

National Laws

Legislation of Interpol member states on sexual offences against children

Swaziland – Swaziland - Suazilandia

Mbabane

The information on this page is up to date as of spring 2006

I. Ages for legal purposes

Age of simple majority

In Swaziland the legal age is twenty one years (21).

Age of consent for sexual activity

A girl under the age of fourteen (14) cannot consent to sexual intercourse under criminal law. However, under Statutory Law, according to the Girls and Women Protection Act, a girl under the age of sixteen (16) can not in any way consent to sexual intercourse.

A boy under the age of fourteen (14) years is incapable of committing rape, but can be charged for indecent assault.

If a boy is 14 years and above, he can be charged with rape under the common law.

Age of consent for marriage

Between the ages of 18-21 years the marrying parties have to seek the consent of their parents.

From the age of twenty one (21) years and above the marrying parties can marry without the consent of their parents.

II. Rape

Having sexual intercourse with a woman without her consent constitutes the offence of rape. It can only be committed by a man, but a woman can be prosecuted as an accomplice in rape when she assists a man to commit a rape. The offence of rape is provided by Common Law and by Girls and Women protection Act.

III. Other forms of child sex abuse

Abduction - taking a minor out of the custody of her/his parent or guardian with the intent to marry or have sexual intercourse with that minor.

Incest- people of the same blood relation engaged in sexual intercourse

Sodomy-it is sexual intercourse per anus between two human males.

All these categories are covered by Common Law Offences.

IV. Child pornography

Such offences are punishable by the General Pornography Act. A draft legislation regarding such offences has however been presented to the Swazi Parliament for approval.

V. Internet

No current legislation covers crimes against children using the Internet.