

Social Institutions and Gender Index

Eswatini

SIGI Country Profile

6 October 2025

SIGI Country Profiles are produced by the OECD Development Centre. Commended and supported by Italy's G7 presidency, these SIGI Country Profiles for Africa focus on violence against women and women's economic empowerment.

The information and analysis contained in this profile are based on data from the fifth edition of the Social Institutions and Gender Index (SIGI) published in March 2023. The cut-off date for legal data is 31 August 2022; the cut-off date for quantitative data is 1 January 2023.

Suggested citation: OECD Development Centre (2023), "Eswatini SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, <https://oe.cd/sigi-dashboard>

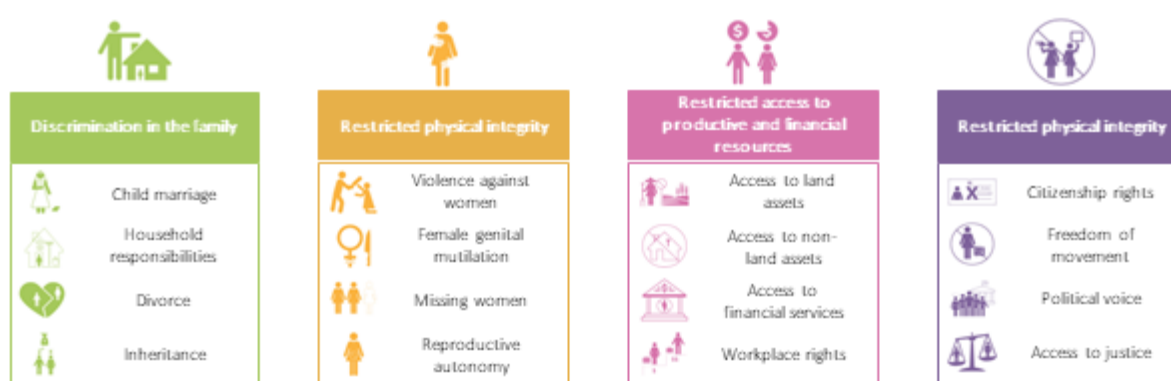
Foreword

The SIGI 2023 profile for Eswatini provides a comprehensive overview of the state of gender equality in the country with a focus on violence against women and women's economic empowerment, as measured by the OECD's Social Institutions and Gender Index (SIGI). The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

Specifically, the SIGI measures gender-based discrimination across four dimensions covering the major socio-economic areas that affect women and girls throughout their lifetime:

- The **"Discrimination in the family"** dimension captures social institutions that limit women's decision-making power and weaken their status in the household and the family.
- The **"Restricted physical integrity"** dimension captures social institutions that increase women's and girls' vulnerability to multiple forms of violence and limit their control over their reproductive autonomy.
- The **"Restricted access to productive and financial resources"** dimension captures social institutions that limit women's economic opportunities and rights.
- The **"Restricted civil liberties"** dimension captures social institutions restricting women's access to, and participation and voice in, the public and political spheres.

Figure 1. Conceptual framework of the fifth edition of the SIGI

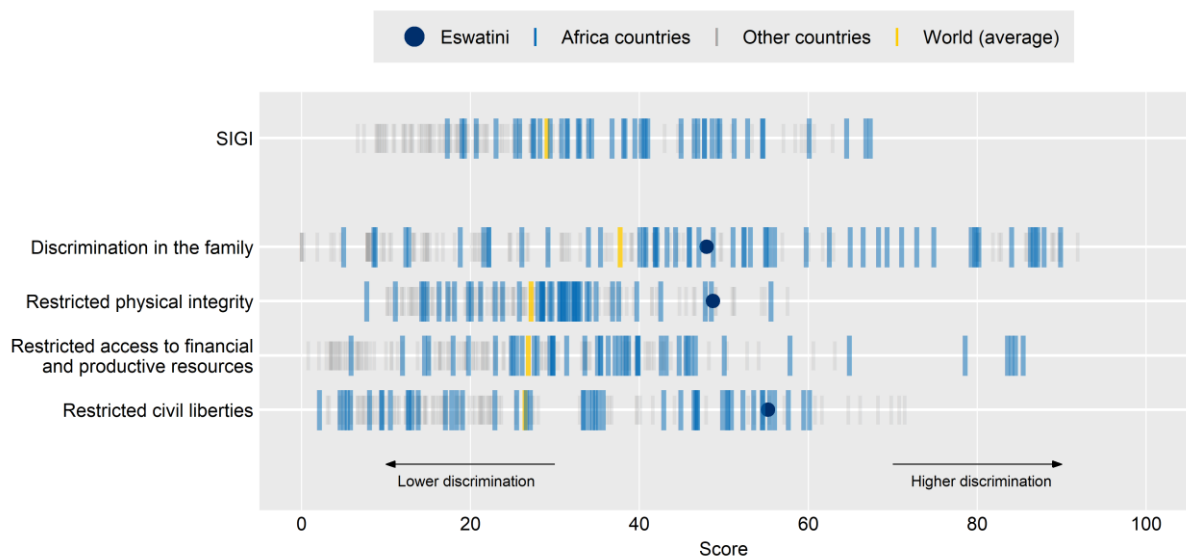


Each dimension builds on four indicators which, in turn, build on one to three variables depending on data availability (Figure 1). When there are no data gaps, each indicator includes one legal variable, one attitudinal variable and one practice variable. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

The state of gender equality in Eswatini

NA

Figure 2. SIGI and dimension scores for Eswatini, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Africa region covers Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cabo Verde, Cameroon, Central African Republic, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, DRC, Egypt, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Gabon, the Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

Source: OECD (2023), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Positive highlights and significant challenges



Positive highlights

- Eswatini adopted a National Legal Aid Policy in 2023 to expand access to justice and strengthen the protection of rights for vulnerable groups. The policy aims to establish a coordinated legal aid system by 2026, focusing on indigent populations—especially women and children—through legal education, representation, and institutional reforms aligned with regional and international standards.
- The statutory legal framework grants women and men the same rights in SIGI indicator covering freedom of movement.
- Despite discriminatory laws on access to productive and financial resources, women in Benin hold notable leadership roles in the private sector. Women make up 43.4% of managers and lead 27.4% of firms as top managers—both well above regional averages of 32.8% and 13.8%.



Significant challenges

- The lack of gender-disaggregated data on population's views on gender roles and responsibilities in the family and economic spheres remain scarce, limiting a full understanding of the current situation and preventing the formulation of evidence-based policies. Eswatini did not receive a SIGI score due to data gaps on gender-based violence.
- Legal frameworks on child marriage, FGM/C, and workplace rights remain weak and lack comprehensive protections, reinforcing structural barriers to women's rights and autonomy.
- Informal practices continue to undermine women's legal rights, particularly in areas such as inheritance and land ownership, where customary norms often override statutory protections.

Summary of results for Eswatini

Discrimination in the family	Unit	Value	Regional Value
Laws on child marriage	Score	100	50.9
Girl child marriage rate ¹	%	4	18.7
Boy child marriage rate ¹	%	0.2	1.8
Laws on household responsibilities	Score	25	52.3
Share of the population that agrees or strongly agrees that 'if a woman earns more than her husband, it is a problem'	%	-	53.1
Share of the population that agrees or strongly agrees that 'when a mother works 'for' pay, the children will suffer'	%	-	54.6
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	-	4.1
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	-	1.1
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	-	4.4
Laws on divorce	Score	50	57.9
Laws on inheritance	Score	50	51.9
Restricted physical integrity	Unit	Value	Regional Value
Laws on violence against women	Score	50	53.7
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	32	37.2
Lifetime intimate-partner violence rate ²	%	-	32.8
12-month intimate-partner violence rate ²	%	16	17
Laws on female genital mutilation	Score	100	28.7
Share of the female population who has heard about female genital mutilation and think the practice should continue	%	-	26.7
Prevalence of female genital mutilation (% of women aged 15-49 years who have undergone FGM)	%	-	40.5
Boy-to-girl ratio at birth (natural = 105) ³	Ratio	101.9	102.7
Laws on reproductive autonomy	Score	50	58.8
Unmet needs for family planning ⁴	%	12.7	19.7
Restricted access to productive and financial resources	Unit	Value	Regional Value
Laws on land assets	Score	50	36.1
Share of women among landowners	%	-	38.1
Laws on non-land assets	Score	50	29.2
Share of women among house owners	%	-	40.3
Laws on financial assets	Score	50	16.2
Share of women among bank account owners	%	-	41.6
Laws on workplace rights	Score	100	73.1
Share of the population declaring that 'when jobs are scarce, men should have more right to a job than women'	%	-	55.4
Share of the population declaring that 'men make better business executives than women do'	%	-	55.7
Share of women among managers	%	43.4	32.8
Share of firms with a woman as top manager	%	27.4	13.8
Restricted civil liberties	Unit	Value	Regional Value
Laws on citizenship rights	Score	75	42.1
Laws on political voice	Score	75	25
Share of the population declaring that 'men make better political leaders than women do'	%	-	62.4
Share of women in Parliament (lower chamber)	%	13.5	25.4
Laws on freedom of movement	Score	0	17.6
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	64.6	56.8
Laws on access to justice	Score	75	23.1
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	50.7	47.3

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.

¹ % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.

² % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV: 15 years and older.

³ A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.

⁴ % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.

Source: OECD Development Centre/OECD (2023), "Gender, Institutions and Development Database", <https://doi.org/10.1787/7b0af638-en>.

Social and institutional determinants of violence against women and girls

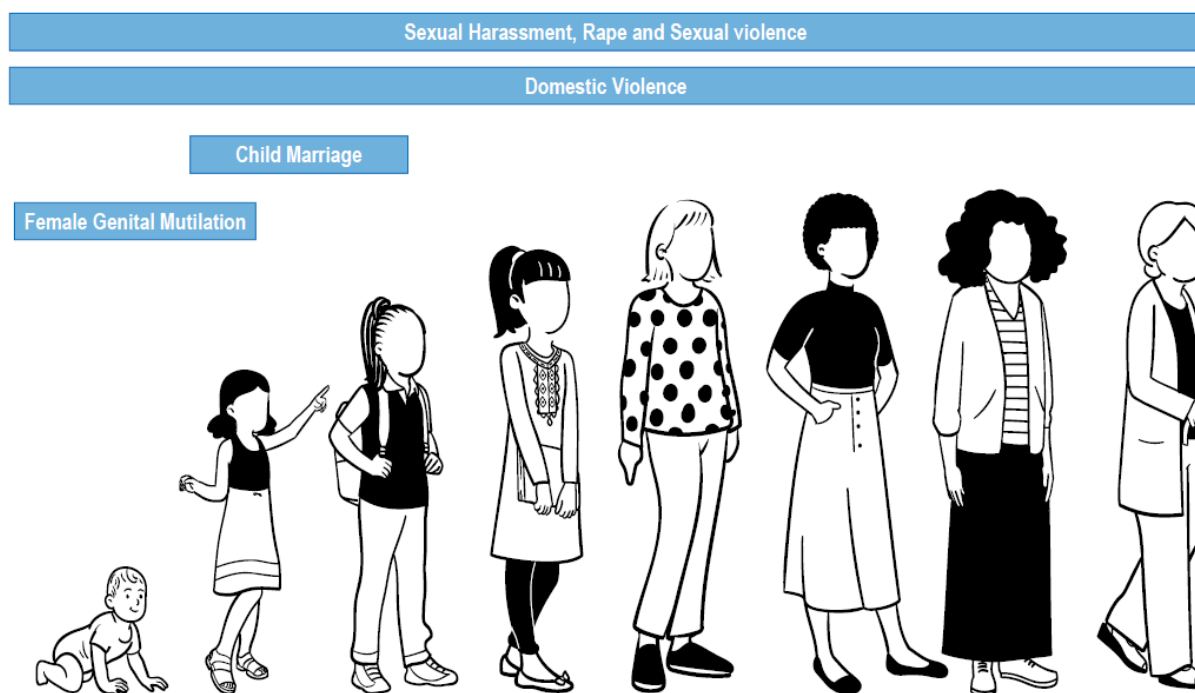
Violence against women is a global pandemic, with disastrous effects on girls' and women's health and well-being. Moreover, violence against women is rarely an isolated incidence, but often part of patterns of abuse sustained by deeply entrenched but harmful social norms and gender stereotypes.¹ As such, it is more than an interpersonal issue - it is a wider societal problem with consequences on countries' development and welfare.

The United Nations define violence against women as wide range of harmful acts that are rooted in unequal power relations between men and women and that result in - or are likely to result in - physical, sexual or mental harm or suffering to women.² At the global level, the Declaration on the Elimination of Violence against Women (CEDAW) adopted by the UN General Assembly in 1979 and particularly the General recommendation No. 35 of 2017 recognise the importance of ending gender-based violence against women. In Africa, the Maputo Protocol³ calls on state parties to eliminate all forms of discrimination against women and adopt the needed measures to end and prevent violence against women. The SIGI adopts a life-cycle approach to violence against women and girls covering several types of violence (see Figure 3). This section assesses how social norms and legal frameworks determine girls' and women's risk of being subjected to any of these types of violence.

¹ OECD (2023), Breaking the Cycle of Gender-based Violence: Translating Evidence into Action for Victim/Survivor-centred Governance, OECD Publishing, Paris, <https://doi.org/10.1787/b133e75c-en>.

² United Nations (1993), Declaration on the Elimination of Violence against Women proclaimed by General Assembly resolution 48/104 of 20 December 1993, United Nations, New York, https://www.un.org/en/genocideprevention/documents/atrocitycrimes/Doc.21_declaration%20elimination%20vaw.pdf.

³ African Union (2003), Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, 2nd Ordinary Session of the Assembly of the Union, Maputo, <http://www.ohchr.org/Documents/Issues/Women/WG/ProtocolontheRightsofWomen.pdf>.

Figure 3. Violence against women and girls is a lifelong continuum

Source: Authors' own elaboration based on OECD (2023), <https://doi.org/10.1787/33beb96e-en>.

Violence against women

Practices and social norms related to violence against women

Violence against women remains a major concern in. Based on the latest available data in 2023, 16% of women aged more than 15 have experienced such violence at least once over the last 12 months.⁴

These levels of intimate-partner violence are rooted in its social acceptance. Based on the latest available data in 2023, 32% of women aged 15-49 think that it is justified for a husband to hit or beat his wife under certain circumstances, such as burning the food, arguing with the spouse, going out without telling him, neglecting the children, or refusing to have sex. In comparison, 28% of women hold these discriminatory attitudes worldwide, and 37% across Africa – based on countries for which data are available.

Legal frameworks concerning violence against women

While Section 3 of Part II of the Sexual Offences and Domestic Violence Act,⁵ sets forth the penalties in case of rape, it does not cover marital rape. Moreover, the definition of rape is not grounded on the lack of consent. Finally, Article 48 of Part VIII of ⁶ defines and criminalises sexual harassment but do not mention sexual harassment in the workplace, educational establishments, public spaces, or the context of online activities or the internet.

⁴ This indicator corresponds to SDG indicator 5.2.1

⁵ Kingdom of Eswatini (2018), "The Sexual Offences and Domestic Violence Act, Act No. 15 of 2018".

⁶ Kingdom of Eswatini (2018), "The Sexual Offences and Domestic Violence Act, Act No. 15".

Question	Answer	Assessment
Is there a law specifically addressing violence against women?	Yes	✓
If there is a specific law addressing violence against women, are there specific provisions for investigation, prosecution and punishment of the perpetrator?	Yes	✓
If there is a specific law addressing violence against women, are there specific provisions for protection and support services for victims/survivors?	Yes	✓
Does the law include reduced penalties in case of so-called "honour crimes"?	No	✓
Domestic violence		
Is domestic violence a criminal offence?	Yes	✓
Does domestic violence legislation cover physical abuse?	Yes	✓
Does domestic violence legislation cover sexual abuse?	Yes	✓
Does domestic violence legislation cover psychological abuse?	Yes	✓
Does domestic violence legislation cover economic abuse?	Yes	✓
Are there any exceptions included in informal laws (traditional, religious, and/or customary rules/laws) that reduce penalties for domestic violence?	Yes	!
Rape		
Is rape a criminal offence?	Yes	✓
Is the legal definition of rape based on lack of consent?	No	!
If the legal definition of rape is based on lack of consent, does this require proof of physical force?	NA	NA
If the legal definition of rape is based on lack of consent, does this require proof of penetration?	NA	NA
Does the legal definition of rape include marital rape?	No	!
Does the law permit the reduction or removal of legal punishment if the perpetrator marries the victim?	No	✓
Sexual harassment		
Does the law prohibit sexual harassment?	Yes	✓
Does the law on sexual harassment include criminal penalties?	Yes	✓
Do legal protections from sexual harassment apply in the workplace?	No	!
Do legal protections from sexual harassment apply in educational establishments?	No	!
Do legal protections from sexual harassment apply in public spaces?	No	!
Do legal protections from sexual harassment apply online / on the internet?	No	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Child marriage

Practices related to child marriage

Child marriage remains limited in Eswatini. Based on the latest available data in 2023, 4% of girls aged 15-19 were or are still married, divorced, widowed or in an informal union, compared to 0.2% of boys. In addition, 5% of women aged 20-24 were married or in a union before the age of 18,⁷ compared to a world average of 26% and an average of 31% in Africa – based on countries for which data are available.

Legal frameworks concerning child marriage

Section 3 (1) of Part II of the Marriage Act⁸ establishes the minimum legal age of marriage at 18 for men, while it is 16 for women. According to Section 3, legal exceptions exist that allow individuals below the minimum legal age of marriage (18 for men and 16 for women) to marry. Specifically, the Minister may grant a special dispensation for such marriages under exceptional circumstances. Additionally, minors over the minimum age but under 21 years may marry with the consent of a legal guardian. If the legal guardian is absent or refuses consent unreasonably, a district commissioner or the Minister may authorise the

⁷ This indicator corresponds to SDG indicator 5.3.1

⁸ Kingdom of Eswatini (1964), "The Marriage Act".

marriage. Furthermore, in the absence of parents, a judge or the master of the High Court may appoint a guardian to give consent.

Question	Answer	Assessment
What is the legal age of marriage for men?	18	✓
What is the legal age of marriage for women?	16	!
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of parent and/or legal guardian?	Yes	!
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of judge or court?	Yes	!
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of another person or institution?	Yes	!
Does the legal age of marriage apply to all groups of women?	Yes	✓
Are there informal laws (customary, traditional or religious laws/rules) that allow or encourage the early marriage of girls?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Female genital mutilation and cutting (FGM/C)

Practices and social norms related to FGM/C

Female genital mutilation and cutting (FGM/C) is traditionally concentrated in a limited number of countries that have been well-identified and documented by international organisations at the forefront of the fight against this harmful practice. Yet, evidence highlights that FGM/C takes place across all regions, among indigenous and/or diaspora communities originating from countries where FGM/C is known to be common. In some contexts, girls are taken across national borders to undergo FGM/C in a country where the legislation against the practice is either non-existent or less strict.⁹

Up until the SIGI 2023 data collection period, Eswatini did not have data comparable to that of other countries on the prevalence or attitudes towards FGM/C practices.

Legal frameworks concerning FGM/C

Eswatini's legal framework fails to protect women and girls from FGM, whether on broad or narrow grounds. Article 184 of the Criminal Code¹⁰ covers acts amounting to grievous bodily harm in the context of assault or murder, but do not mention specific acts that could criminalise FGM/C on broad grounds.

Question	Answer	Assessment
Does the law criminalise FGM/C on broad or narrow grounds?	No	!
Does the law criminalise FGM/C on narrow grounds only?	No	!
Are there informal laws (customary, traditional or religious laws) that allow or encourage FGM/C?	No	✓
Does the law take precedence over informal laws (customary, traditional or religious laws) that allow, condone or prescribe FGM?	n.a.	n.a.

⁹ Equality Now, End FGM European Network and US End FGM/C Network (2020), *Female Genital Mutilation/Cutting: A Call For A Global Response*, <https://www.equalitynow.org/resource/female-genital-mutilation-cutting-a-call-for-a-global-response/>.

¹⁰ Kingdom of Eswatini (1938), "Criminal Code".

Note: The SIGI methodology assesses laws on FGM/C according to two scenarios: (1) criminalisation on narrow grounds includes laws that contain criminal penalties for acts of “female genital mutilation”, “permanent altering/removal of external genitalia”, “female circumcision”, “excision”, “infibulation” and “genital mutilation”; (2) criminalisation on broad grounds includes “mutilation”, “harming of a person’s organs”, “serious bodily injury” and “bodily injury/hurt/assault.” The presence of informal laws that allow or encourage FGM/C is proxied by the existence of nationally representative data on FGM/C or the existence of indirect estimates (usually used in countries where FGM/C is mainly practiced by diaspora communities), small-scale studies, or anecdotal evidence and media reports as reported by Equality Now, the End FGM European Network and the US End FGM/C Network in 2020.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>, and Equality Now, End FGM European Network and US End FGM/C Network (2020), *Female Genital Mutilation/Cutting: A Call For A Global Response*, <https://www.equalitynow.org/resource/female-genital-mutilation-cutting-a-call-for-a-global-response/>.

Social and institutional determinants of women's economic empowerment

Women's economic empowerment is a cornerstone of gender equality and a critical driver of sustainable development. It enables women to participate in, contribute to, and benefit from economic growth, thereby reducing income inequality, boosting productivity, and fostering innovation (UN Women, 2018)¹¹ (Equality Now, 2020)¹². As such, advancing women's economic empowerment is essential to realising the 2030 Agenda for Sustainable Development and building resilient, inclusive societies. Beyond structural factors, social and institutional determinants hold an important sway on women's economic empowerment - including their access to resources and economic opportunities. This section offers insights to what extent social norms and legal frameworks support or restrict women's economic empowerment in Eswatini, providing detailed information on the following SIGI indicators: Inheritance; Access to land assets; Access to non-land assets; Access to financial services; and Workplace rights.

Inheritance

Legal frameworks concerning inheritance rights

Even though Section 20 of the Constitution¹³ guarantees equal rights of all citizens before the law, Swazi customary law—recognised under the Constitution— continues to govern inheritance rights for many communities. Under customary law, daughters are generally excluded from inheriting from their father's estate unless he has made a specific donation to them during his lifetime. Inheritance is reserved for male heirs, and the discriminatory practice is justified under customary norms that view women as minors for life. Similarly, female surviving spouses (widows) do not have automatic inheritance rights. They may only retain use of the property if no male heir is available and if they continue living with the heir. These customary rules are enforced by the *lusendvo* (family inner council), which holds discretionary authority and often disregards formal wills, leaving women vulnerable to exclusion from inheritance. As such, the law does not guarantee equal inheritance rights to all groups of women¹⁴.

¹¹ UN Women (2018), Facts and Figures: Economic Empowerment, <https://www.unwomen.org/en/what-we-do/economic-empowerment/facts-and-figures>.

¹² Equality Now, End FGM European Network and US End FGM/C Network (2020), Female Genital Mutilation/Cutting: A Call For A Global Response, <https://www.equalitynow.org/resource/female-genital-mutilation-cutting-a-call-for-a-global-response/>.

¹³ Kingdom of Eswatini (2005), "Act No: 001 of 2005. Constitution of the Kingdom of Eswatini".

¹⁴ Dube, Nondumiso (2013), "Societal Inequalities: Inheritance under Swazi Customary Law".

Question	Answer	Assessment
Do daughters and sons have the same rights to inherit?	Yes	✓
Do female and male surviving spouses have the same rights to inherit?	Yes	✓
Regarding inheritance rights of daughters, does the law apply to all groups of women?	No	!
Regarding inheritance rights of female surviving spouses, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between sons and daughters when it comes to inheritance?	Yes	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between male and female surviving spouses when it comes to inheritance?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to land assets

Practices related to women's access to secure land assets

Up until the SIGI 2023 data collection period, Eswatini did not have data comparable to that of other countries on women's and men's access to land assets. For reference, an average of 43% of men and 26% of women are landowners across Africa, with women representing 38% of landowners in the region.

Legal frameworks concerning women's access to land assets

Although the Section 211(2) of the Constitution¹⁵ guarantees equal rights to own property for all persons, Article 115 (6) of the Constitution establishes that matters such as land ownership can be governed by Swazi customary law. Under this system, access to Swazi Nation Land is highly restricted for women. Women can typically only obtain user rights through a male relative—such as a husband or son—and rarely in their own name.¹⁶

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to own land?	Yes	✓
Does the law provide married women with the same rights as married men to use land?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to own land?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to use land?	Yes	✓
Regarding land, does the law apply to all groups of women?	No	!
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to the ownership or use of land assets?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to non-land assets

Practices related to women's secure access to non-land assets

Up until the SIGI 2023 data collection period, Eswatini did not have data comparable to that of other countries on women's and men's access to non-land assets. For reference, an average of 45% of men

¹⁵ Kingdom of Eswatini (2005), "Constitution of the Kingdom of Eswatini".

¹⁶ Kingdom of Eswatini (2021), "Paragraph 47 of the National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21 of Eswatini".

and 29% of women are homeowners across Africa, with women representing 40% of homeowners in the region.

Legal frameworks concerning women's access to non-land assets

Although Article 9 of the Constitution¹⁷ guarantees equal property rights, Article 115(6) of the constitution preserves areas governed by Swazi law and custom, and the Administration of Estates Act, s.68 directs certain estates to be administered under African law and custom. Under that customary regime, the rule of primogeniture (eldest surviving male heir) still applies, which can dispossess women of property and other non-land assets. So statutory equality does not apply uniformly to all groups of women—especially widows and daughters in estates governed by customary law.

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to own property and other non-land assets?	Yes	✓
Does the law provide married women with the same rights as married men to use property and other non-land assets?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to own property and other non-land assets?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to use property and other non-land assets?	Yes	✓
Regarding property and other non-land assets, does the law apply to all groups of women?	No	!
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to the ownership or use of non-land assets?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to financial services

Practices related to women's access to formal financial services

Up until the SIGI 2023 data collection period, Eswatini does not have gender-disaggregated data comparable to other countries on access to financial services. For reference, an average of 28% of women and 39% of men have a bank account across Africa, translating into women accounting for 42% of bank account holders.

Legal frameworks concerning women's access to financial services

Although Article 9 of the Constitution¹⁸ guarantees equal property rights, Article 115(6) of the constitution preserves areas governed by Swazi law and custom, and the Administration of Estates Act, s.68 directs certain estates to be administered under African law and custom. Under that customary regime, the rule of primogeniture (eldest surviving male heir) still applies, which can dispossess women of property and other non-land assets. So statutory equality does not apply uniformly to all groups of women—especially widows and daughters in estates governed by customary law.

Question	Answer	Assessment
Does the law provide women with the same rights as men to open a bank account at a formal financial institution?	Yes	✓
Does the law require married women to obtain the signature and authority of their husband to open a bank account at a formal financial institution?	No	✓
Does the law provide women with the same rights as men to obtain credit?	Yes	✓
Regarding access to formal financial services, does the law apply to all groups of women (regardless of race, ethnicity, caste, etc.)?	No	!

¹⁷ Kingdom of Eswatini (2005), "Constitution of the Kingdom of Eswatini".

¹⁸ Kingdom of Eswatini (2005), "Constitution of the Kingdom of Eswatini".

Question	Answer	Assessment
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to opening a bank account?	Yes	!
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to obtaining credit?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Workplace rights

Practices and social norms related to women's workplace rights

Women enjoy significant access to positions with decision-making power in the economic sphere. Notably, as per the latest available data in 2023, women account for 43% of employees in a managerial position,¹⁹ compared to a world average of 25% and an average of 33% in Africa – based on countries for which data are available. However, only 27% of companies in the country are headed by women.

Up until the SIGI 2023 data collection period, Eswatini does not have data comparable to other countries on attitudes towards women's abilities and rights. For reference, across Africa, an average of 56% of the population believes that men make better business executives than women and 55% of the population agrees that when jobs are scarce, men should have more right to a job than women.

Legal frameworks concerning women's workplace rights

Section 101(2) of the Employment Act²⁰, as amended, prohibits the employment of women underground in any mine. Additionally, Section 101(1) restricts the employment of women at night in industrial jobs, unless the employer obtains special authorization from the Labour Commissioner and meets several protective conditions. Articles 102 and 103 of the Employment Act mandate paid maternity leave for female employees. However, no paid paternity or parental leave is available for fathers.

Question	Answer	Assessment
Does the law prohibit discrimination in employment on the basis of sex?	Yes	✓
Does the law mandate equal remuneration for work of equal value?	Yes	✓
Does the law prohibit women from entering certain professions?	Yes	!
Does the law allow women to work the same night hours as men?	Yes	✓
Does the law mandate paid maternity leave?	Yes	✓
Does the law mandate paid paternity leave?	No	!
Does the law mandate paid parental leave?	No	!
Does the law require women to have permission from their husband or legal guardian to take a paid job?	No	✓
Does the law require women to have permission from their husband or legal guardian to register a business?	No	✓
Regarding women's legal right to take a paid job or work and/or register a business, does the law apply to all groups of women (regardless of race, ethnicity caste, etc.)?	No	!
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to entering certain professions?	Yes	!
Are there informal laws (customary, religious, or traditional laws/rules) that require women to have the permission from their husband or legal guardian to take a paid job?	No	✓
Are there informal laws (customary, religious, or traditional laws/rules) that require women to have the permission from their husband or legal guardian to register a business?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

¹⁹ This indicator corresponds to SDG indicator 5.2.2

²⁰ Kingdom of Eswatini (1980), "Employment Act".

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.