their voices were incorporated in the policy text.³⁷ Similarly, DPOs served advisory roles with the Disability Unit during the drafting of the Persons with Disabilities Bill in 2014.

DPO-initiated advocacy and shadow reporting

Eswatini's FODSWA and other DPOs were instrumental in lobbying for CRPD ratification and in drafting disability-related legislation. They have submitted shadow (parallel) reports on CRPD implementation, complementing the government's reporting and providing independent perspectives.³⁸

Ongoing participation in implementation mechanisms

The National Disability Technical Working Group (2023), supported by United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD)/United Nations Educational, Scientific and Cultural Organisation (UNESCO), the government, including the Deputy Prime Minister's Office, and DPOs formalised

33 As above.

34 Deputy Prime Minister Office of the Kingdom of Eswatini (n 32).

35 Southern Africa Federation of the Disabled <https://safod.net/our-affiliates> (accessed 22 June 2025).

36 Deputy Prime Ministers Office 'Swaziland National Disability Plan of Action (NDPA) 2015-2020' (2015) <https://afri-can.org/wp-content/uploads/2019/08/Swaziland-Plan-of-Action-on-Disability.pdf> (accessed 22 June 2025).

37 As above.

38 Submission with respect to the third periodic cycle of the Universal Periodic Review (UPR) of the Kingdom of Eswatini 39th Session of the UPR Working Group (October/November 2021) https://upr-info.org/sites/default/files/documents/2021-10/js5_upr_39_swz_e_main.pdf (accessed 22 June 2025).

the National Disability Technical Working Group to coordinate, monitor, and expand disability programming.³⁹

Inter-Ministerial Committee and NDPA (2024-2028)

In late 2023, Eswatini launched the Inter-Ministerial Committee to mainstream disability inclusion across all 24 ministries, with active participation from FODSWA and other DPOs.⁴⁰ In February 2024, stakeholders validated the 2024-2028 National Disability Plan of Action (NDPA), co-created by government and DPOs, under UNPRPD auspices.⁴¹

9.4 What types of actions have DPOs themselves taken to ensure that they are fully embedded in the process of implementation?

DPOs have undertaken a range of actions to ensure that they are fully embedded in the process of implementation, including advocacy, partnership, capacity-building, and monitoring actions to ensure their full inclusion in the implementation of disability rights frameworks. For example, in area of advocacy and lobbying for legal and policy reforms, DPOs such as the FODSWA have played an essential role in successfully advocating for the adoption of a national disability law (culminating in the enactment of the 2018 Disability Act), and aligning national frameworks with the CRPD.⁴² Participating in drafting sessions for the National Disability Policy (NDP) and Disability Mainstreaming Guidelines.⁴³ Calling on the government to ratify and implement international and regional treaties, including the CRPD, which was eventually ratified in 2012.⁴⁴

In terms of strategic partnerships and government engagement, DPOs have engaged directly with line ministries, especially the Ministry of Administration and Development and the Ministry of Education, to co-develop disability action plans, push for inclusion in education, such as through the Inclusive Education Policy (2011), and support children with disabilities.⁴⁵

They have also collaborated with the UNICEF Eswatini Country Office and USAID on capacity-building programmes for state actors to recognise DPOs as key stakeholders in implementation.⁴⁶

In terms of capacity building and leadership development to enhance their role in implementation, DPOs have trained members in policy analysis, monitoring, and CRPD-based advocacy.⁴⁷ They supported the development of self-advocacy groups, especially for women and children with disabilities, to ensure grassroots

39 UNESCO 'UNPRPD MPTF supports disability-inclusion in Eswatini' (2023) <https://www.unesco.org/en/articles/unprpd-mptf-supports-disability-inclusion-eswatini> (accessed 22 June 2025).

40 UNESCO 'Ministerial Committee to Mainstream Disability Inclusion' (2023) www.unesco.org/en/articles/eswatini-launch-inter-ministerial-committee-mainstream-disability-inclusion (accessed 27 June 2025).

41 UNESCO 'Eswatini stakeholders endorse new 5-year Disability Plan of Action' (2024) <https://www.unesco.org/en/articles/eswatini-stakeholders-endorse-new-5-year-disability-plan-action> (accessed 27 June 2025).

42 Inclusion International and FODSWA Reports (2020).

43 As above.

44 UNDP Eswatini Country Office (2022).

45 USAID Southern Africa Disability Programming Reports (2021).

46 UNICEF Eswatini Inclusive Education Reports (2018-2023).

47 African Disability Alliance Reports (2020-2023).

voices are heard in implementation mechanisms.⁴⁸ They also run workshops on data collection and rights awareness to strengthen evidence-based engagement.

9.5 What, if any, are the barriers DPOs have faced in engaging with implementation?

Resource constraints and donor dependence: Most DPOs in Eswatini operate on very limited budgets, relying heavily on international donor funding.⁴⁹ This limits their sustainability, independence, and ability to effectively monitor or implement disability rights frameworks.⁵⁰

Limited data and research infrastructure: DPOs lack access to disaggregated data on disability, which is essential for evidence-based advocacy and for holding the government accountable on service delivery and rights implementation.⁵¹

9.6 Are there specific instances that provide ‘best-practice models’ for ensuring proper involvement of DPOs?

Eswatini offers several notable best-practice models for ensuring the meaningful involvement of DPOs in implementing its disability rights frameworks. Some of the best-practice models are as follows:

Establishment of the National Disability Technical Working Group (ND TWG)

Established under the UNPRPD and Multi Partner Trust Fund Project Team (MPTF) initiative (2022-present), this multi-stakeholder TWG brings together government officials, UN agencies, and DPO representatives on an equal basis, to guide planning, coordination, implementation, and monitoring of national disability policies.⁵² DPOs actively co-chair sessions, contribute to drafting the 2024-2028 Disability Plan of Action, and shape national mainstreaming strategies.⁵³

National Advisory Council for Persons with Disabilities

Formally inaugurated in April 2023 via the UNPRPD project under the Deputy Prime Minister’s Office, this high-level council includes DPO leaders, government ministers, and UN partners. It serves as a permanent consultative and monitoring body, directly influencing the implementation of the 2018 Disability Act.

48 UNFPA Eswatini ‘Inclusion of Women with Disabilities in SRHR Programming’ (2021).

49 SAFOD ‘Strategic Plan 2016-2020’ <https://www.safod.net> (accessed 22 June 2025).

50 As above.

51 United Nations Economic Commission for Africa (UNECA) ‘Disability and development report: Realizing the SDGs by, for and with persons with disabilities’ (2018) <https://www.un.org/development/desa> (accessed 22 June 2025).

52 UNESCO ‘UNPRPD MPTF supports disability-inclusion in Eswatini’ (2023) <https://www.unesco.org/en/articles/unprpd-mptf-supports-disability-inclusion-eswatini?> (accessed 27 June 2025).

53 UNESCO ‘Eswatini stakeholders endorse new 5-year Disability Plan of Action’ (2024) <https://www.unesco.org/en/articles/eswatini-stakeholders-endorse-new-5-year-disability-plan-action> (accessed 27 June 2025).

Collaborative drafting of the National Disability Plan of Action (NDPA) 2024-2028

In early 2024, a validation workshop in Manzini included around 80 stakeholders, among them DPOs.⁵⁴ This ensured that the resulting NDPA covering health, education, advocacy, and data systems was co-developed with DPO insights and ownership.

Integration of disability statistics into national MIS

UNICEF-led efforts in 2024 introduced a Disability Management Information System (DMIS) into Eswatini's national MIS.⁵⁵ Crucially, this involved stakeholder engagement with DPOs at all stages, from design to oversight, ensuring data collection reflects the lived experience of people with disabilities.

9.7 Are there any specific outcomes regarding successful implementation and/or improved recognition of the rights of persons with disabilities that resulted from the engagement of DPOs in the implementation process?

The engagement of DPOs in Eswatini (formerly Swaziland) has led to several tangible outcomes that demonstrate improved recognition and enforcement of disability rights:

Policy and legislation

The 2013 National Disability Policy and the 2018 Disability Act were drafted using a participatory, CRPD-aligned process in which DPOs were actively involved, marking their transition from consultative to collaborative actors in policymaking.⁵⁶

Governance and coordination

The National Disability Technical Working Group (2023), co-led by government and DPO representatives (including FODSWA), supports planning, coordination, and monitoring for disability inclusion in national development frameworks.⁵⁷ The National Advisory Council (2023), established with strong DPO involvement under a UNPRPD initiative, provides institutional mechanisms to guide implementation of the 2018 Disability Act.⁵⁸

54 As above.

55 UNICEF 'Disability dimension in Eswatini's National Management Information System: Disability dimension in Eswatini's National Management Information System 2024' (2024) <https://www.unicef.org/eswatini/reports/disability-dimension-eswatini-national-management-information-system-2024?> (accessed 27 June 2025).

56 Deputy Prime Ministers Office 'Swaziland National Disability Plan of Action (NDPA) 2015-2020' (2015) <https://afri-can.org/wp-content/uploads/2019/08/Swaziland-Plan-of-Action-on-Disability.pdf> (accessed 22 of June 2025).

57 UNESCO 'UNPRPD MPTF supports disability-inclusion in Eswatini' (2023) <https://www.unesco.org/en/articles/unprpd-mptf-supports-disability-inclusion-eswatini?> (accessed 22 June 2025).

58 United Nations Eswatini 'Eswatini unveils Advisory Council for persons with disabilities' (2023) <https://eswatini.un.org/en/226458-eswatini-unveils-advisory-council-persons-disabilities> (accessed 22 June 2025).

Strategic planning and action

The 2024-2028 Disability Plan of Action, was validated through workshops that included over 80 stakeholders, among them the government, UN agencies, and DPOs.⁵⁹ This plan institutionalises DPO participation in national programme design and implementation.

Service delivery and education

Inclusive Education Gains: Efforts to mainstream special needs education, like ramp installations, braille training in tertiary institutions, and affordable assistive devices, stem from DPO advocacy backed by policy endorsement.⁶⁰

Disability Service Directory and Management Info System (2024): Created under the joint government, United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD), supported by UNICEF, UNFPA, and UNESCO, in collaboration with DPOs playing oversight roles in data collection and service coordination.⁶¹

9.8 Has your research shown areas for capacity building and support (particularly in relation to research) for DPOs with respect to their engagement with the implementation process?

DPOs have contributed to the implementation of the CRPD, Persons with Disabilities Act, and other legal frameworks, as well as policies that will promote their rights; therefore, there is a need to train DPOs on disability rights and human rights programmes.

9.9 Are there recommendations that come out of your research as to how DPOs might be more comprehensively empowered to take a leading role in the implementation processes of international or regional instruments?

There are several recommendations, both from global best practices and region-specific frameworks on how DPOs in Eswatini can be more comprehensively empowered to take a leading role in implementing international and regional disability rights instruments such as the CRPD and the African Disability Protocol (ADP).

Formal institutional participation mechanisms

- Establish or strengthen national disability councils or inter-ministerial committees with mandated DPO representation, giving DPOs voting powers rather than observer status.

59 UNESCO 'Eswatini stakeholders endorse new 5-year Disability Plan of Action' (2024) <https://www.unesco.org/en/articles/eswatini-stakeholders-endorse-new-5-year-disability-plan-action> (accessed 27 June 2025).

60 SAFOD 'Unlocking an inclusive society for persons with disabilities in Southern Africa' <https://safod.net/> (accessed 26 October 2025).

61 UNICEF 'Eswatini Disability Service Directory' (2024) <https://www.unicef.org/eswatini/reports/eswatini-disability-service-directory-2024> (accessed 27 June 2025).

- Strengthen DPO involvement in treaty reporting processes, including the CRPD Committee's review cycles, ensuring that they submit alternative (shadow) reports and participate in dialogues with international bodies.

Capacity building and resources

Provide sustainable funding to DPOs through government grants or donor partnerships to support their operations, advocacy, and policy engagement. Support training programmes for DPOs on: International and regional human rights instruments (for example, CRPD, ADP, and Sustainable Development Goals), rights-based advocacy, strategic litigation, participatory governance, and data collection.

Data and research collaboration

- Empower DPOs to be part of disability-disaggregated data collection and analysis, a key requirement under article 31 of the CRPD.
- Fund community-based research led by DPOs to document barriers and progress in disability rights implementation.

Monitoring and accountability mechanisms

- Integrate DPOs into the national human rights monitoring framework, including National Human Rights Institutions (NHRIs) and ombudsman bodies.
- Support DPOs in using regional and international complaint mechanisms, such as submitting communications to the CRPD Committee or the African Commission on Human and Peoples' Rights.

9.10 Are there specific research institutes in your region that work on the rights of persons with disabilities and that have facilitated the involvement of DPOs in the process, including in research?

No standalone disability research institute has been established in Eswatini. However, the combined engagement of FODSWA, a DPO; Regional bodies such as the SAFOD; and international partners such as United Nations International Children's Emergency Fund (UNICEF), the United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD), and national ministries have formed an effective, cross-sector research ecosystem.

10 Government departments

10.1 Do you have government department(s) that is/are specifically responsible for promoting and protecting the rights and welfare of persons with disabilities? If so, describe the activities of the department(s).

Deputy Prime Minister's Office (DPMO)

The Department of Social Issues is embedded within the DPMO; this department leads disability inclusion by coordinating national policy development, overseeing the National Disability Plan of Action, and engaging with DPOs.⁶²

National Disability Technical Working Group and Inter-Ministerial Committee

Established under the DPMO with UNPRPD support (UNICEF/UNESCO/UNFPA), these bodies bring together 24 ministerial focal points and DPO leadership to plan, implement, monitor, and mainstream disability rights across government.⁶³

National Advisory Council for Persons with Disabilities

- Inaugurated in April 2023 by the Deputy Prime Minister to operationalise the 2018 Persons with Disabilities Act.⁶⁴
- Comprised of both government officials and disability advocates/DPO leaders, tasked with safeguarding welfare, equity, and disability mainstreaming across public services.

Sector ministries

While there's no stand-alone 'Ministry of Disability', various ministries (Education, Health, Justice, etc) have disability units and focal points,⁶⁵ coordinated via the Inter-Ministerial Committee to ensure inclusive policy implementation. For example, the Ministry of Education has established Special Needs Units in teacher training colleges and integrated disability accommodations in mainstream education.⁶⁶

62 UNESCO 'UNPRPD MPTF supports disability-inclusion in Eswatini' (2023) <https://www.unesco.org/en/articles/unprpd-mptf-supports-disability-inclusion-eswatini> (accessed 27 June 2025).

63 As above.

64 United Nations Eswatini 'Remarks at the inauguration of the National Advisory Council for Persons with Disabilities' (2023) <https://eswatini.un.org/en/227573-remarks-inauguration-national-advisory-council-persons-disabilities> (accessed 27 June 2025).

65 As above.

66 UNESCO 'Eswatini to launch inter-ministerial committee to mainstream disability inclusion' (2023) <https://www.unesco.org/en/articles/eswatini-launch-inter-ministerial-committee-mainstream-disability-inclusion> (accessed 27 June 2025). Also see UNESCO 'Strengthening disability inclusion in the Kingdom of Eswatini's UNSDCF processes: Building synergies between UN Mechanisms and the National Disability Plan of Action (2024-2028)' (2025) <https://eswatini.un.org/sites/default/files/2025-06/Strengthening%20disability%20inclusion%20in%20the%20Kingdom%20of%20Eswatini%27s.pdf> (accessed 27 June 2025).

11 Main human rights concerns of people with disabilities in Eswatini

11.1 What are the contemporary challenges of persons with disabilities in Eswatini?

Persons with disabilities in Eswatini face a wide range of significant challenges today, both structural and cultural, despite recent policy advancements:

Accessibility barriers

- **Physical infrastructure:** Many health and education facilities lack ramps, accessible restrooms, and appropriate parking. For example, only four per cent of health facilities have disability parking, and nine per cent have accessible toilets.⁶⁷
- **Assistive devices shortage:** Critical tools like wheelchairs, hearing aids, white canes, and braille materials are scarce, due to limited funding.⁶⁸

Health and sexual and reproductive rights

- **SRH services:** Persons with disabilities often encounter untrained staff (74 per cent lack sign language skills) and communication barriers (for example, no interpreters, zero braille materials) in facilities.⁶⁹
- **HIV vulnerability:** Persons with disabilities, particularly women with cognitive or physical disabilities, face higher HIV risk and exclusion from prevention programmes.⁷⁰

Educational and employment exclusion

- **Education:** Teacher shortages in special needs training, late school entry, grade repetition, and lack of early identification support impair inclusion.⁷¹

67 UNFPA Eswatini 'A health facility assessment shows that persons with disabilities face challenges as they access health services' (2021) <https://eswatini.unfpa.org/en/news/health-facility-assessment-shows-persons-disabilities-face-challenges-they-access-health> (accessed 28 June 2025).

68 UNESCO 'Eswatini stakeholders endorse new 5-year Disability Plan of Action' (2024) <https://www.unesco.org/en/articles/eswatini-stakeholders-endorse-new-5-year-disability-plan-action> (accessed 27 June 2025).

69 UNFPA Eswatini (n 67).

70 African Press 'HIV prevalence high among disabled in Eswatini – FODSWA' (2024) <https://www.africa-press.net/eswatini/all-news/hiv-prevalence-high-among-disabled-in-eswatini-fodswa> (accessed 28 June 2025).

71 N Musi 'Eswatini university steps up inclusion efforts with the opening of disability support center' (2024) <https://www.voanews.com/a/eswatini-university-steps-up-inclusion-efforts-with-the-opening-of-disability-support-center-/7827379.html> (accessed 28 June 2025).

- **Employment:** 85 per cent unemployment among persons with disabilities.⁷² Women were particularly affected (9 862 females unemployed versus 5 667 males).⁷³

Social exclusion and discrimination

- **Traditional stigma:** Despite legislative and policy improvement, persons with disabilities still face the challenge of social exclusion and discrimination.⁷⁴

Safety and sexual violence

- Persons with disabilities are at heightened risk for sexual abuse and exploitation, perpetuating cycles of poverty, trauma, and disease.⁷⁵

11.2 Describe the contemporary challenges of persons with disabilities, and the legal responses thereto, and assess the adequacy of these responses.

<p>Access to public buildings, premises, transport services, stations and platforms services and other recreational services.</p>	<p>Access to public buildings and premises National policies and legal framework</p> <ul style="list-style-type: none"> • The 2013 National Disability Policy mandates that all buildings and infrastructure be accessible to persons with disabilities, aligning with the 2018 Disability Act. • Complementing this, the 2024-2028 National Disability Plan of Action (NDPA) explicitly includes mainstreaming disability inclusion across all sectors, including health, education, transport, and sporting/recreational facilities. • To oversee implementation, Eswatini has formed the National Advisory Council and an Inter-Ministerial Committee to coordinate and monitor access compliance. <p>Transport services and stations/platforms Strategic emphasis</p> <ul style="list-style-type: none"> • Transport falls directly under the NDPA goals for inclusive infrastructure, monitored by the Inter-Ministerial Committee. • Public transport operators have been urged by the Deputy Prime Minister to respect and properly communicate with passengers with disabilities. Initiatives include training rank staff in basic sign language at key bus stops. <p>Recreational services and other public facilities</p> <ul style="list-style-type: none"> • The NDPA and Disability Policy require that persons with disabilities enjoy equal access to sports, and other opportunities and services. This implies that recreation grounds and cultural venues should be accessible.
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72 As above.

73 T Mazibuko ‘Breaking barriers: Deputy Prime Minister tackles high unemployment among people with disabilities’ *Eswatini Daily News* 28 June 2025 <https://swazidailynews.com/2024/10/13/breaking-barriers-deputy-prime-minister-tackles-high-unemployment-among-people-with-disabilities/> (accessed 28 June 2025).

74 UNICEF Fact Sheet ‘Children with disabilities’ (2022) https://www.unicef.org/sites/default/files/2022-10/GIP02115_UNICEF_Children-with-Disabilities-Factsheet-final%20-%20accessible.pdf (accessed 28 June 2025) 27.

75 United Nations Eswatini ‘Eswatini unveils Advisory Council for persons with disabilities’ (2023) <https://eswatini.un.org/en/226458-eswatini-unveils-advisory-council-persons-disabilities> (accessed 28 June 2025).

<p>Access to education and vocational training.</p>	<p>Inclusive Education Policy (2011)</p> <ul style="list-style-type: none"> • The Ministry of Education and Training (MoET) adopted this policy to mainstream inclusive education, aiming to accommodate learners with special education needs. • It provides for: <ul style="list-style-type: none"> • Teacher training on inclusive practices. • Early identification and assessment of children with disabilities • Resource centres and support services. <p>Education and Training Sector Policy (2018-2030)</p> <ul style="list-style-type: none"> • Sets strategic goals for improving equity in access to education, including for learners with disabilities. • Recommends development of infrastructure, curriculum adaptations, and vocational options for all. <p>Eswatini National Youth Policy (2020)</p> <ul style="list-style-type: none"> • Acknowledges the marginalisation of youth with disabilities in vocational training. • Calls for inclusive technical and vocational education and training (TVET) programmes. <p>TVET institutions and access</p> <ul style="list-style-type: none"> • Institutions like Gwamile Vocational and Commercial Training Institute have piloted disability-sensitive training models, but these are not yet widespread. • Lack of assistive technologies, accessible curricula, and career guidance tailored to disability needs limits full participation.
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<p>Access to employment</p>	<p>National Disability Plan of Action (2024-2028) Eswatini's new plan, endorsed in February 2024, explicitly lists employment as a key focus area. It aligns with CRPD article 27 (right to work), committing to 'inclusive education, training, and promotion of equitable access to the open labour market' for persons with disabilities.</p> <p>Creation of a qualifications database The Deputy Prime Minister's Office (DPMO) launched a mechanism for persons with disabilities to submit their qualifications for inclusion in a government-managed skills database, aimed at matching them with potential job opportunities. (Africa Press 'DPMO wants qualifications for people with disabilities' (2024) https://www.africa-press.net/eswatini/all-news/dpmo-wants-qualifications-for-people-with-disabilities (accessed 28 June 2025))</p> <p>Mainstreaming via DPMO and guidelines A National Disability Technical Working Group (established in August 2023) oversees the implementation of disability inclusion across sectors, including employment initiatives. (UNESCO 'UNPRPD MPTF supports disability-inclusion in Eswatini' (2023) https://www.unesco.org/en/articles/unprpd-mptf-supports-disability-inclusion-eswatini (accessed 27 June 2025))</p> <p>Operationalisation of the Persons with Disabilities Act (2018) In April 2023, a National Advisory Council was formed under this Act to monitor implementation. Among its mandates is ensuring access to economic opportunities for persons with disabilities. (United Nations Eswatini 'Eswatini unveils Advisory Council for persons with disabilities' (2023) https://eswatini.un.org/en/226458-eswatini-unveils-advisory-council-persons-disabilities (accessed 28 June 2025))</p> <p>Awareness campaigns & job fairs The DPMO has organised a National Job and Entrepreneurial Expo for persons with disabilities. Deputy PMs emphasised inclusive hiring and entrepreneurship and expressed intentions to pass an employment equity law mandating corporate hiring of persons with disabilities.</p>
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11.3 Do persons with disabilities have a right to participation in political life (political representation and leadership) in Eswatini?

The 2005 Constitution guarantees the right to vote and to be voted for to all persons without discrimination in section 85. Persons with disabilities have the right to participate in politics.⁷⁶ However, several barriers hinder the full political participation of persons with disabilities in Eswatini:

- **Inaccessible voting infrastructure** (for example, lack of braille ballots, ramps, or sign language interpreters).⁷⁷
- **Limited representation** of persons with disabilities in parliament and local government structures.⁷⁸
- **Social stigma and discrimination**, limiting leadership opportunities.⁷⁹

11.4 Are persons with disabilities' socio-economic rights, including the right to health, education and other social services protected and realised in the Eswatini?

Eswatini does provide income support measures for persons with disabilities, primarily through a disability social grant managed by the government's Social Welfare Department under the Ministry of Labour and Social Security and the Deputy Prime Minister's Office (DPMO).

The government spent approximately E496.4 million in the 2024/25 fiscal year on elderly and disability grants combined.

11.5 Specific categories experiencing particular issues/vulnerabilities.

Women and children with disabilities, and people with albinism in Eswatini face overlapping challenges. These challenges include widespread stigma, social exclusion, higher risk of physical and sexual violence, and major barriers to health facilities.⁸⁰

Women with disabilities

Women with disabilities face intersectionality of challenges. In addition to the general marginalisation that women encounter, women with disabilities face additional challenges of discrimination and stigmatisation in Eswatini on account of their disability. A country report by the UNPRPD, noted that women and girls with disabilities suffer particularly from sexual violence due to their vulnerability.⁸¹ This is also due to the perception that perpetrators of this crime may not be successfully prosecuted. Access to justice for women and girls is extremely poor due to lack of training by police and judicial staff, a lack of sensitivity, poor

76 K Thwala 'Eswatini ensuring inclusive election for persons with disabilities' *Eswatini Daily News* 3 June 2023 <https://swazidailynews.com/2023/06/03/eswatini-ensuring-inclusive-election-for-persons-with-disabilities/> (accessed 28 June 2025).

77 African Union 'Election observation mission to the 29th of September 2023 general elections in the kingdom of Eswatini' (2023) https://au.int/sites/default/files/pressreleases/43197-pr-PRELIMINARY_STATEMENT_-_AUEOM_IN_THE_KINGDOM_OF_ESWATINI_-_1_OCT_2023.pdf (accessed 28 June 2025).

78 As above.

79 As above.

80 UNPRPD (n 11) 17.

81 UNPRPD (n 11) 39.

infrastructure, communication and resources and stigma among family members.⁸²

Challenges face by persons with albinism

Albinism is a rare genetically inherited condition resulting in deficiency in production of melanin characterised by the partial or complete absence of pigment in the skin, hair and eyes.⁸³ This results in persons with albinism having the challenge of visual disability, and a high degree of vulnerability to skin damage as result of exposure to the sun.⁸⁴ This puts people with albinism at a higher risk of skin cancer.⁸⁵ Consequently, people with albinism require access to health facilities, which sometimes are not easily accessible to them in Eswatini. People with albinism also experience social challenges ranging from discrimination, stigmatisation and social exclusion due to their skin colour.⁸⁶

Challenges faced by children with disabilities

Children with disabilities encounter varying challenges, including access to education, health, social stigmatisation and social isolation. Several schools are not equipped to cater for children with disabilities.⁸⁷ Several schools lack trained teachers to cater for children with disabilities, and shortages of assistive technologies and negative attitudes of staff and fellow students towards children with disabilities, negatively affects their access to education.⁸⁸ Stigmatisation of children with disabilities, often results in their exclusion from community life and opportunities.⁸⁹

12 Future perspective

12.1 Are there any specific measures with regard to persons with disabilities being debated or considered in Eswatini at the moment?

Eswatini is actively considering and implementing several important measures for persons with disabilities at the moment, including:

- National Disability Plan of Action (2024-2028).
- Prioritising employment & entrepreneurship for persons with disabilities.
- Education and university inclusion for persons with disabilities.
- Ensuring ongoing accessibility in the voting infrastructure.

82 As above.

83 MA Miti-Drummond 'The report of the Independent Expert on the enjoyment of human rights by persons with albinism on children with albinism and the right to a family life' UN Doc A/79/175 (18 July 2024) 3.

84 As above.

85 As above.

86 As above.

87 P Mpofo & N Mkhathshwa 'The practicality of inclusive education in Eswatini primary schools' (2024) 5 *International Journal of Educational Management and Development Studies* 158, 168.

88 As above.

89 UN Eswatini 'United Nations Common Country analysis of the Kingdom of Eswatini' (April 2020) <https://eswatini.un.org/sites/default/files/2021-03/CCA%20Report%20-%20FINAL%20for%20printing%2022%20July.pdf> (accessed 04 December 2025).

12.2 What legal reforms are being proposed? Which legal reforms would you like to see in Eswatini? Why?

Eswatini has taken some steps toward aligning its legal framework with the CRPD. The next critical phase is focusing on operationalisation, systems strengthening, law reforms, and inclusive budgeting and enforcement. These steps are vital to transform Eswatini's legal framework from paper commitments into everyday lived equality and access for persons with disabilities.

Strengthening of the Commission on Human Rights and Public Administration (CHRPA)

Human Rights Commissions have the essential task of ensuring that the human rights of everyone in society are protected, including the rights of persons with disabilities, and that the state is held liable for its human rights violations. Unfortunately, the CHRPA in Eswatini is unable to effectively play this role because it lacks full independence, adequate resources, and a clearly defined mandate regarding the monitoring and enforcement of disability rights. Strengthening the Commission, through legal reforms that would allow it to function independently, effectively monitor violations, and issue binding recommendations. This includes empowering the Commission to receive and investigate complaints related to disability-based discrimination in areas such as education, healthcare, employment, and access to public services.

Electoral reforms to ensure increased political participation of persons with disabilities

Persons with disabilities in Eswatini continue to face significant structural and social barriers that hinder their effective political participation. Electoral processes in Eswatini are often physically and procedurally inaccessible.

- Polling stations lack ramps, tactile ballots, or sign language interpreters.
- Voter education materials are rarely available in accessible formats (for example, braille, large print, or audio).
- There is no provision for assisted or independent voting for persons with sensory or physical disabilities.

Therefore, targeted electoral reforms are essential to address these systemic exclusions and uphold democratic and human rights principles. Reforms must be mandated to ensure:

- Inclusive infrastructure at polling stations.
- Alternative voting mechanisms (for example, mobile voting units, absentee ballots).
- Disability-sensitive voter education programmes.

Scale up data systems

Reliable, disaggregated, and inclusive data is foundational to evidence-based policymaking, equitable service delivery, and the monitoring of national and international commitments such as the CRPD and the African Disability Protocol, the Disability Act of 2018, and other legal instruments. Currently, Eswatini faces significant data gaps that obscure the lived realities of persons with disabilities, impeding their inclusion in development planning and social protection mechanisms.

Scaling up disability-inclusive data systems is not merely a technical necessity; it is a moral and legal imperative for Eswatini. Without robust data, persons with disabilities will continue to be left behind in national development efforts, undermining the goal of a just, inclusive, and equitable society.

Stronger enforcement and oversight

Establishment of the Advisory Council is a good start, but it needs **real authority**, including complaint mechanisms, legal aid, and a budget for monitoring compliance across ministries.