

Eswatini

Country Overview

Politics

Eswatini is an absolute monarchy. Formerly named Swaziland, current ruler King Mswati III renamed the country to Eswatini to reflect the name used by its citizens.¹ According to the U.S. Department of State, parliamentary elections were “free and fair.” Most political power rests with King Mswati III and his advisory group, but governing power is also exercised by also a cabinet, legislature, and judiciary.²

Economy

Swaziland is classified by the World Bank as a lower middle income country with a gross domestic product (GDP) per capita of USD 3,978 as of 2021.³ This is unequally distributed however; Eswatini’s Gini coefficient is 51.5, which equates to having the tenth highest income inequality in the world.⁵ Economic growth has fluctuated in recent years. GDP growth spiked from -1.6 percent in 2020 to 7.9 percent in 2021, then declined to an estimated 0.4 percent in 2022.⁶ Much of the downturn has been attributed to a decline in the agricultural sector, corresponding with an ongoing drought.⁷ The drought has particularly impacted rain-fed crops including maize and cotton.⁸

Manufacturing is the biggest sub-sector of the economy, comprising 27 percent of the country’s GDP.⁹ The textile industry in the country has experienced a severe decline from 2015 to 2017, due to the revocation of the African Growth and Opportunity Act (AGOA) status.¹⁰ AGOA status was reinstated in 2017, however, and allows Eswatini preferential exports of apparel, as well as the utilization of third-country fabric, both which boosted economic production.¹¹

Social/Human Development

Approximately 55 percent of the population lived below the lower-middle-income poverty line of USD 2.15/day in 2022.¹² Eswatini has the world’s highest prevalence of HIV/AIDS, which has led to a low life expectancy. The World Bank reported that life expectancy was at its lowest at 42 years in 2005, but conditions have improved, and the 2021 expectancy is 57 years.¹³ Nearly 28 percent of adults have HIV/AIDS. So many adults suffer from HIV/AIDS that agricultural output has declined, due to a loss of manpower and labor force disruptions as a result of the illness.¹⁴ There is a shortage of technically skilled labor.¹⁵ The unemployment rate was 25.76 percent as of 2021, and youth unemployment (ages 15-24) was 50.9 percent.¹⁶ Eswatini is ranked at 144 out of 191 on the 2021 UN Human Development Index and is scored as 0.597, indicating weak human development in the



measurements of life expectancy, schooling, and gross national income per capita.¹⁷ Its score improved over the span of 2005 to 2019, but has since declined.¹⁸

U.S. Department of State TIP Report Summary (2023)

U.S. Department of State TIP Ranking: Tier 2 Watch List

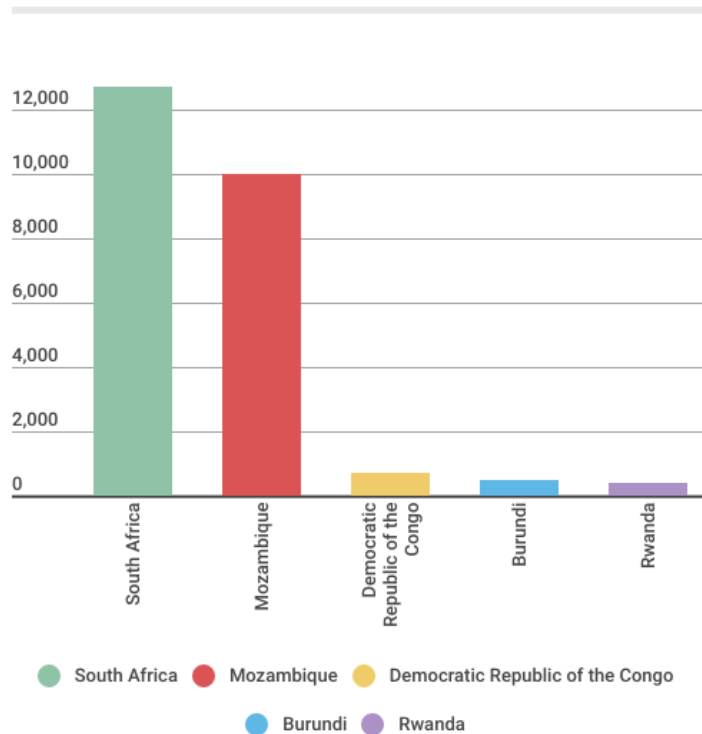
According to the *Trafficking in Persons Report*, trafficking risk may be found among Swazi and foreign children in export supply chains including agriculture (marijuana production) and livestock (meat and live animals). Traffickers reportedly exploited migrant children in forced labor.

Read the full TIP Report at: <https://www.state.gov/reports/2023-trafficking-in-persons-report/eswatini/>

Migrants and Other Vulnerable Populations

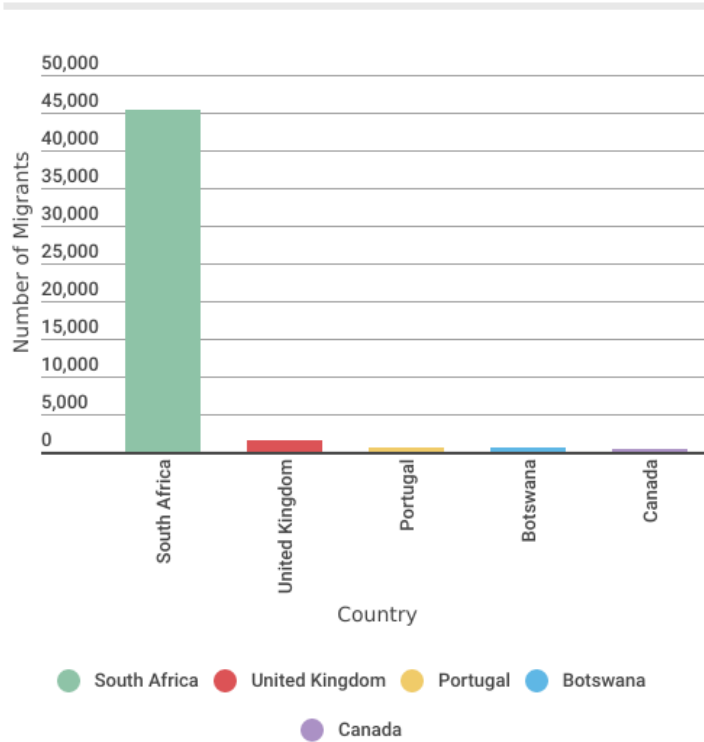
Eswatini has negative net migration, and 1.1 percent of the population were migrants in 2022.¹⁹ According to the United Nations High Commissioner on Refugees there were 1,173 refugees and 976 asylum-seekers in 2022.²⁰ The top countries of origin of migrants in Eswatini are South Africa and Mozambique, followed by the Democratic Republic of the Congo, Burundi, and Rwanda.

Top Countries of Origin for Migrants to Eswatini (2020)



The top destination country for Eswatini migrants is South Africa, followed by the United Kingdom, Portugal, and Canada.²¹

Top Destination Countries for Migrants from Eswatini (2020)



Exports and Trade

The top exported products from Eswatini in 2022 include essential oils, sugar, chemical products, apparel, and wood.²²

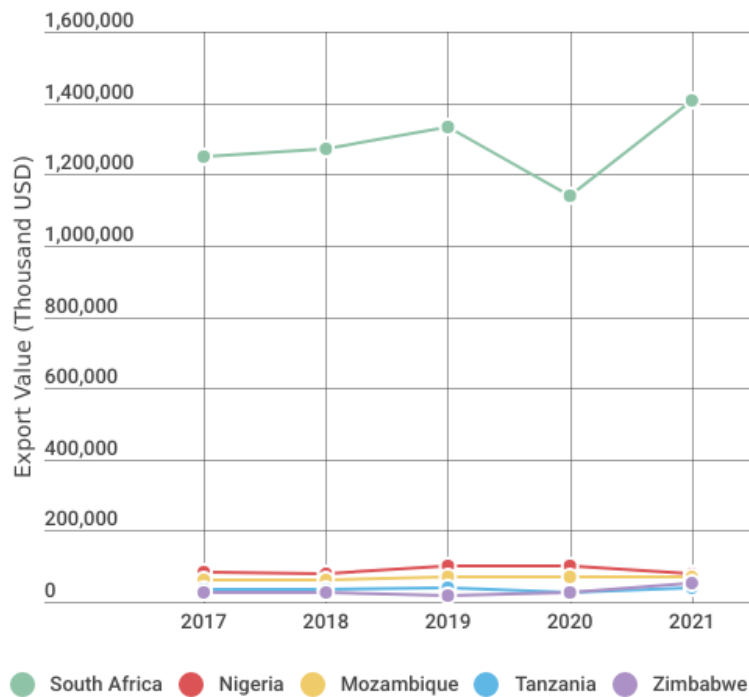


Eswatini Top Commodity Exports 2022 (USD/Thousands)



South Africa is the largest trade partner with Eswatini by far, followed by Nigeria, Mozambique, Zimbabwe, and Tanzania.²³

Eswatini Top Export Partners (2021)



Trafficking in Persons Risk Factors Analysis

Legal/Policy Risk Factors

Level of Legal Protection for Civil Liberties and Workers' Rights

Freedom of Association

Workers, except those in essential services, have the right to form and join independent unions, conduct legal strikes, and bargain collectively under the law.²⁴ Employers have discretion in determining the validity of a labor organization as collective employee representation if less than 50 percent of employees are members of the organization.²⁵ The law provides that workers may seek redress if wrongfully dismissed, but this right does not apply to those who are dismissed for engaging in union activity.²⁶

Amnesty International reported that Eswatini authorities often crack down on union dissent. In 2023, the Secretary General of Eswatini Transport Communication and Allied Workers Union faced charges due to his involvement in a stay away strike in 2022. The strike was a response to the 2021 incarceration of Parliament members.²⁷

Working Conditions

There is no national minimum wage. Instead, the Ministry of Labor and Social Security sets wage scales for each industry, all of which are placed above the poverty line. There is a standard 48-hour work week for most workers.²⁸ There is no minimum wage for the informal sector.²⁹

As of 2016, in the garment sector, minimum wage is SZL 1,488 (USD 114.5) per month.³⁰ As of 2022, there is no report indicating the current minimum wage. The government provides for workers' safety through the Occupational Safety and Health Act but reportedly has not enforced it consistently. The law enables workers to remove themselves from hazardous situations.³¹

Discrimination

Labor law prohibits discrimination in employment and occupation based on race, gender, language, HIV-positive status or other communicable diseases, religion, political views, or social status. However, the law does not have a stance on discrimination based on age, sexual orientation, or gender identity, and the government reportedly has not effectively enforced anti-discrimination laws.³² Gender-based discrimination in employment is prevalent, particularly in the private sector, and women's wages are generally below the wage rates of the average man.³³

Forced Labor

In Eswatini, the law prohibits most forms of compulsory or forced labor. However, a 1998 administrative order allows for compulsory labor in "cultivation, soil conservation works, and the construction and maintenance of roads."³⁴ The Swati government has not regularly enforced these laws and violations occur in domestic work, commercial sex, agriculture, and vending.³⁵



Child Labor

Fifteen is the legal minimum age for work. Children under 18 may not engage in hazardous industrial work but may engage in agricultural or domestic work. 16 is the minimum age for children to work at night. Children may not work more than 33 hours per week. Child labor has been identified in illicit work, namely the growth of marijuana.³⁶ The United States International Labor Bureau reported that child labor is common in the bovine industry, but was also found in other agricultural industries.³⁷ Ninety-one percent of girls and 86 percent of boys completed their primary education.³⁸

The government has not been able to effectively enforce laws combatting child labor due to a lack of information and resources. However, Eswatini participated in programs attempting to prevent child labor, such as International Organization of Migration (IOM) project regulating trafficking victim protections.³⁹

Civil Society Organizations

Civil society organizations have reported harassment, illegal searches, arrests, and violent interrogations by the police. In 2021, the government cracked down on pro-democracy protests which led to a diminution of free speech. Civil society groups therefore rarely voice political dissent in the fear of retaliation.⁴⁰

Ratification status of ILO Conventions Related to Human Trafficking or Rights of Workers and Migrants

Conventions	Status
ILO 29 Forced Labor	In force
ILO 87 Freedom of Association and Protection of the Right to Organize	In force
ILO 98 Right to Organize and Collective Bargaining	In force
ILO 100 Equal Remuneration	In force
ILO 105 Abolition of Forced Labor	In force
ILO 111 Discrimination	In force
ILO 138 Minimum Age	In force
ILO 181 Private Employment Agencies	Not ratified
ILO 182 Worst Forms of Child Labor	In force
ILO 97 Migration for Employment	Not ratified

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Political Risk Factors

Political Instability or Conflict

Eswatini scored a 79.1 on the 2023 Fragile States Index, placing it in the “High Warning” Category and continuing its decline from a score of 88.8 in 2017.⁴² The non-democratic political situation is reportedly a strong deterrent to international investment.⁴³ Foreign



direct investment only accounts for 2.4 percent of the country's GDP in 2021, compared to 9.7 percent in 1998.⁴⁴

Level of Crime and Violence

High poverty rates, a corrupt political structure, and crackdowns on civil society groups in Eswatini enable widespread criminal activity. Eswatini is both a transit point and source country for human trafficking. Small gangs and individual actors account for most violence in the country, which is predominantly robbery, hijacking, and smuggling. Police and law enforcement are poorly equipped and trained to deal with most crime.⁴⁵

Eswatini is a prominent actor in the illicit cannabis trade.⁴⁶ For many, marijuana production is an unregulated source of income to combat a lack of other employment opportunities. Due to economic inequalities, women disproportionately work in cannabis cultivation.⁴⁷ Child labor and exploitation is common in the cultivation and trade of marijuana.⁴⁸

State Persecution

People from minority ethnic groups, namely those within the Muslim minority, have reportedly faced barriers in obtaining passports and other citizenship documents. Additionally, they have no representation in government, as it is mostly comprised of those with family or clan ties to the King.⁴⁹

In 2021, the Swati government cracked down on pro-democracy protests throughout the country. Later that year, protests were banned. Supporters of the protest who were in Parliament were arrested.⁵⁰ In 2023, King Mswati III threatened mercenary violence towards political dissidents, which led to the death of a prominent human rights lawyer.⁵¹

Level of Corruption

Corruption is a major issue in Eswatini and occurs most frequently in public contracting, government procurement, and government investments. Eswatini scored a 30 out of 100 on the 2022 Corruption Perceptions Index, indicating that the government has not adequately addressed its corruption issues.⁵² While the country does have an Anti-Corruption Commission (ACC), all staff are appointed by the king and its efforts have reportedly only endeavored politically motivated cases.⁵³

Eswatini has no access-to-information legislation, and various laws have restricted media coverage that targets the king or government. Corruption is therefore easily able to persist due to a lack of transparency and limited civilian capacity to criticize such problems.⁵⁴

Socio-Economic Risk Factors

Level of National Economic Development

Eswatini scored in the medium human development category, per the 2021 UN Human Development Index, with a rank of 141 out of 188 countries in 2021.⁵⁵ The country's HDI score was 0.597, but when adjusted for inequality, HDI falls to 0.424, a loss of 27.0 percent due to inequality.⁵⁶ Per capita income has fluctuated over the past decade (as of 2021 it is



just under USD 4,000), but remains below its 2012 peak.⁵⁷ Political and social uncertainties, combined with poor agricultural yields, have hindered further GDP growth.⁵⁸

Level and Extent of Poverty

According to the *US Department of State 2022 Human Rights Report*, 63 percent of the population lives below the poverty line. The most recent figures for the multidimensional poverty index (MPI) in Eswatini are from 2014, when 19.0 percent of the population were multidimensionally poor while an additional 20.9 percent lived near multidimensional poverty.⁵⁹ The World Bank estimates that just under 30 percent of Eswatini's population earns under USD 2.15 a day.⁶⁰ Slow economic growth and a slight increase in inflation led to a slight increase in poverty during 2022. One in three Swazis are unemployed.⁶¹

Degree of Gender Inequality

The constitution grants women equal rights and legal status as adults, but these rights remain limited in practice, due in part to the dualistic nature of the legal system. Customary law governs traditional marriage and matters of inheritance and family law.⁶² Traditional social systems discriminate against women in their ability to control and own land. In rural areas, women have less access to education and up to 70 percent of adult females in certain areas are illiterate compared to the national average of 21 percent.⁶³ Just over six percent of the poor population live in rural areas.⁶⁴

There are two types of land, Swazi Nation Land and Title Deed Land. Although Swazi Nation Land can be accessed free of charge through the traditional *kukhonta* system from the chief of the area, women must do so through a male relative.⁶⁵ However, there is an emerging practice in which chiefs circumvent traditional rules and allocate land to women if a male figure is not available due to the HIV/AIDs epidemic and an increase in female-headed households.⁶⁶

Given that women in Eswatini have difficulty accessing resources and securing bank credit, accessing Title Deed land is also a challenge for women, despite an absence of discriminatory language in the law.⁶⁷ Women are guaranteed freedom of movement by the constitution, but are required to secure their husband's permission for passports and other travel documents.⁶⁸

There are reportedly high rates of domestic violence against women, and two-thirds of Swazi women report having experienced sexual violence.⁶⁹ In 2018, 11,000 gender-based violence cases were brought to court.⁷⁰ The Witchcraft Act of 1889 remains in effect, and women continue to face violence after accusations of witchcraft.⁷¹

Landlessness and Dispossession

Most of the land in Swaziland is Swazi Nation Land, governed by traditional structures and overseen by the king.⁷² Tenants on Swazi Nation Land usually repay the government for their land through labor.⁷³ The Constitution permits citizens to own property, but most Swazis reside on Swazi Nation Land, which is susceptible to eminent domain.⁷⁴ Compensation for seized property is guaranteed by law but inconsistent in practice.⁷⁵ Households headed by women were more likely to face eviction and property seizure.⁷⁶ In



2018, Amnesty International accused the Swazi governments of violating international law after seizing land from more than 500 Swazis, most of whom were subsistence farmers who became homeless.⁷⁷ Amnesty International accused the government of failing to provide ample warning and compensation. Land grabs associated with sugar production have also been reported.⁷⁸

Environmental factors

Recurring drought is a serious issue.⁷⁹ In 2015, over 20,000 cattle died because of the drought, compromising the livelihoods of many subsistence farmers.⁸⁰ During this drought, one-third of the population faced severe food insecurity and the country lost an estimated seven percent of GDP.⁸¹ The World Bank predicts that climate change will increase drought risk, water scarcity, and violent storms.⁸² All of these will hurt agricultural production, which forms the basis of Eswatini's society as over 70 percent of the country relies on subsistence farming.⁸³

The primary water sources in Eswatini are surface waters, 40 percent of which are projected to be affected by climate change. Higher temperatures will likely lead to an increase in vector-borne diseases like malaria.⁸⁴

Documented Trafficking and Trafficking Risk in Key Commodity Supply Chains

Apparel

Apparel Overview

The textile industry in the country has experienced a severe decline in the past five years, due to a revocation of Swaziland's African Growth and Opportunity Act (AGOA) status. Before AGOA was temporarily repealed, the textile industry employed 16,000 workers.⁸⁵ Apparel was Eswatini's fourth largest export category in 2022.⁸⁶ Eswatini's government seeks to invest in textiles in the hope that the industry will help the country recover fully from COVID-19.⁸⁷

Documented TIP Risks in Apparel

The U.S. Department of State reports that a "downturn in the textile industry [in Eswatini] has led textile workers to follow promises of employment in neighboring countries, potentially increasing their vulnerability to trafficking."⁸⁸ Media reports from South Africa confirmed this account, profiling a Swazi migrant worker who, after losing her job in Swaziland, travelled to South Africa in search of apparel sector work. Upon her arrival, she met an informal labor broker who procured a job in a factory. Although the worker felt that she was paid relatively well (as a result of working long hours), Swazi migrant workers in South Africa are vulnerable because most cannot afford to properly maintain their migration documentation status, and thus live in fear of police raids.⁸⁹ In 2017, 72 people were allegedly trafficked from Mozambique, Swaziland, and Lesotho to apparel factories in South Africa.⁹⁰



Sugar

Sugar Overview

Sugar is Eswatini's second largest export, and in 2022-23 the country produced 5.5 million metric tons of sugar cane on approximately 60,622 hectares of land. The sugar industry is broken up into four major sectors: large mills/estates (50 percent of production), large growers (14 percent of production), medium-sized growers (seven percent of production), and small growers (29 percent of production).⁹¹

Documented TIP Risks in Sugar Production

In Eswatini, many families have been forcibly evicted from their land without compensation and resettled in areas with poorer quality land.⁹² In 2018, the Royal Swaziland Sugar Corporation reportedly illegally evicted sugar cane farmers to reappropriate the property as national land.⁹³ Relocated communities often face severe poverty and receive no monetary assistance from the government.⁹⁴ The International Trade Union Confederation (ITUC) reports that workers in the sugar sector frequently work over 60 hours per week, though government regulations state that a normal work week is 48 hours, and most do not receive the overtime rate mandated by the government, with some not receiving any payment for overtime work.⁹⁵ While seasonal workers are legally entitled to maternity leave, in practice, female employees must take a pregnancy test and are not employed the following season if they are found to be pregnant. Most workers do not receive personal protective equipment.⁹⁶ Deaths at sugar mills due to unsafe working conditions have also been reported.⁹⁷

As of 2016, seasonal employees in Eswatini who engage in union activities often are not hired back the next season.⁹⁸ Strikes by workers have turned violent and damaged property in recent years.⁹⁹ In 2014, demanding a pay increase, 3,000 employees at Ubombo Sugar, owned by Illovo, participated in a strike, and 170 hectares of cane were burned.¹⁰⁰ A 2022 strike at Mhlume and Simunye Sugar Mills suspended operations of the two mills.¹⁰¹

Allegations were made against employers who were accused of using labor brokers to hire individuals on contracts in order to avoid hiring workers entitled to collective bargaining rights.¹⁰²

Forestry/Wood

Overview

Logging in Eswatini is conducted on large-scale commercial plantations on land that was formerly grassland or evergreen forest. About 12 percent of land, or 97,560 hectares, in Eswatini is dedicated to these plantations as of 2017.¹⁰³ First reported in 2004, the original establishment of over 100,000 hectares of plantations have reportedly contributed to the displacement of indigenous populations.¹⁰⁴ Given that 75.2 percent of the population lives in rural areas, deforestation as a result of plantation expansion uproots and disrupts livelihoods.¹⁰⁵



Documented TIP Risks in Forestry/Wood

Commercial timber plantations use large amounts of water resources, which is particularly challenging in terms of Eswatini's propensity for drought and contributes to food insecurity for local people. Pollution from timber mills reportedly contributes to illnesses for local populations. Women are disproportionately affected in issues relating to forestry, as they comprise most of the workforce in the agricultural sector.¹⁰⁶

The U.S. Department of State reports that labor brokers and labor discrimination exist in the forestry industry.¹⁰⁷



Endnotes

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