

## 8 *International lobbying to promote prohibition and elimination of all corporal punishment*

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Lobbying by national NGOs and human rights institutions can help to increase international and regional pressure on states to prohibit and eliminate all corporal punishment and other cruel or degrading forms of punishment. The workshop discussed lobbying of states to get explicit commitments into UN General Assembly and Human Rights Council (HRC) resolutions, and briefing of international and regional human rights treaty bodies and the new Universal Periodic Review Process at the HRC.

### ***UN General Assembly resolution on the rights of the child***

Certain states have persisted in blocking any explicit commitment to prohibition of all corporal punishment. The NGO Advisory Council for follow-up to the UN Study is committed to pursuing an explicit commitment during the negotiation of the 2008 resolution, due to begin in the summer. The drafting starts traditionally in the European Union (EU) and Latin American and Caribbean (GRULAC) groups of states, before a draft agreed by the two groups is tabled and open to further amendment by other states. In 2008, the drafting will start with GRULAC, and Uruguay will initiate the process.<sup>40</sup>

A briefing will be prepared and circulated. Supporting organisations will be urged to lob-

by foreign affairs officials at the national level to support inclusion of an explicit commitment to prohibit and eliminate all corporal punishment in the resolution.

### ***Human Rights Council resolution***

The Human Rights Council also adopts a 'rights of the child' resolution each year. The section on violence against children in the March 2008 resolution strengthened the language of the 2007 General Assembly resolution. It also included explicit commitment to eliminating school corporal punishment. But it did not include a commitment to prohibition in all settings, including the home.<sup>41</sup> Further lobbying will be needed in the lead-up to March 2009.

### ***World Congress Third against Sexual Exploitation of Children and Adolescents***

The Congress to be held in Rio in November 2008 provides another opportunity to seek explicit commitment from states to prohibition, given the links between achieving full respect for children's human dignity and physical integrity through prohibition and the elimination of all other forms of violence and exploitation against children. The Global Ini-

will be raised in preparatory meetings, and ultimately in the Congress outcome document.

### ***International and regional human rights treaty bodies***

The Global Initiative systematically provides briefings on the legal status of corporal punishment to the following treaty bodies:<sup>42</sup>

- Committee on the Rights of the Child
- Human Rights Committee
- Committee Against Torture
- Committee on Economic, Social and Cultural Rights
- Committee on the Elimination of Discrimination Against Women.

The Committee on the Rights of the Child consistently raises the issue with states as necessary, and recommends prohibition. The other treaty bodies are increasingly considering the issue and making recommendations. The Global Initiative will aim to circulate its briefings to Save the Children and partner organisations in each state, to alert them to upcoming examination of the state, in the hope that some will consider submitting short supportive briefings.

Organisations should also consider briefing any regional human rights mechanisms which are examining states' reports (e.g. the African Commission on Human and Peoples' Rights, the African Committee of Experts on the Rights and Welfare of the Child, the Inter-American Commission on Human Rights, the European Committee of Social Rights, etc.).

### ***Human Rights Council Universal Periodic Review (UPR)***

The new UPR process at the Human Rights

Council provides another opportunity to raise concerns about the persisting legality of corporal punishment, and to seek recommendations to put further pressure on states.

During the first two sessions of the UPR, progress towards prohibiting all corporal punishment of children was a prominent focus of concern. The legality of corporal punishment was discussed during the examinations of Algeria, Argentina, Bahrain, Benin, France, Ghana, Guatemala, India, Netherlands, Philippines, Poland, Romania, South Africa, Switzerland, Tonga and the UK. Specific recommendations to explicitly prohibit all corporal punishment of children were made to Argentina, Gabon, Ghana, Guatemala, Japan, Mali, Republic of Korea, South Africa, Switzerland and the UK. (Corporal punishment is already prohibited in all settings in Netherlands and Romania.)<sup>43</sup>

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40. The resolution on the rights of the child adopted in December 2007 (A/RES/62/141) is available at [www.un.org/ga/62/resolutions.shtml](http://www.un.org/ga/62/resolutions.shtml).

41. As at July 2008, the draft report of the 7th session of the HRC (A/HRC/7/L.11/Add.1), including the 'rights of the child' resolution, is available only on the HRC extranet page, accessed via <http://www2.ohchr.org/english/bodies/hrcouncil/>

42. The briefings are available on the Global Initiative website [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org)

43. All documents relating to the examination of these states, including the final reports of the working group, are available at [www.ohchr.org/EN/HRBodies/UPR/Pages/search.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/search.aspx)