

>>> ITUC Press <press@ituc-csi.org> 27.05.2009 12:18 >>>
INTERNATIONAL TRADE UNION CONFEDERATION (ITUC)

ITUC OnLine

076/270509

Spotlight interview with Jan Sithole (SFTU, Swaziland)

"The law as it stands - its core business is to silence the voices of dissent and all those that criticise this system of governance."

Brussels, 27 May 2009 (ITUC OnLine): Jan Sithole was twice arrested last year as the Swazi authorities continue their clampdown on the pro-democracy movement in a country where power is concentrated in the hands of the king and his hand-picked government. Despite the attempts at intimidation, Sithole and the Swaziland Federation of Trade Unions remain in the forefront of the efforts to defend workers' rights and bring about political change in a country suffering from dire poverty and the world's worst AIDS epidemic.

Can you give us an outline of some of the issues confronting the labour movement and other pro-democracy forces in Swaziland today?

We have a situation where there is dire poverty in the country. This is exhibited by the fact that about 70 percent of our population are below the poverty datum line, which is about 2 dollars a day, and about 33 percent of our population depends on donor aid food for what they eat. Statistics, confirmed by IMF records, show that 60 percent of household income is enjoyed by 20 percent of the population, which tells us that there is a skewed distribution of wealth. The rich are getting richer, and the poor, poorer. The IMF also tells us that according to our GDP that we produce in the country, we are supposed to be a middle-income country because with the wealth we that we create, if equally distributed, we would not be experiencing the level of poverty that we are seeing now, but it's because of this skewed distribution. This is because of corruption that is taking place, which is unmonitored because there are no checks and balances in our system of government. The political parties were banned, and the country has been under a state of emergency for over 35 years now.

Haven't things improved since the constitution was introduced in 2005?

Unfortunately the constitution, which came as a result of demands of workers, is not designed to enable participation of political parties in governance issues. And therefore we still are run in a feudal system that has one of the last absolute monarchies, and the regime is very dictatorial and the country is managed with intolerance towards voices of dissent; so, whilst we thought we had a constitution that was beginning to open a window to the bill of rights, the government took advantage of the situation of terrorism in the world and then put forth a suppression of terrorism act that has nothing to do with terrorism. But the law as it stands has as its core business to silence the voices of dissent and all those who criticise the system of governance currently in place.

How has the pro-democracy movement sought to get its reform agenda over to

the authorities?

We've continued to demand social dialogue by way of engaging in protest activities. We've also called upon the government to ensure that there is no extravagance and there is fiscal discipline on their part with regard to public funds that are directed towards the institution of the monarchy. The example of that was when we went to a protest action last year at the same time that there was a double celebration, 40/40, when the king was turning 40 and the country turning 40, and just for the two-day's celebration, there was over 120 million rand that was spent for that, and before that there was also a jet hired to take the king's wives to Thailand and to Dubai to do shopping, just for this activity. There were over 40 cars and accompanying motor bikes just for that day's celebration. Later those cars - some of them - were given as handouts to some princes' wives and some of the king's wives. So basically Swaziland is a country that is a last absolute monarchy. It is a country that is a dictatorship. It is a country that has banned political parties and deliberately does not want checks and balances; it has a politicized culture and tradition to retain and sustain the feudal system currently in place."

How is Swaziland being affected by the world economic downturn?

We also have a challenge in the aspect that our economy, whilst it is agro-based, it is export oriented. All that we produce is exported, and we export to the European markets, largely sugar, and the US and the Asian markets. With the current global financial crisis, we have already begun to feel the heat, much against what African governments say - that their banking systems were conservative and therefore Africa is not as exposed to this challenge as European countries and Americans are. The truth is that because our markets are in those countries and there is currently apathy in the banks loaning out money to the countries, there are a lot of retrenchments taking place, even abroad, and that has caused less demand for the goods that we produce and therefore a call for downsizing and retrenchments of workers in most of our industries. Some are likely to either see a wage freeze or massive retrenchments taking place, or layoffs. Currently about three of the textile industries have closed down, with the hope that after a month or two there will be liquidity in the European market to then increase demand, which would allow for the industries to begin to rehire the same workers.

Last year there was a major strike among textile workers, mostly women. What happened?

There was a big strike in the textiles which was supported by all workers. It was focused on improving conditions and salaries and the wages of all workers there because they had been getting increases that were far below inflation levels for too long. They applied legalities to enter into a legal strike and their strike was legal indeed, but because of the immunities and protections that the Chinese industries, the textile industries, enjoy from the political support of the country, they simply discharged armed forces to put pressure on the women to go back to work. And they refused unless their demands were adhered to, and a lot of those women became victims of rubber bullets, tear gas, being beaten by batons - all for having offended nobody, but demanding decent wages. It was unfortunate that some women got injured, and there was no

compensation. When questioned, the police denied it and actually, as is usually said, it was claimed that the women were violent in their marches but in fact we are not aware of any facts supporting that, because we are talking about tens of thousands of women there who were on a peaceful strike and if there were any harm, it would be very visible. It was the women who were victims and not any kind of property or even the police.

Tell us about the impact of the AIDS epidemic in Swaziland?

"We unfortunately hold a very negative gold medal where we are the highest on HIV in the whole world in terms of prevalence. Whilst we have a population of about 1 million, we now have 200,000 AIDS orphans and the number of families headed by children is growing by the day. We are as a country benefiting from the Global Fund in this regard, but unfortunately the government, by what we see in their budget, don't regard HIV/AIDS as a priority because the budget for HIV and AIDS is the least of all other things that they view as priorities. In fact, the budget towards health and agriculture is far lower than the budget that goes to the military and the armed forces, whilst we are fighting no war and we are not threatened by any of our neighbours. But this is prevalent[mb1] <#_msocom_1> budgeting style for most dictatorships, because to sustain themselves, they have to capacitate the iron first, using the military and the armed forces within their control.

Given the shortcomings of government, what are unions doing to tackle AIDS?

The labour movement does not enjoy access of funds from the Global Fund to assist their constituents to be aware of AIDS and also of how to take advantage of the voluntary counselling and testing so as to know their status and therefore be able to respond accordingly. The institution that is responsible for the distribution of these funds only distributes them to employer organizations and other NGOs but not to the labour movement.

Therefore, all we continue to do now as our interventions is at the shop floor, where we were able to establish a collective bargaining agreement model on HIV and AIDS, so that we are able to have as part of our collective bargaining agreement protection against discrimination and stigmatization at the shop floor, and permission for ourselves to be able to take the issues up to the level of the court, because it is only when it is in a collective agreement that you can challenge the employer on such issues. When government was advised to actually reshape our laws so that they are HIV/AIDS-sensitive, what they were able to do was to translate it into an ordinary code of good practice which is not enforceable in law. Hence, we felt that the collective bargaining model is a better tool, because even in those companies which have good practices and policies towards HIV and AIDS, such good policies are not enforceable. So we believe that the best tool we can use for ourselves is to domesticate such policies under collective bargaining agreements.

Has that been successful in practice?

We have now over six industry sectors that have agreed to adopt this collective bargaining agreement model on HIV/AIDS and the good thing about it is that whilst the negotiations on terms and conditions of service occur once a year, with the collective bargaining agreement on HIV/AIDS, we can approach the employers any time, which is important because we are dealing

with a disaster here: we can't wait for another year to discuss how best to deal with a pandemic."

How are the trade unions working with others to promote democratic change?

Because of the gross violation of the rule of law by the government in 2002 when the current prime minister was also head of government then, over 200 people were evicted in a community where they forcibly installed a prince to take over from two chiefs. Those community members who raised concern were then evicted. We felt that since this was a human right, we would not stand and stare as a labour movement and broader civil society, but we need to come on board and selflessly assist the marginalized and the victimized.

The workers, employers, the churches and lawyers for human rights and women's groups established a Swaziland Coalition for Concerned Citizens organization, whose main focus was to fight against the disregard of rule of law by government and to fight against fiscal indiscipline related to public funds because at that stage the government had decided to purchase a jet for the king in the face of the poverty levels that we have. We felt it's time to stand up and be counted for the justice we believe in. The other reason was to fight corruption that was very evident, and of course we were calling for a constitutional process that is inclusive and will take on board the full respect for the bill of rights and of course to fight HIV/AIDS.

We have also been founding members of the Swaziland United Democratic Front, whose task is to call for multiparty democracy in Swaziland that will be underpinned by a constitution that comes from the people, and not a constitution that comes from the royal clique, and that calls for a serious political dialogue. The members' values are to achieve a multiparty Swaziland through a negotiated settlement. They believe that political parties can co-exist with the monarchy as long as the monarchy is a constitutional monarchy that is not above the law but one with a head of state and which is symbolic. They believe that the king should reign but not rule and that the party which has the majority should set up government to run the country.

Interview By Paul Ames (Manzini, March 2009)

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