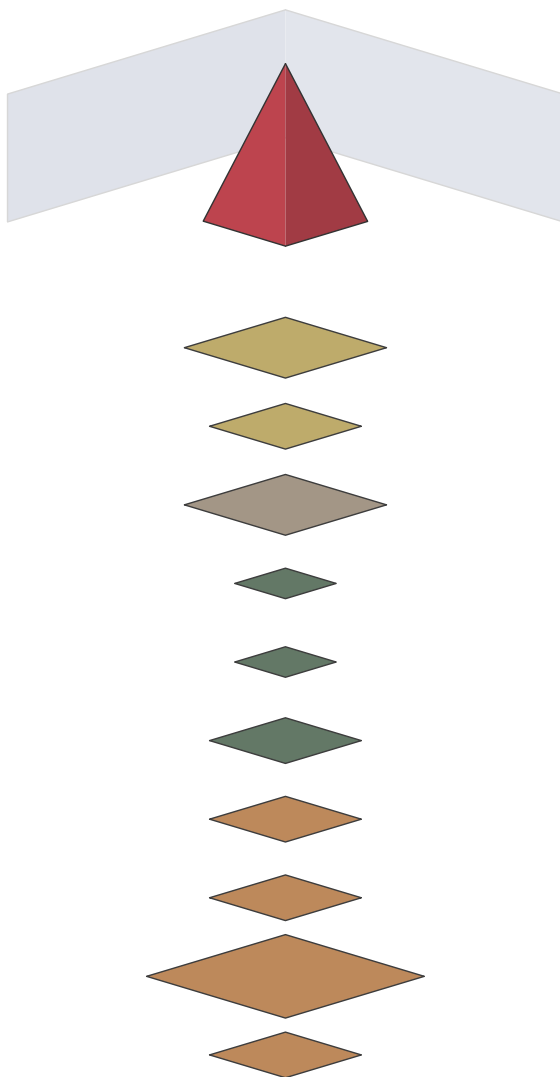




# ESWATINI



## 3.63 CRIMINALITY SCORE

53<sup>rd</sup> of 54 African countries  
13<sup>th</sup> of 13 Southern African countries



### CRIMINAL MARKETS **3.25**

HUMAN TRAFFICKING	4.00
HUMAN SMUGGLING	3.00
ARMS TRAFFICKING	4.00
FLORA CRIMES	2.00
FAUNA CRIMES	2.00
NON-RENEWABLE RESOURCE CRIMES	3.00
HEROIN TRADE	3.00
COCAINE TRADE	3.00
CANNABIS TRADE	5.50
SYNTHETIC DRUG TRADE	3.00



### CRIMINAL ACTORS **4.00**

MAFIA-STYLE GROUPS	1.50
CRIMINAL NETWORKS	5.50
STATE-EMBEDDED ACTORS	5.00
FOREIGN ACTORS	4.00



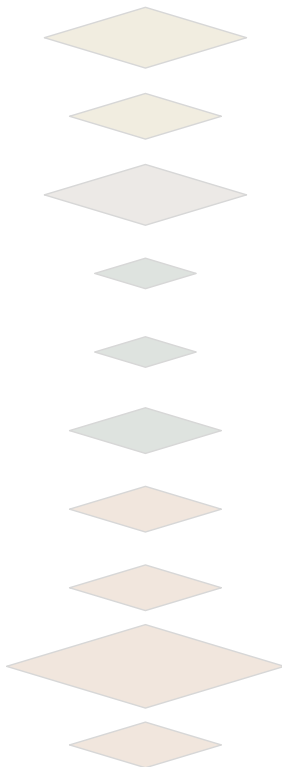
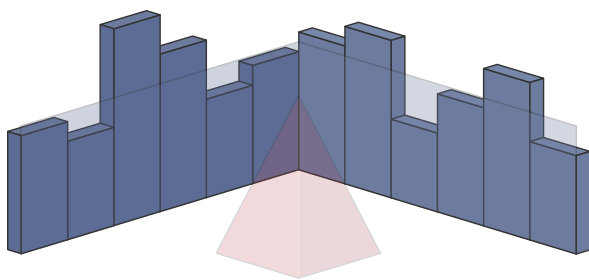
## 3.25 RESILIENCE SCORE

33<sup>rd</sup> of 54 African countries  
11<sup>th</sup> of 13 Southern African countries





# ESWATINI





## 3.25 RESILIENCE SCORE

**33<sup>rd</sup>** of 54 African countries  
**11<sup>th</sup>** of 13 Southern African countries

<u>POLITICAL LEADERSHIP AND GOVERNANCE</u>	<b>3.00</b>
<u>GOVERNMENT TRANSPARENCY AND ACCOUNTABILITY</u>	<b>2.50</b>
<u>INTERNATIONAL COOPERATION</u>	<b>5.00</b>
<u>NATIONAL POLICIES AND LAWS</u>	<b>4.00</b>
<u>JUDICIAL SYSTEM AND DETENTION</u>	<b>2.50</b>
<u>LAW ENFORCEMENT</u>	<b>3.00</b>
<u>TERRITORIAL INTEGRITY</u>	<b>3.50</b>
<u>ANTI-MONEY LAUNDERING</u>	<b>4.00</b>
<u>ECONOMIC REGULATORY CAPACITY</u>	<b>2.00</b>
<u>VICTIM AND WITNESS SUPPORT</u>	<b>3.00</b>
<u>PREVENTION</u>	<b>4.00</b>
<u>NON-STATE ACTORS</u>	<b>2.50</b>

## 3.63 CRIMINALITY SCORE

**53<sup>rd</sup>** of 54 African countries  
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 <u>CRIMINAL MARKETS</u>	<b>3.25</b>
 <u>CRIMINAL ACTORS</u>	<b>4.00</b>



# CRIMINALITY

## Criminal Markets

### PEOPLE

While primarily a transit point for trafficking victims, Eswatini is also a source country for forced labour and sex trafficking. Eswatini nationals are exploited as labourers in South Africa, with men in communities near the South African border recruited for forced labour in the country's timber industry. Trafficking victims are also exploited in livestock rearing, crop farming and car washing. In the latter trades, victims from Mozambique, who may have voluntarily entered Eswatini, are also exploited.

Unregulated labour brokering in Eswatini allows for a profitable illicit human smuggling market. The prevalence of poverty sees individuals seeking opportunities in South Africa, leaving them vulnerable to exploitation.

### TRADE

Eswatini has historically been a transit country for arms destined for neighbouring countries during conflicts in the 1980s and 1990s. This has become less prevalent, although it is believed that substantial numbers of leftover arms are still present. While unlicensed gun ownership is high, the total number of guns has reportedly gone down over the last decade. Eswatini has been less affected by small-arms and light-weapons proliferation largely because of its stability since independence. The few cases reported relate to cross-border smuggling of arms from neighbouring South Africa and Mozambique. Most armed crimes in Eswatini are robberies.

### ENVIRONMENT

Poaching and other wildlife crime numbers are generally low in Eswatini, mainly due to small fauna populations, but low incomes have resulted in some actors resorting to poaching pangolins that are later traded through ports in South Africa. Although Eswatini has aimed to purge the trade, a lack of funding has often led to the arrest of low-income criminals while wealthy traffickers key to maintaining trafficking routes remain at large. Eswatini has previously been implicated as a transit zone in the smuggling of abalone from South Africa. As there are no trade regulations applicable to South African abalone in transit or in destination countries, illegally harvested abalone can be legally imported by market states. With regard to flora, no major crimes

have been reported in Eswatini, although there are concerns about the unsustainable harvesting of plants and poaching of wildlife. Most plant and animal species typically used for medicinal purposes are becoming locally extinct or very rare due to high demand, with local markets having large stocks traded and exported into the region, far exceeding sustainable consumption levels. The unsustainable extraction of flora for charcoal production and for sale as firewood also leads to the illegal trade and export of indigenous flora. Although the illicit trade of cycads has been flagged, the volume of cycads traded illegally is low.

Eswatini is a transit route for contraband raw minerals from South Africa, smuggled on trucks transporting legal commodities to Eswatini and Mozambique. Networks of illegal miners and international buyers smuggle illicitly mined gold from South Africa into Eswatini, where it is exported to jewellery manufacturing hubs in the Middle East and Southern Asia. Although the political elite is involved, volumes are relatively small.

### DRUGS

Eswatini is a major cultivator of cannabis, producing well-known high-quality cannabis sought after in foreign markets. Cannabis cultivation is driven by deteriorating economic conditions disproportionately affecting women and young people. Eswatini nationals have been arrested in neighbouring countries and further afield for transporting and selling the drug. Nigerian syndicates are also reportedly involved in the trade of Eswatini cannabis in South Africa, Europe and elsewhere. After cannabis, cocaine is the most widely used illicit drug, with most users consuming it in powder form. Crack cocaine is the second most popular. A small but growing number of users inject the drug. Customs, border patrol and other law enforcement bodies are involved in sustaining the cocaine trade, providing territorial security and physical protection for dealers, and facilitating imports. Cocaine trafficking occurs through the same channels as heroin, with South Africa being the primary destination.

The domestic heroin market is small but growing, and the country provides important transit routes for heroin trafficked from Mozambique to South Africa and beyond. Insufficient border control and unofficial border crossings make it a low-risk route for traffickers, and trafficking occurs both overland and through the international airport. Regarding the synthetic-drug trade, Eswatini has a small



but rapidly growing domestic methamphetamine market. There is no domestic synthetic-drug production, but a transit trade in chemical precursors remains, including the diversion of licit chemicals as well as domestic and transit trade in small amounts of other finished synthetic products such as methaqualone, methcathinone and MDMA. Mandrax tends to be the most common synthetic drug, but it is not present in large amounts.

## Criminal Actors

Most criminal activity in Eswatini is perpetrated by small gangs and syndicates engaged in various activities from armed robbery to hijacking and smuggling. Syndicates are particularly involved in vehicle, drug and human smuggling and trafficking through the country and, therefore, tend to have links with criminal organizations in neighbouring South Africa and Mozambique. Violent crime disproportionately affects the poor, and is most often perpetrated by persons operating in these criminal groups. The main organized criminal activities are facilitated by the corruption of political elites, law enforcement and regulatory authorities. High-level corruption is funded by

revenue from the illicit trade of counterfeit goods, precious minerals, stolen motor vehicles, clothing and textiles, pharmaceuticals and livestock. At the operational level, officials mandated to manage borders are positioned to intercept or facilitate such crime, and police have been complicit in smuggling foodstuffs into Eswatini. The same is true of regulatory authorities that govern asset investment and fund transfers. The proceeds of organized crime are most frequently invested in the purchase of real estate or motor vehicles, and the setting up or funding of cash-intensive retail business.

Most incidents involving foreign actors are transactional and include the transit of commodities, the retail of small amounts of contraband, or violent robberies. Nigerian syndicates are potentially active in the cannabis trade, and profitable foreign enterprises are also engaged in the wildlife trade and trade in harder drugs. There are also reports of South African criminals making regular trips to and through the country, suggesting some form of illicit activity, most likely money laundering. Despite allegations, there has been very little evidence of mafia-style groups in Eswatini since the late 1990s.

# RESILIENCE

## LEADERSHIP AND GOVERNANCE

Eswatini is a monarchy in which the king has the power to dissolve Parliament and veto any decision, and governance structures are too outmoded to respond effectively to organized crime. King Mswati III is often supported by elites in efforts to repress the media and civil-society groups, and impunity is reinforced by reciprocal patronage illustrated by occasional leakages of grand corruption and criminality at high levels. Additionally, the government has regularly failed to pay vehicle costs and fuel bills, resulting in an under-resourced police service.

Eswatini has ratified several international treaties pertaining to organized crime and corruption, but has few bilateral relations and embassies abroad, making international and regional cooperation difficult. The country also has a limited number of extradition agreements relating to fiscal matters, most notably with South Africa, and is a founder member of the Asset Recovery Inter-Agency Network of Southern Africa. Eswatini is also a member of the Eastern and Southern Africa Anti-Money Laundering Group and a member of the Southern Africa Regional

Police Chiefs Cooperation Organization. In practice, however, the government is generally not responsive to legal assistance requests pertaining to transnational crime. Eswatini has made progress since 2018 with the passing of a domestic law addressing human trafficking, and the tabling of a law regarding human smuggling. However, certain laws remain deficient and require amendment, with the legislative process described as slow and the legal regime as underdeveloped. Eswatini is generally praised for its strict conservation strategy, though its funding has been acknowledged to be a strain on the relatively poor country.

## CRIMINAL JUSTICE AND SECURITY

Judicial independence and integrity are hindered by the absolute power of the King to appoint judges, demonstrated by the 2011 removal of a judge for allegedly criticizing him. Although the King is required to consult the judicial service commission, the latter is dominated by his appointees, and the suitability of recent appointments has been questioned. It has also been contended



that the judiciary perceives 'contempt of court' so broadly that it renders the judiciary above criticism and unaccountable. Courts are reported to be ill-equipped due to the underdeveloped legal regime, and although cases involving human trafficking went to trial in 2018, no convictions were secured. No judiciary-related specialized units with the specific aim of countering organized crime exist, but notably, a relatively low proportion of Eswatini's prison population is in pre-trial detainment.

While Eswatini does appear to have established two specialized law-enforcement units for combating organized crime, law enforcement is affected by a lack of training and funds. Police are slow in getting to crime scenes, and often have to walk, take public transport or hitch-hike. To combat cross-border crime, Eswatini has signed several memorandums of understanding with South Africa, Lesotho and Mozambique to facilitate greater collaboration, intelligence-sharing and technical assistance. However, police in the country have reportedly been involved in smuggling activities, thus exacerbating inefficient border control. Eswatini's border is shared with Mozambique and South Africa, and several informal unmonitored crossing points are used occasionally, especially during festive periods. The same crossing points are also useful for smuggling contraband.

## ECONOMIC AND FINANCIAL ENVIRONMENT

Although domestic law encompasses money laundering and terrorist financing and the establishment of a financial intelligence unit, it has not published annual reports or media releases. The country has committed its policies to EU guidelines and ratified multilateral conventions. As emphasized, Eswatini is a member of the Eastern and Southern Africa Anti-Money Laundering Group. The country has made significant progress in addressing some crucial deficiencies assessed by the Financial Action Task Force in 2009, but nonetheless, legislative infrastructure has not yielded significant interceptions and prosecutions. A low degree of economic freedom for citizens has also been reported, accompanied by lavish government spending and mismanaged funds. Poor economic circumstances, government misspending and lack of prevention activities enable criminal activity, with many citizens having to rely on informal practices.

## CIVIL SOCIETY AND SOCIAL PROTECTION

Some efforts have been made to meet the needs of trafficking victims and to repatriate citizens through agreements with South Africa. Shelters are run by non-governmental organizations, but victims of domestic

crime have limited support, with a rare one-stop centre in the capital city offering support to victims of gender-based violence. Eswatini has also reported human rights abuses, with marginalized groups, such as the LGBT community, unlikely to report crime. A 2018 law plugged some deficiencies pertaining to witness protection, and Eswatini has adopted an array of legislative and administrative instruments to prevent corruption and organized crime. However, the patronage at the centre of governance is a source of persistent fragility in crime and corruption prevention. The strategy needs to be informed by an assessment of the country's risks to money laundering and illicit financial flows, but although a risk assessment process was undertaken in 2019, its outcome has not been published.

Mechanisms for non-state actor oversight are present, but weak. Journalists are regularly attacked by police, and prevented from working freely by the government and official state institutions, not least the country's judicial system. On the one hand, members of the government are exempted from all prosecution in the courts. Conversely, however, any those criticising the government are often subject to prosecution. Political parties and trade unions are outlawed in Eswatini, creating a large role for investigative media. However, funding issues and political pressure constrict media capacity.

