

Photo: Lucky Simelane, Eswatini Observer. Faces obscured to protect personal information (POPIA).

LILUNGELO LAKHO POLICY PAPER NO. 01 NOVEMBER 2026

Defamation, SLAPPs and Media Freedom in Eswatini

Reforming the laws and litigation that chill public interest journalism

Co-funded by the European Union

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Lilungelo Lakho

A Southern Africa Litigation Centre publication under the Lilungelo Lakho project

AT A GLANCE

Eswatini's independent media faces layered pressure: licensing and proscription laws, criminal defamation and contempt of court, a cyberstalking offence that reaches defamation, laws that restrict public servants and ordinary citizens from freely speaking, defamation litigation with escalating damages, and economic capture. This paper calls for dedicated anti-SLAPP legislation, repeal or amendment of laws that criminalise freedom of expression, more consistent and proportionate application of defamation law by the courts, and sustained legal and financial support for independent journalism.

IN NUMBERS

101st

of 180 countries on the 2026 World Press Freedom Index, down from 98th in 2025

Over 81%

of media professionals surveyed say defamation laws are applied to stifle debate on official conduct (UNESCO, 2017)

11 of 14

defamation matters decided since 2014 were lost by the media

E2.45m

awarded in damages against media defendants across 10 matters

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KEY RECOMMENDATIONS

1

Parliament and government

Adopt anti-SLAPP law; repeal or narrow speech offences; remove criminal defamation; require ownership transparency.

2

Courts

Use abuse of process doctrine to strike abusive claims early; train judges on SLAPP indicators.

3

Civil society and media

Document threats; strengthen self-regulation; pool a legal defence fund; build pro bono defence partnerships; educate the public.

4

International and regional bodies

Raise reform in political dialogue; observe defamation hearings; follow up African Commission and UN findings.

Aim: *move from defensive crisis response to structural protection for public interest reporting.*

Figure 1: Key recommendations for lawmakers, courts, civil society, the media and international bodies.

1 Introduction

Media restrictions affect civil society activism in several ways: they limit access to information about human rights abuses and the ability to hold governments and corporations accountable. Increasingly, journalists and newspapers that publish stories relating to corruption are at risk of arrest and persecution. To ensure that the media retains its ability to be a watchdog and to provide information to the public, independent regulation of the media is preferable.

In 1994, an Eswatini court observed that it is "not an easy matter for the man in the street to stand up to the might of the press."[1] Three decades later, the press itself has become the person in the street: an exiled outlet facing a US$9.9 million claim,[2] a magazine defaulting on a damages award it cannot afford to contest,[3] an editor choosing silence over the cost of defending the truth. The might now belongs to those the press seeks to hold accountable.

Table 1: News sources used by citizens, by location and gender

Source	Urban	Rural	Men	Women	Total
Newspaper	22%	7%	15%	8%	**11%**
Radio	29%	36%	34%	35%	**34%**
Television	37%	40%	42%	36%	**39%**
Social media	57%	41%	49%	41%	**45%**
Internet	45%	31%	39%	30%	**35%**

Source: Afrobarometer Round 10, Eswatini (2025).

According to Afrobarometer's 2025 survey, citizens use an array of sources to access the daily news (Table 1).[4] Citizens surveyed by Afrobarometer felt strongly that the media should have the right to publish views and ideas without government control (64%), and that the news media should constantly investigate and report on government mistakes and corruption (62%).[5] **However, two thirds of citizens felt that the news media was "not at all free" or "not very free" to report and comment on the news without censorship or interference by the government.**

Eswatini ranks 101st out of 180 countries on the 2026 World Press Freedom Index, down from 98th in 2025.[6]

State control of radio and television risks crowding out other voices, stifling freedom of expression and contradicting the guarantees of the 2005 Constitution. As the dominant player in the economy, government controls the advertising on which outlets depend, influencing their independence. The result is a media sector the public does not trust to be independent.[7]

It is not an easy matter for the man in the street to stand up to the might of the press.

HIGH COURT OF SWAZILAND, *Luhlanga v Editor of the Times of Swaziland* (1994)

1 Luhlanga v Editor of The Times of Swaziland Echo (Pty) Ltd t/a Times of Swaziland [1994] SZHC 92 (25 November 1994)
2 Micah Reddy, "Businessman targets Eswatini journalists with $9.9M lawsuit," ICIJ, 20 November 2025, https://www.icij.org/investigations/swazi-secrets/businessman-targets-eswatini-journalists-with-9-9m-lawsuit/
3 *Dlamini v Editor, The Nation and Another* (2534 of 2007) [2008] SZHC 16 (01 February 2008)
4 Afrobarometer, Round 10 Survey, Eswatini, 2025, page 79, https://www.afrobarometer.org/wp-content/uploads/2025/11/R10-Summary-of-Results-Eswatini-Afrobarometer-28nov25.pdf
5 Afrobarometer, Round 10 Survey, Eswatini, 2025, page 80, https://www.afrobarometer.org/wp-content/uploads/2025/11/R10-Summary-of-Results-Eswatini-Afrobarometer-28nov25.pdf
6 Reporters Without Borders, 'Eswatini', World Press Freedom Index 2026 https://rsf.org/en/country/eswatini accessed 1 October 2026.
7 Reporters Without Borders, 'Eswatini' (country profile), World Press Freedom Index 2026 https://rsf.org/en/country/eswatini accessed 1 October 2026; see also Simangele Dlamini and Anyway Chingwete, 'Emaswati support media's watchdog role, insist on media freedom' (Afrobarometer Dispatch No 824, July 2024) https://www.afrobarometer.org/publication/ad824-emaswati-support-medias-watchdog-role-insist-on-media-freedom/.

2 The legal arsenal against the media

The Eswatini **Constitution** guarantees freedom of expression, including the media. Section 24(2) protects the freedom to hold opinions, receive ideas and information, and communicate them without interference. But section 24(3) provides derogations for defence, public safety, public order, public morality, and public health, and for the reputations, rights, and freedoms of others, a tension exploited by legislation, government, and government officials.

The Constitution's watchdog, the **Commission on Human Rights and Public Administration** (CHRPA), is, on paper, a powerful check against rights violations;[8] however, its reliance on royal appointments and lack of independent power deprives it of enforcement capacity.[9] The Commission on Human Rights and Public Administration Bill of 2025 seeks to give the Commission more powers, though several issues remain that must be addressed to meet the Paris Principles on independence.[10]

Various common law offences and restrictive laws contribute to self-censorship in the media. This legal framework also provides the tools for media repression, particularly during periods of political upheaval.

For example, the **Books and Newspapers Act** No. 20 of 1963, which requires a person, organisation or company to apply for a licence from the Ministry of Information, Communications and Technology to publish, is still in force.[11]

The **Proscribed Publications Act** No. 17 of 1968 remains in place. The Act allows the Minister, by notice in the gazette, to declare any publication or intended publication to be proscribed "if the publication is prejudicial or potentially prejudicial to the interests of defence, public safety, public order, public morality or public health".[12]

The **Computer Crime and Cybercrime Act** No. 6 of 2022 criminalises cyberstalking.[13] The Act defines cyberstalking to include acts such as defamation, slander or libel. This part seems to replicate the offence of criminal defamation. The offence is limited to cases of "repeated unwarranted actions".

The common law **offence of criminal defamation** is still in existence.[14] The offence of criminal defamation was declared contrary to the right to freedom of expression by the Zimbabwe Constitutional Court,[15] the Kenya High Court[16] and the Lesotho Constitutional Court,[17] while the African Court on Human and Peoples' Rights held that custodial sentences for defamation violate the African Charter.[18]

8 Constitution of the Kingdom of Swaziland Act 2005, s 163

9 Constitution of the Kingdom of Swaziland Act 2005, ss 159, 163 (granting executive appointment powers to the King); see also Swaziland Commission on Human Rights, *Chapter 7: National Human Rights Institutions* (Pretoria University Law Press 2016) 142–146 (detailing structural, financial, and enforcement limitations) https://www.pulp.up.ac.za/images/edocman/legal-compilations/NHRI/Chapter%207%20NHRI.pdf.

10 See Lilungelo Lakho analysis of the bill, https://www.southernafricalitigationcentre.org/bill-22-whose-commission-why-eswatini-needs-an-independent-body/

11 In December 2017, an independent business newspaper, Swaziland Shopping, was shut down for not following the Books and Newspapers Act. Lungelo Nkambule 'Government Closes Down Illegal Tabloid Paper' Swazi Observer (15 December 2017).

12 Proscribed Publications Act 1968 s 3.

13 The Computer Crime and Cybercrime Act of 2022, section 17(2).

14 For example, in 2014, Bheki Makhubu, editor in charge of the Nation newspaper spent fifteen (15) months in prison for exposing misconduct in the judiciary, https://www.mediadefence.org/case-study/what-happened-next-bheki-makhubu-swaziland.

15 *Madanhire and Another v Attorney General* CCZ 2/2014, [2014] ZWCC 2.

16 *Okuta and Another v Attorney General and Others*, Petition No. 397 of 2016 [2017] eKLR.

17 *Basildon Peta v Minister of Law, Constitutional Affairs and Human Rights and Others* (CC 11/2016) [2018] LSHC 3.

18 *Lohé Issa Konaté v Burkina Faso* (Application No 004/2013) African Court on Human and Peoples' Rights (5 December 2014).

CRIMINAL DEFAMATION BEFORE THE COURTS IN THE REGION

Courts have struck down or curtailed the offence. **Eswatini has not.**

2014 **Zimbabwe**
Constitutional Court
Criminal defamation struck down

2014 **African Court**
Konaté v Burkina Faso
Prison terms for defamation violate the African Charter

2017 **Kenya**
High Court
Criminal defamation struck down

2018 **Lesotho**
Constitutional Court
Criminal defamation struck down

2026 **Eswatini**
Still in force
Common law offence remains; the 2022 Cybercrime Act treats defamation as cyberstalking

Figure 2: Criminal defamation before the courts in the region

The common law **offence of contempt of court** has been used to suppress freedom of expression. In 2015, the Eswatini Supreme Court ruled that the prosecution of an editor and a human rights lawyer for contempt of court was a "travesty of justice".[19] A year earlier, while both men were imprisoned, the African Commission on Human and Peoples' Rights had issued a resolution calling on the State to protect freedom of expression and to prevent harassment of human rights defenders and media practitioners.[20]

Table 2: Laws that restrict media freedom and the reforms this paper recommends

Law or practice	What it does	Reform recommended
Books and Newspapers Act No. 20 of 1963	Requires a licence from the Ministry of Information, Communications and Technology to publish	**Repeal the licensing requirement**
Proscribed Publications Act No. 17 of 1968, section 3	Allows the Minister to ban any publication deemed prejudicial to defence, public safety, public order, public morality or public health	**Repeal section 3**
Computer Crime and Cybercrime Act No. 6 of 2022, section 17(2)	Defines cyberstalking to include defamation, slander and libel	**Remove defamation, slander and libel from the definition**
Common law criminal defamation	Criminalises defamatory speech	**Abolish by statute**
Common law contempt of court	Has been used to punish criticism of the judiciary	**Exercise with restraint; issue prosecutorial guidelines**
Public Service Act No. 5 of 2018, section 49(l)	Prohibits public servants from expressing views critical of public policy	**Amend**
Cinematograph Act No. 31 of 1920, section 6	Criminalises displaying disparaging images of the King or "prejudicial" scenes	**Amend**

19 *Thulani Maseko and Others v Rex* [2015] SZSC 03.
20 ACHPR, 'Resolution on Freedom of Expression in the Kingdom of Swaziland' (Resolution 286), Adopted at the 16th Extraordinary Session of the African Commission held from 20-29 July 2014 in Kigali, Rwanda, www.achpr.org/sessions/16th-eo/resolutions/286/.

Law or practice	What it does	Reform recommended
Broadcasting Act No. 7 of 2023, section 11(d)	Designations under the Suppression of Terrorism Act (STA) can bar community broadcasting licences	**Review and remove existing designations under the STA**

Source: Southern Africa Litigation Centre analysis of Eswatini legislation.

An arsenal of laws and practices also curtails press freedom by inhibiting the public from freely expressing themselves and engaging with the press. Historically, courts have imposed bans on media engagement and public speaking as bail conditions for political activists. An employee in the public service is prohibited from expressing any view critical of or contrary to public policy.[21] It is an offence to display an image of the King in a disparaging manner,[22] to display pictures of "scenes which are in any way prejudicial to the peace, order or good government",[23] or to offend the dignity of the queen-mother.[24] The declaration of some political organisations under the Suppression of Terrorism Act of 2008 would affect the ability of their members and other activists to obtain community broadcasting licences.[25]

Recent reforms have to a limited extent helped press freedom. For example, the **Broadcasting Code of Conduct** (Schedule 1 of the Eswatini Broadcasting Act, 2023) allows licensees to comment on or criticise events of public importance and to present programmes in which controversial issues of public importance are discussed, provided that commentary is clearly expressed as an opinion, different views are fairly represented and the right of reply is provided.[26] The **Data Protection Act** No. 5 of 2022 does not apply to the processing of personal information purely for journalistic purposes.[27] The **Computer Crime and Cybercrime Act** does not authorise a law enforcement officer to seize data without a court warrant.[28]

3 The regional and international framework

In 2004, Eswatini acceded to the International Covenant on Civil and Political Rights (ICCPR), binding itself to Article 19's guarantee of the right to seek, receive, and impart information of all kinds.[29] It is likewise a party to the African Charter on Human and Peoples' Rights, whose Article 9 enshrines the right to express and disseminate opinions, and protects against arbitrary arrest or detention.[30] The Windhoek Declaration, adopted in 1991, emphasised the principle of a free, independent, and pluralistic press as indispensable to democracy and development in Africa.[31]

These instruments carry interpretive weight. General Comment 34, the UN Human Rights Committee's authoritative interpretation of Article 19 of the ICCPR, is unambiguous: **restrictions on expression must be provided by law, serve a legitimate aim, and be necessary and proportionate**.[32] Laws that confer unfettered discretion on those charged with their execution fail that test, as do criminal sanctions for expres-

21 Public Service Act No. 5 of 2018, section 49(l).
22 Cinematograph Act No. 31 of 1920, section 6.
23 Cinematograph Act No. 31 of 1920, section 6.
24 Protection of the Person of the Ndlovukazi Act No. 23 of 1967, section 2.
25 Eswatini Broadcasting Act No. 7 of 2023, section 11(d).
26 Broadcasting Code of Conduct, sections 4 and 5.
27 Data Protection Act, No. 5 of 2022, section 4(d).
28 Computer Crime and Cybercrime Act No. 6 of 2022
29 International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), acceded to by Eswatini 26 March 2004.
30 African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force 21 October 1986) CAB/LEG/67/3 rev 5 (Banjul Charter), ratified by Eswatini 15 September 1995.
31 UNESCO, *Windhoek Declaration on Promoting an Independent and Pluralistic African Press* (3 May 1991) unesco.org
32 UN Human Rights Committee, *General Comment No 34: Article 19 (Freedoms of opinion and expression)* (12 September 2011) UN Doc CCPR/C/GC/34, paras 22–25, 47

sion that causes no specific, identifiable harm. The Committee has explicitly called for the decriminalisation of defamation and stated that imprisonment is never an appropriate penalty for expression offences. The African Commission's 2019 Declaration of Principles on Freedom of Expression and Access to Information goes further: Principle 21 bars liability for true statements or opinions, requires public figures to tolerate greater criticism, and requires that sanctions never be so severe as to inhibit expression.[33]

4 Suppression through the courtroom: SLAPP suits and defamation

The legislative arsenal documented above operates alongside a second, increasingly common mechanism of suppression: strategic litigation to silence journalists and media outlets. Strategic lawsuits against public participation (SLAPPs) are meritless legal actions brought not to vindicate a genuine right but to harass, intimidate, and financially exhaust those who report on matters of public interest. Their defining feature is constant: the process itself punishes. The cost of defending even a baseless lawsuit can be crippling for small independent outlets,[34] and when investigative reporting is silenced, corruption it would have exposed goes unreported, the officials it would have held accountable operate without scrutiny, and the citizens who depend on independent information are left without it.[35] In Eswatini, where independent media operates on constrained budgets, the financial threat of litigation need not succeed in court to succeed in practice. Every outlet that watches a competitor destroyed by a lawsuit learns the same lesson in silence.

The financial threat of litigation need not succeed in court to succeed in practice.

FROM THIS PAPER

A 2017 UNESCO survey found that over 81% of Eswatini media professionals believe defamation laws are applied specifically to stifle public debate regarding official conduct.[36] Surveys consistently show that self-censorship operates at a higher level than externally imposed censorship, driven by fear of offending the monarchy and the repercussions that follow.

Case law

In 1998, South Africa's Supreme Court of Appeal found for the first time that media publications can raise a "reasonable publication" defence to a defamation suit, that it was reasonable to publish particular facts in a particular way at a particular time.[37] Courts weigh the public interest in the information, the source's reliability, and the steps taken toward verification.

Through a range of judgments, Eswatini's Supreme Court has crystallised the principles that ought to apply in delictual claims for defamation (Annex 1).[38]

33 African Commission on Human and Peoples' Rights, Declaration of Principles on Freedom of Expression and Access to Information in Africa (adopted at the 65th Ordinary Session, October–November 2019) principle 21.
34 Southern Africa Litigation Centre and Media Institute of Southern Africa, 'SLAPPs: A threat to freedom of expression and press freedom in Eswatini' (joint statement, 2 October 2025) https://www.southernafricalitigationcentre.org/slapps-a-threat-to-freedom-of-expression-and-press-freedom-in-eswatini/
35 Intelwatch, A Press Under Siege: Mapping the Mutually Reinforcing Threats to the Media in Eswatini (March 2026) 14–15.
36 Vuyisile Sikelela Hlatshwayo, *Assessment of Media Development in Swaziland: Based on UNESCO's Media Development Indicators* (UNESCO 2017) https://unesdoc.unesco.org/ark:/48223/pf0000259242
37 *National Media Ltd and Others v Bogoshi* 1998 (4) SA 1196 (SCA).
38 *Swazi Observer Newspaper T/a The Observer On Saturday And Other v Dlamini* (13 of 2018) [2022] SZSC 251 (7 March 2022)

WHAT THE CASES SHOW

The principles in Annex 1 set the standard. The reported judgments show how that standard has been applied to journalists and media houses since 2014. Annex 2 lists every judgment.

14
matters decided in 18 reported judgments, 2014 to 2026

11
matters lost by the media

E2.45m
awarded in damages across 10 matters

5 of 11
losses turned on verification or the right of reply

DEFAMATION JUDGMENTS AGAINST MEDIA DEFENDANTS IN ESWATINI, 2014 TO 2026

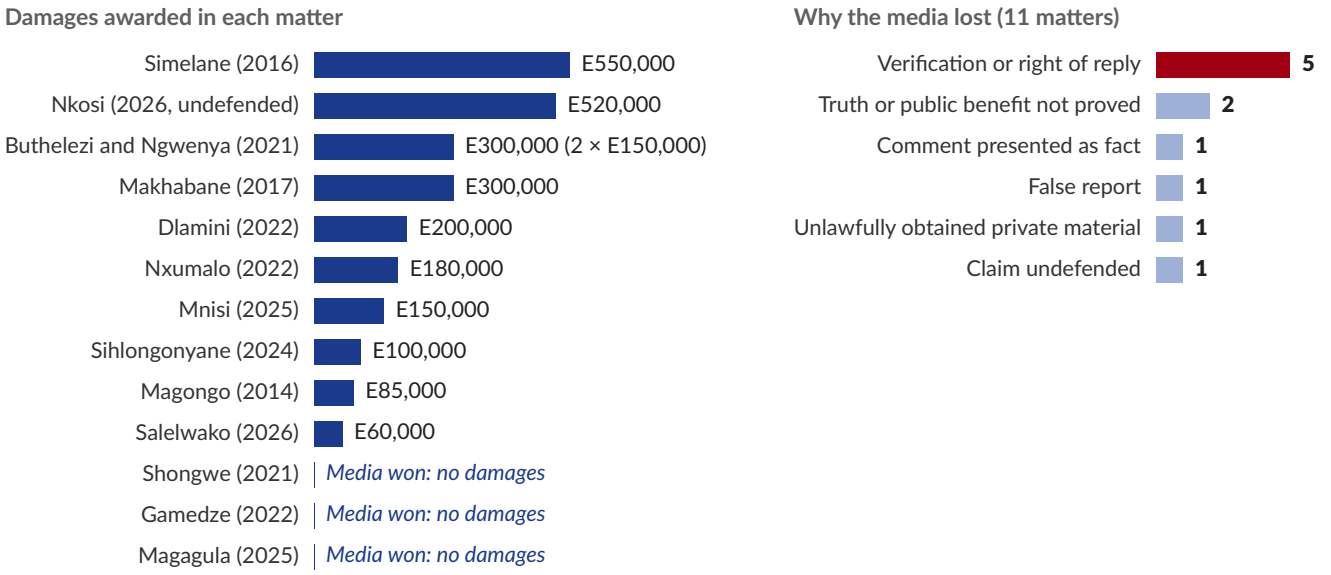


Figure 3: Defamation judgments against media defendants in Eswatini, 2014 to 2026. Source: Annex 2. The final award in each matter is shown. Mamba v Zwane is excluded because damages are still to be assessed.

In theory, Eswatini's law relating to defamation gives journalists meaningful protection for responsible reporting in the public interest, including some protection for honest mistakes. It does not protect negligent publication, unverified suspicion, private gossip presented as public interest, or serious allegations published without reasonable verification or an opportunity to respond. The problem, however, lies in how the courts decide whether a publication was reasonable. It is here that the courts, the public and the media have tended to be at odds about whether a journalist should escape liability.

READING THE CASES

Verification decides cases. In five of the eleven matters the media lost, the deciding failure was not checking the story or not giving the subject a real chance to respond. A written right-of-reply protocol, as recommended below, targets exactly this risk.

Good practice wins cases. The three matters the media won turned on a prompt and prominent retraction and apology, words read fairly in context, and accurate reporting of a petition already in the public domain.

Awards vary widely. Damages ranged from E60,000 to E550,000. Read them against the principle (Annex 1, Box 4) that damages offer solace and vindication, not punishment.

By 2022, the Supreme Court held that the reasonableness defence is available where a publication serves a legitimate public interest purpose, even where the published words prove false or are misinterpreted.[39] Yet in 2024 the Supreme Court upheld a defamation finding against the Times for reporting on an estate matter already ventilated in court proceedings. Though the newspaper relied on affidavits and court records, standard journalism practice, the court treated its failure to separately confirm facts with the plaintiff as proof of malice,[40] imposing, as one commentary observed, "unrealistic expectations of the onus that rests on journalists to verify their information".[41] In the past 10 years alone, the country's two largest newspapers were taken to court frequently, with damages awards at times amounting more to punishment of newspapers than to solace for those who claim to have been defamed. [42]

Eswatini's own courts have called the media's role in providing information and a platform for democratic exchange "of undeniable importance",[43] even as their practice at times simultaneously strips the press of the protection needed to perform that very function. No Eswatini judgment has recognised a SLAPP suit as such, identified abusive litigation as a distinct category of harm to press freedom, or developed procedural mechanisms to dispose of meritless claims early.

Every outlet that watches a competitor destroyed by a lawsuit learns the same lesson in silence.

FROM THIS PAPER

South Africa's courts have gone further. In the foundational case, *Mineral Sands*, when a company sued a group of environmental lawyers, activists, and academics for defamation, seeking R14.25 million in damages, the Constitutional Court explicitly recognised SLAPP suits[44] and held that the common law doctrine of abuse of process is available as a defence: a defendant can apply to have a SLAPP suit struck out without engaging its merits. In *Sithole v Media24*, the High Court went further still, identifying the specific elements that indicate a SLAPP suit: ulterior objectives of punishment and deterrence, claiming urgency where none exists, seeking relief that would be ineffectual, and targeting a single newsroom while leaving identical publications untouched.[45] There, two politically connected businessmen had sought to bar use of a nickname that had appeared across dozens of publications. The court struck the application from the roll and ordered the applicants to pay punitive costs.

Yet even this jurisprudence has limits that Eswatini policymakers must note. The SLAPP defence in South Africa exists only in common law; no legislative framework defines a SLAPP suit, establishes procedural pro-

39 Nxumalo v Swazi Observer and Others (7 of 2018) [2022] SZSC 250 (17 February 2022).
40 *African Echo (Pty) Ltd t/a Times of Eswatini and Another v Clement Sihlongonyane* (CIV/APP 11/2023) [2024] SZSC 79 (August 2024)
41 Anton Harber, 'Using Law to Bankrupt Media Outlets and Curb Media Freedom' (*Inhlase Centre for Southern African Investigative Journalism*, 28 September 2024) inhlase.com
42 See Annex 2 for the reported judgments against media defendants since 2014.
43 African Echo v Simelane [2014] SZSC 83, citing Khumalo and Others v Holomisa 2002 (5) SA 401 (CC).
44 Mineral Sands Resources (Pty) Ltd and Others v Reddell and Others [2022] ZACC 37; 2023 (2) SA 68 (CC).
45 Sithole and Another v Media24 (Pty) Ltd and Others (2023/070374) [2023] ZAGPJHC 884 (8 August 2023).

tections for defendants, mandates early dismissal, or imposes consequences on plaintiffs who bring proceedings in bad faith. For defendants without legal expertise or deep pockets, precisely the independent outlets most vulnerable to this form of litigation, the defence is often too complex and costly to be of practical use.[46]

5 A system of suppression

HOW THE PRESSURE SYSTEM WORKS

1

Restrictive laws

Licensing, proscription, criminal defamation, cybercrime and contempt laws create broad exposure.

2

Courtroom pressure

Defamation and SLAPP-style claims shift the burden to small outlets.

3

Non-legal coercion

Threats, violence, equipment seizure, licensing and advertising pressure reinforce silence.

4

Public harm

Citizens lose access to independent information and accountability journalism.

Core point:

the legal case does not need to succeed to chill reporting; the process itself can be the punishment.

Figure 4: The cumulative system of legal, physical and economic pressure on independent media.

SLAPP suits are only one of many mechanisms. Legal harassment extends to interdicts, cost applications against journalists and lawyers in their personal capacity, unwarranted criminal charges, malicious prosecution, and broader abuse of court processes. Even the threat of defamation action, a formal "cease and desist" letter, or an informal warning, can induce self-censorship before a single court filing is made.[47]

During the 2021 protests in Eswatini, journalists were allegedly abducted or tortured by state agents, with Nomthandazo Maseko of Swati Newsweek reportedly assaulted by correctional officers while livestreaming a protest, hauled from a vehicle, slapped, kicked, and threatened at gunpoint.[48] State-owned radio and television, for their part, did not cover the June 2021 riots at all, as though they had not occurred.[49] Zweli Dlamini, editor of Swaziland News, told the South African broadcaster, SABC, that police had seized his equipment and held him without charge, and he alleged that officers subjected him to "tubing" and told him to "forget about your rights", claims the government disputes. When he later wrote a story questioning the King's health during COVID-19, his wife was arbitrarily detained and interrogated for three hours.[50]

When direct confrontation has not silenced the press, economic capture has proven just as effective. Operating licences and advertising revenue depend on staying

46 'Silencing through litigation: Why South Africa needs anti-SLAPP legislation' *De Rebus* (1 November 2025) https://www.derebus.org.za/silencing-through-litigation-why-south-africa-needs-anti-slapp-legislation/

47 Intelwatch, A Press Under Siege: Mapping the Mutually Reinforcing Threats to the Media in Eswatini (March 2026) 18–21.

48 Committee to Protect Journalists, 'Eswatini prison officers assault, threaten to shoot reporter covering pro-democracy protest' (CPJ Case Alert, 16 February 2022) https://cpj.org/2022/02/eswatini-prison-officers-assault-threaten-to-shoot-reporter-covering-pro-democracy-protest/; South African National Editors' Forum, 'SANEF Condemns the Detention, Assault and Torture of Journalists in Eswatini' (July 2021) https://sanef.org.za/sanef-condemns-the-detention-assault-and-torture-of-journalists-in-eswatini/

49 Media Institute of Southern Africa, So This Is Democracy? State of Media Freedom in Southern Africa 2021 (MISA 2022) 82–84; see also Intelwatch, A Press Under Siege: Mapping the Mutually Reinforcing Threats to the Media in Eswatini (March 2026) 11–13.

50 Committee to Protect Journalists, 'Swazi editor flees to South Africa, wanted in false news investigation' (CPJ Case Alert, 15 May 2020) https://cpj.org/2020/05/swazi-editor-flees-to-south-africa-wanted-in-false/ accessed 19 June 2026; see also Media Institute of Southern Africa, 'Newspaper editor flees Swaziland for second time after arrest and police torture' (MISA Swaziland, 13 March 2020) https://misaswaziland.wordpress.com/2020/03/13/newspaper-editor-flees-swaziland-for-second-time-after-arrest-and-police-torture/

in government ministers' favour, a dependency that hurts smaller, privately owned papers. In 2007, the Times of Swaziland was forced to retract an article criticising King Mswati III; its editor was fired, and its publisher was summoned to the Royal Palace and told to issue a public apology or see the newspaper closed.[51] In April 2025, businessman Michelo Shakantu, whose wife serves as a cabinet minister, acquired the Times of Eswatini, the nation's sole independent daily for over a century, with press freedom advocates warning that the takeover sounded the death knell for independent print media in the country, foreclosing any expectation of critical coverage from what was once the country's most independent outlet.[52] Social media has opened space for criticism mainstream outlets cannot accommodate, though authorities have responded with repeated internet shutdowns during periods of unrest.[53]

When direct confrontation has not silenced the press, economic capture has proven just as effective.

FROM THIS PAPER

The African Commission's July 2025 Promotion Mission to Eswatini, its first since 2016, found that the Public Order Act, the Suppression of Terrorism Act, and the Sedition and Subversive Activities Act are routinely weaponised to suppress dissenting voices.[54] Those laws remain fully operative.

6 International solutions

No Southern African country has yet adopted anti-SLAPP legislation.[55] Globally, however, a growing body of statutory and judicial frameworks offer Eswatini a clear model for reform.

In the United States, where around 40 states and the District of Columbia have anti-SLAPP statutes,[56] the strongest laws rely on five core mechanisms: an early motion to dismiss or strike, an expedited hearing requirement coupled with a stay of discovery until the motion is resolved, a requirement that the plaintiff demonstrate a degree of merit, mandatory cost-shifting and attorney's fees, and an interlocutory appeal right. The EU's "Daphne's Law", named for assassinated Maltese investigative journalist Daphne Caruana Galizia, protects journalists and human rights advocates through early dismissal, compensatory damages for defendants, and a broad statutory definition of a SLAPP suit.[57] The Council of Europe's Committee of Ministers has called on member states to prevent legal actions pursued to restrict expression on matters of public interest,[58] and the European Parliament has recommended proportionate punitive penalty formulas that compensate defendants while deterring repeat plaintiffs.[59] Ontario's two-pronged test, endorsed by the Supreme Court of Canada, asks whether the expression relates to a matter of public interest, and if so, shifts the burden

51 Media Institute of Southern Africa, *African Media Barometer: Swaziland* (MISA Swaziland 2007)

52 Vuyisile Hlatshwayo, 'Times takeover rings death knell for independent media' (Inhlase Centre for Investigative Journalism, 3 May 2025) https://inhlase.com/times-takeover-rings-death-knell-for-independent-media/; see also 'The Times of Eswatini: A pivotal ownership change in the media landscape' Sunday Independent (2 April 2025) https://sundayindependent.co.za/news/2025-04-02-the-times-of-eswatini-a-pivotal-ownership-change-in-the-media-landscape/

53 Access Now, '#KeepItOn: Eswatini authorities shut down internet to quell protests, ask people to email grievances' (2021) https://www.accessnow.org/keepiton-eswatini-protests/; CIVICUS Monitor, 'Pro-democracy protest action and internet shutdown in Eswatini' https://monitor.civicus.org/explore/pro-democracy-protest-action-and-internet-shutdown-eswatini/

54 African Commission on Human and Peoples' Rights, 'Press Statement at the Conclusion of the Promotion Mission of the African Commission on Human and Peoples' Rights to the Kingdom of Eswatini: 14 to 20 July 2025' (22 July 2025) https://achpr.au.int/en/news/press-releases/2025-07-22/press-statement-conclusion-promotion-mission-kingdom-eswatini

55 'Understanding Strategic Litigation Against Public Participation Law Suits (SLAPP Suits)' (Factsheet, April 2026) https://90by2030.org.za/wp-content/uploads/2026/04/Understanding-Strategic-Litigation-Against-Public-Participation-Law-Suits-SLAPP-Suits-Factsheet-V1.pdf

56 Institute for Free Speech, 'Anti-SLAPP Statutes: 2025 Report Card' https://www.ifs.org/anti-slapp-report/ accessed 1 October 2026.

57 Directive (EU) 2024/1069 of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded or abusive court proceedings ('Strategic lawsuits against public participation') [2024] OJ L2024/1069.

58 Council of Europe, Recommendation CM/Rec(2024)2 of the Committee of Ministers to member States on countering the use of strategic lawsuits against public participation (SLAPPs) (5 April 2024).

59 European Parliament Committee on Legal Affairs, *Report on the proposal for a directive of the European Parliament and of the Council on protecting persons who engage in public participation from manifestly unfounded or abusive court proceedings* (A9-0223/2023, 29 June 2023) 14–16, 42.

to the plaintiff to demonstrate substantial merit outweighing the public interest in protecting the expression, allowing quick dismissal of frivolous suits.[60]

ANTI-SLAPP SAFEGUARDS TO BUILD INTO LAW

1	2	3	4
Clear statutory definition	**Early dismissal or strike-out**	**Stay of discovery and expedited hearing**	**Plaintiff must show substantial merit**

Add mandatory costs, fees, proportionate penalties and interlocutory appeal rights for defendants.

Figure 5: Core anti-SLAPP safeguards reflected in comparative models.

> *...seeking relief which will have no purpose other than to improperly punish and make a chilling example.*
>
> **OPPERMAN J, *Sithole v Media24*, HIGH COURT OF SOUTH AFRICA (2023)**

The CALS Model Law for Protection from SLAPP synthesises the most effective elements across jurisdictions, aiming to protect an open democratic society, prevent the use of legal mechanisms to undermine fundamental rights, facilitate expeditious dismissal, and provide remedies for victims of abusive litigation. By defining public interest broadly to encompass damage/risk to public health, safety, or the environment; matters with public attention; issues under consideration by public bodies; and accusations of corruption, fraud, money laundering, or political wrongdoing, it represents the most directly applicable model for legislative drafters.[61]

7 Recommendations

For Parliament and Government

The most urgent priority is dedicated anti-SLAPP legislation. The Ministry of Justice and Constitutional Affairs should table an Anti-SLAPP Bill drawing on the CALS Model Law, Ontario's public interest test and the Council of Europe's 2024 Recommendation. At a minimum, the Bill should provide: a statutory definition of SLAPPs; an early dismissal application, heard within a fixed period, that suspends the main proceedings and requires the plaintiff to show that the claim has substantial merit and a legitimate purpose; full legal costs for successful applicants and damages for abusive litigation; and a right of appeal for defendants whose applications are refused. It should define public interest broadly to cover corruption, financial regulation, public health and the exercise of public power, while preserving a route to court for plaintiffs with genuine claims.

Anti-SLAPP legislation alone, however, is insufficient while the broader legislative arsenal remains intact. Parliament should repeal the licensing requirement in the Books and Newspapers Act of 1963 and section 3 of the Proscribed Publications Act of 1968. It should remove defamation, slander and libel from the definition of cyberstalking in section 17(2) of the Computer Crime and Cybercrime Act of 2022, and abolish the

60 Courts of Justice Act, RSO 1990, c C.43, s 137.1 (Ontario); 1704604 Ontario Ltd v Pointes Protection Association, 2020 SCC 22; see also Ecojustice, 'Anti-SLAPP legislation' https://ecojustice.ca/news/anti-slapp-legislation/

61 Centre for Applied Legal Studies, *A Model Anti-SLAPP Law for South Africa and the SADC Region* (CALS Presentation Briefing Paper, University of the Witwatersrand, June 2024) wits.ac.za

common law offence of criminal defamation by statute. Parliament should also amend section 49(l) of the Public Service Act and section 6 of the Cinematograph Act and ensure that designations under the Suppression of Terrorism Act do not bar community broadcasting licences under section 11(d) of the Broadcasting Act. Finally, it should require public disclosure of media outlets' beneficial ownership, so acquisitions such as the 2025 sale of the Times of Eswatini are open to public scrutiny.

Some steps need no new law and can be taken immediately. The Director of Public Prosecutions should publish prosecutorial guidelines confirming that journalists will not be charged with criminal defamation, contempt of court or cyberstalking for publishing on matters of public interest. The Government should also respond formally, with a timeline, to the African Commission's July 2025 promotion mission recommendations.

For the Courts

Pending legislation, courts should apply the abuse of process defence recognised in *Mineral Sands v Reddell*, treating disproportionate damages, ulterior purpose, exploited power imbalances and the absence of genuine reputational harm as grounds for early, robust scrutiny. The Chief Justice should issue a practice directive allowing defendants in defamation matters to apply for an early ruling on whether a claim is an abuse of process, before discovery and trial. Courts should apply the reasonable-publication principles the Supreme Court has itself set out consistently, recognising that reliance on court records and affidavits is standard journalistic practice. Damages should compensate and vindicate, not punish or close newspapers, as the courts' own principle requires. Given that the courts decided at least 14 defamation matters against the media between 2014 and 2026, mostly involving the two largest newspapers, appellate guidance on proportionate awards is overdue. Courts should exercise their contempt powers with restraint, consistent with *Maseko v Rex* (2015), and should not impose bail conditions that ban media engagement or public speaking. The judiciary, working with partners such as SALC, should run judicial training on SLAPP indicators, the reasonable-publication defence and the African Commission's 2019 Declaration. Courts must be willing not merely to acknowledge abusive litigation, as their current language suggests, but to act against it.

For Civil Society and the Media

The Swaziland Editors Forum and the Swaziland National Association of Journalists should make the self-regulatory Media Complaints Commission operational within 12 months for print and online media, with published rules, an independent chair and public members. The Eswatini Communications Commission already handles broadcasting complaints under the Broadcasting Act of 2023. Both bodies and their partners should keep a shared register of SLAPP-type claims, letters of demand, threats, advertising withdrawal and equipment seizures, publish it annually, and submit it to the African Commission's Special Rapporteur on Freedom of Expression and Access to Information and to UN mechanisms; this is the paper trail that allows accountability mechanisms to function. Independent media bodies, such as the Swaziland Editors Forum, should also establish a pooled emergency legal defence fund that can release support within days for outlets facing active litigation, including counter-applications for abuse of process. Newsrooms should adopt a written right-of-reply protocol that meets the Supreme Court's reasonable-publication standards (written questions, a reasonable deadline and a record of every attempt to obtain comment), together with pre-publication legal review of high-risk stories, to reduce their exposure to claims. The sector should also set up a standing roster of pro bono lawyers, with the Law Society of Eswatini and organisations such as Eswatini Litigation Centre able to respond to letters of demand within 48 hours, and explain to the public why a free press protects citizens' own rights. Since 45% of citizens now get news through social media platforms, media literacy and public education work should include online audiences.

For International and Regional Bodies

International and regional bodies should raise anti-SLAPP reform and the reform of laws that restrict expression in their political dialogue with Eswatini, and should observe defamation hearings involving independent media. They must move from passive engagement to active pressure to hold Eswatini to its treaty obligations.

Concretely, this means:

a. the UN Special Rapporteur on freedom of opinion and expression should request a country visit, and States should raise these laws in Eswatini's next Universal Periodic Review;

b. the African Commission's Special Rapporteur on Freedom of Expression and Access to Information should follow up the July 2025 promotion mission with a formal letter to the Government seeking a timeline for reform of the laws the mission identified, and the Commission should adopt a resolution if there is no response; and

c. SADC member states should use the SADC Summit and the Organ on Politics, Defence and Security Cooperation to reject restrictions on expression in Eswatini, consistent with the SADC Treaty's commitment to human rights, democracy and the rule of law.[62]

Finally, international stakeholders should support the establishment and sustainability of media operating outside Eswatini's jurisdiction, including exiled outlets, which remain the last resort for a free press within the country.

A1 Principles of defamation law

The principles below are drawn from judgments of the Supreme Court of Eswatini. They are grouped into four boxes.

BOX 1

When is a publication defamatory?

1 What constitutes defamation?

Defamation is the unlawful publication of words or conduct concerning a person that impairs that person's reputation or lowers them in the estimation of right-thinking members of society.

The court applies an **objective test**: What meaning would an ordinary, reasonable reader of average intelligence and education attribute to the publication?

To determine if defamation occurred, the court must consider both the publication's express wording and its implications. The article must be read as a whole and in context, including its headline, tone and structure. A statement is not defamatory merely because it is false; it must also tend to lower the person's reputation.

Once a defamatory publication referring to the claimant is proved, unlawfulness is generally inferred. The media defendant must then establish a recognised defence or demonstrate that publication was reasonable and therefore lawful.

2 Liability of the media is not strict

A newspaper is not automatically liable simply because it published a false and defamatory statement. For journalists and media organisations, the relevant form of fault is ordinarily negligence, rather than a deliberate intention to injure. The media may avoid liability by showing that, in all the circumstances, it was reasonable to publish the information in the particular form and at the particular time. Proof of reasonable publication will usually demonstrate an absence of negligence.

BOX 2

The reasonable publication defence

3 Reasonable publication defence

Even a false defamatory statement may be lawful if:

- the subject was genuinely in the public interest;
- the journalist had reasonable grounds for believing the information was true;
- reasonable verification steps were taken;
- the source and supporting material were sufficiently reliable;
- the person affected was ordinarily given a meaningful opportunity to respond;
- the nature, seriousness and tone of the allegations justified publication in that form;
- the timing or urgency justified publication when it occurred; and
- the publication was not motivated by malice, private spite or prejudice.

Relevant factors include the nature and extent of the allegation, the reliability and status of the source, verification, presentation, tone, urgency and whether the affected person's response was sought and published. Serious allegations require a correspondingly high degree of care. Unverified allegations from unidentified or unofficial sources impose a particularly heavy burden on the publisher.

62 Treaty of the Southern African Development Community (1992), art 4(c).

4 Verification and the right of reply

The Supreme Court has identified alternative ways in which reasonableness may be established:

- verifying the truth, authenticity or accuracy of the information;
- obtaining and fairly publishing the affected person's response; or
- demonstrating a reasonable factual basis for believing the allegation to be true.

5 Public interest is not the same as public curiosity

The reasonable-publication defence protects material in which the public has a legitimate interest, not material that is merely interesting to readers.

A journalist should ask:

- Does the publisher have a legal, moral or social duty to publish?
- Does the audience have a corresponding legitimate interest in receiving the information?
- Do the source, status and circumstances of the information justify protection?

A person's prominence or public position does not make every aspect of that person's private or family life a matter of public interest. Nor does public debate, gossip or a dispute being newsworthy automatically create a public-interest justification. The publication itself, and not merely its general subject, must serve the public interest.

BOX 3

Other defences open to the media

6 Truth and public benefit or justification defence

A defence is available where the defamatory allegation is substantially true and its publication is for the public benefit. The media bears the evidential burden of proving the material truth of the allegation. A journalist may therefore face difficulty where the source is unavailable, anonymous or protected by confidentiality and there is no admissible supporting evidence. Truth alone may not be enough if publication serves no proper public benefit.

7 Fair comment or honest opinion defence

Fair comment protects an honestly held opinion on a matter of public interest, rather than an unsupported assertion of fact.

For greater protection, journalists should:

- distinguish clearly between fact and comment;
- state or identify the facts on which the opinion is based;
- ensure those underlying facts are true or otherwise privileged; and
- avoid presenting speculation or suspicion as an established fact.

Describing an allegation as an "opinion", "suspicion" or "claim" will not necessarily protect it if an ordinary reader would understand it as conveying a defamatory factual imputation.

8 Qualified privilege defence

Qualified privilege may arise where the publisher has a duty to communicate information and the recipient has a corresponding interest in receiving it. For publication to the general public, the journalist must show more than a generally newsworthy topic. The nature and source of the material, the public need for it, the steps taken to verify it and the circumstances of publication must justify the protection. Malice can defeat the defence.

BOX 4

Constitutional rights and damages

9 Freedom of expression

Section 24 of the Constitution protects freedom of expression, including press freedom and the right to receive and communicate information. However, it is not an absolute defence. Section 24 permits restrictions reasonably required to protect the reputations, rights and freedoms of others. The press therefore has no constitutional entitlement to publish false, unjustifiable or unreasonable defamatory material. Freedom of expression and reputation must be balanced within the particular circumstances of each case.

10 Damages

Damages in defamation proceedings are intended primarily to:

- compensate the claimant for harm to reputation;
- provide solace for the injury suffered; and
- vindicate the claimant's reputation publicly.

They are not intended to punish the journalist or drive a newspaper out of circulation. Relevant considerations include the seriousness of the allegation, the extent of publication, the claimant's standing, evidence of actual harm, the publisher's conduct and whether a prompt correction, retraction or apology was offered. An apology does not undo the defamation, but it may reduce damages.

A2 Defamation judgments involving the media, 2014 to 2026

The table lists reported High Court (HC) and Supreme Court (SC) judgments in defamation claims against journalists and media houses from 2014 to 2026. Where a matter went on appeal or review, each judgment is listed. Amounts are in emalangeni (E).

Year	Case	Court	What was published	Outcome	Damages
2014	*Magongo v Mhlanga and African Echo t/a Times of Swaziland* (1138/99) [2014] SZHC 09	HC	Articles alleging dishonesty.	The court found several articles defamatory per se; the defences of truth, public interest and fair comment failed for the defamatory allegations.	E85,000
2016	*African Echo (Pty) Ltd t/a Times of Swaziland v Inkhosatana Gelane Simelane* (77/2013) [2016] SZSC 20	SC	Article questioning the plaintiff's entitlement to a traditional leadership position.	Review dismissed. The Supreme Court upheld the finding that the article was defamatory per se and rejected the challenge to liability and quantum.	E550,000 confirmed
2017	*Makhabane v The Weekend Observer (Pty) Ltd and Others* (1681/2007) [2017] SZHC 233	HC	Opinion column questioning the plaintiff's honesty and integrity.	The article was defamatory per se. Fair comment and reasonableness failed because the publication went beyond permissible comment and falsely impugned his integrity.	E300,000
2018	*The Weekend Observer (Pty) Ltd and Two Others v Makhabane* (100/2017) [2018] SZSC 41	SC	Appeal against the High Court finding and award.	Appeal and cross-appeal dismissed. The Supreme Court confirmed that fair comment, section 24 and reasonable publication did not protect the article.	E300,000 confirmed
2018	*Nxumalo v The Swazi Observer (Pty) Ltd t/a Observer on Saturday* (07/2018) [2018] SZSC 27	SC	Article about the plaintiff's health status.	Appeal upheld. The article was false and defamatory. Matter remitted for quantum.	Quantum remitted to High Court
2019	*The Weekend Observer (Pty) Ltd and 2 Others v Makhabane* (100/2017) [2019] SZSC 39	SC	Review application challenging the 2018 appeal judgment, including on freedom of expression and alleged judicial bias.	Review dismissed as a disguised second appeal. The court reaffirmed that false factual allegations cannot be shielded as opinion or press freedom.	E300,000 remained undisturbed
2020	*Buthelezi and Another v Ndlela and Another* (1737/15) [2020] SZHC 174	HC	Articles and photographs about the plaintiffs' private lives, obtained through an unlawful intrusion into a private home.	The articles and photographs were defamatory. The court rejected public-interest and reasonable-publication defences, especially because the material was unlawfully obtained and humiliating.	E350,000 to first plaintiff and E175,000 to second plaintiff
2021	*Ndlela and Another v Buthelezi and Another* (60/2020) [2021] SZSC 04	SC	Appeal concerning the articles and photographs.	Defamation finding confirmed. The Supreme Court held that the words implied wrongdoing and the publication was neither reasonable nor in the public interest.	Reduced to E150,000 for each plaintiff
2021	*Shongwe v The Swazi Observer (Pty) Ltd* (847/2015) [2021] SZHC 212	HC	Article alleging that the plaintiff was under investigation over missing club funds.	Although initially defamatory, the prompt and prominent retraction and apology were held to show reasonable conduct and to negate liability in the circumstances.	Claim dismissed; no damages

Year	Case	Court	What was published	Outcome	Damages
2022	*Nxumalo v The Swazi Observer and Two Others* (7/2018) [2022] SZSC 250	SC	Appeal on the amount of damages.	The High Court's E2,000 award was set aside as unreasonably low. The court emphasised that damages should offer solace, not punish, but must reflect the impairment of reputation.	E180,000
2022	*Swazi Observer Newspaper t/a The Observer on Saturday and Others v Dlamini* (13/2018) [2022] SZSC 251	SC	Article implying misuse of family business funds.	Defamation and liability confirmed. The court recognised the reasonable-publication standard but found no public interest, no adequate verification and no opportunity to respond.	E200,000 confirmed
2022	*Mamba v Zwane and Others* (12/2021) [2022] SZSC 51	SC	Article alleging improper handling of client funds.	Appeal upheld. The article was defamatory because it imputed dishonesty. Truth and public benefit were not proved; matter remitted for assessment of damages.	Quantum remitted to High Court
2022	*Gamedze v The Swazi Observer and Others* (2012/2012) [2022] SZHC 271	HC	Articles criticising the plaintiff's return to a sports team.	Claim dismissed. The court held that the statements, read in context, were not defamatory of the plaintiff; some alleged meanings were unsupported by the words used.	No damages
2024	*African Echo (Pty) Ltd and Others v Sihlongonyane* (11/2023) [2024] SZSC 79	SC	Article alleging that the plaintiff had tampered with a family will.	Appeal dismissed. The court held the article defamatory and found negligence/recklessness because the plaintiff's response was not sought and prior judgments were ignored.	E100,000 confirmed
2025	*Magagula v The Swazi Observer and Another* (944/2022) [2025] SZHC 299	HC	Article reporting allegations made in a community petition against a traditional leader.	Claim dismissed. The court held that the newspaper substantially reproduced a petition already in the public domain and was justified in reporting it.	No damages
2025	*Mnisi v The Swazi Observer and Two Others* (712/2018) [2025] SZHC 109	HC	Article alleging that the plaintiff was involved in desecrating graves.	The article was defamatory. The defendants failed to verify the story with the plaintiff and misdescribed key facts; section 24 and reasonable publication did not avail them.	E150,000
2026	*Nkosi v Eswatini Observer Newspaper Group and Another* (1993/24) [2026] SZHC 68	HC	Series of articles alleging misconduct by a sitting judge.	Undefended action succeeded. The court found the statements defamatory and unrebutted; no defence such as truth, privilege or reasonable publication was advanced.	E520,000
2026	*Salelwako v Swazi Observer (Pty) Ltd and Others* (786/2016) [2026] SZHC 41	HC	Article that wrongly listed the plaintiff among suspects in a traffic offence.	The article was defamatory. The press-freedom defence failed because the reporter negligently failed to verify the court record before publishing.	E60,000

Source: Southern Africa Litigation Centre compilation of reported judgments of the High Court and Supreme Court of Eswatini.

About this paper

CITATION AND AUTHORSHIP

Defamation, SLAPPs and Media Freedom in Eswatini, Lilungelo Lakho Policy Paper No. 01, November 2026.

Suggested citation: Southern Africa Litigation Centre, *Defamation, SLAPPs and Media Freedom in Eswatini* (Lilungelo Lakho Policy Paper No. 01, November 2026).

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The **Southern Africa Litigation Centre (SALC)** was established in 2005 to promote and advance human rights, democratic governance, the rule of law and access to justice in Southern Africa through strategic litigation, advocacy and capacity strengthening.

Lilungelo Lakho, the project "Advancing Civic Space, Human Rights and Access to Justice in Eswatini", is implemented by COSPE, the Foundation for Socio-Economic Justice, the Southern Africa Litigation Centre and the Swaziland Editors Forum, with co-funding from the European Union.

ACKNOWLEDGEMENTS

Melusi Simelane, Consultant Programme Manager: Civic Rights Cluster, authored and edited this document, with students from the International Human Rights Advocacy Clinic at Florida State University (FSU) conducting initial research under the supervision of Melusi Simelane and Professor Darby Scott.

Jessica Thompson, a legal intern, and Thabo Buthelezi, a legal researcher, conducted additional research for the paper.

A consultation was held with the Lilungelo Lakho project partners, Jabu Matsebula and Mbongeni Mbingo of the Swaziland Editors Forum, for contextual alignment.

Anneke Meerkotter, Executive Director of the Southern Africa Litigation Centre, provided final checks and edits.

COVER PHOTOGRAPH

Lucky Simelane, Senior Photojournalist, Eswatini Observer. The photograph shows a former member of Parliament, dressed in correctional uniform, addressing the media. It has been edited to obscure the faces of the people pictured, in line with the Protection of Personal Information Act No. 4 of 2013 (South Africa) and the Data Protection Act No. 5 of 2022 (Eswatini).



Photo: Lucky Simelane, Eswatini Observer (detail). Faces obscured to protect personal information.

LILUNGELO LAKHO POLICY PAPER NO. 01

Defamation, SLAPPs and Media Freedom in Eswatini

This publication was co-funded by the European Union under the project "Advancing Civic Space, Human Rights and Access to Justice in Eswatini" (Lilungelo Lakho), implemented by Cooperazione per lo Sviluppo dei Paesi Emergenti (COSPE), the Foundation for Socio-Economic Justice (FSEJ), the Southern Africa Litigation Centre (SALC) and the Swaziland Editors Forum (SEF). Its contents are the sole responsibility of the Southern Africa Litigation Centre and do not necessarily reflect the views of the European Union.

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