



The laws of Eswatini empower you with many rights. Being questioned by the police can be intimidating for anyone, but **knowing your rights can help you protect yourself and others.**

You have a **right to personal liberty.** The police should only stop you if they have **reasonable suspicion** that you have or are about to commit a crime. The police have a duty not to degrade, torture, or treat you inhumanely.

**CONTACT INFORMATION:**  
**Commission on Human Rights and  
Public Administration Integrity**

The Commission is empowered to investigate complaints of injustice, corruption, abuse of power in office and unfair treatment of any person by a public officer in the exercise of official duties.

Complaints can be filed in writing through the Office of the Commissioner.

**Physical Address:**  
Mbabane Office Park  
Sibekelo Building

**Postal Address:**  
P.O. Box 8795  
Mbabane, Eswatini

**Telephone:** (+268)  
24049829/24047625/24049152  
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# Know Your Rights

A resource for people in Eswatini



SOUTHERN AFRICA  
LITIGATION CENTRE  
Dignity | Equality | Justice | Freedom



**UPON ARREST,  
YOU HAVE THE RIGHT:**

- To be told the reason for the arrest.
- To be read all of your rights (including the right to remain silent) before the police question you.
- To speak to a lawyer.
- To contact a loved one.
- To refuse to sign anything the police give you.
- To have a *private* meeting with your lawyer, even while in custody.
- To be taken to your home to get your medicine or have it brought to you.
- To receive a copy of anything you told the police.

You have the right to be **treated with respect** even if you are accused of a crime, but **do not resist arrest**. The law allows police to use **minimum force** if you hinder them in their duties.

**WHILE IN CUSTODY,  
YOU HAVE THE RIGHT:**

- To privately meet with a lawyer.
- To let a loved one know *where* you are.
- To communicate with or be visited by a loved one or religious counselor.
- To be held in a hygienic, humane and healthy place.
- To be brought before the Magistrate within 48 hours of arrest.
- To access public medical treatment or pay for private medical treatment.
- To not be treated as or be asked to perform duties of a convicted prisoner.

If the police restrict your liberty of movement, then you are **in custody**. Additionally, if you believe you are being **held illegally** or it is **difficult to find you**, anyone may approach the Court for recourse.

**AT FIRST APPEARANCE,  
YOU HAVE THE RIGHT:**

- To receive a lawyer's help.
- To inform the Court of any assault, torture, or harassment you experienced while in custody.
- To ask for bail.
- To inform the Court if you were forced to sign a statement admitting to the offence after you were tortured or beaten.
- To be told the charges against you if the Court remands or sends you to be imprisoned until the trial.

**When you first appear for trial, the Court will ask you many questions. You may also, at this time, inform the Court of any rights the police did not respect or any abuse you felt.**