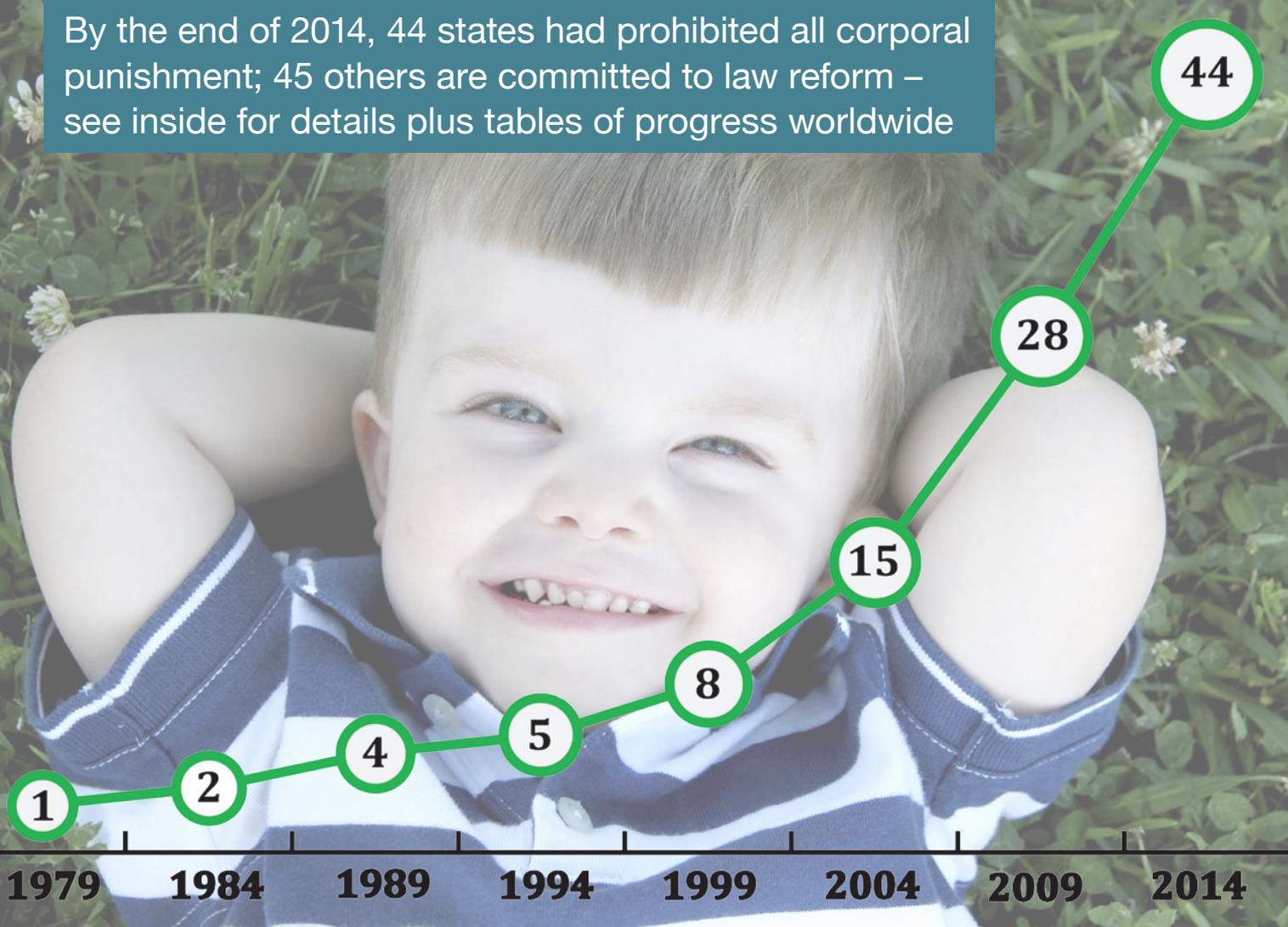


Ending legalised violence against children

GLOBAL PROGRESS TO DECEMBER 2014

By the end of 2014, 44 states had prohibited all corporal punishment; 45 others are committed to law reform – see inside for details plus tables of progress worldwide



Following up the UN Secretary General's Study on Violence against Children
Celebrating the 25th anniversary of the Convention on the Rights of the Child

“The absolute prohibition and total elimination of corporal punishment against boys and girls is a human rights imperative that at present must be connected, as an aim with indicators, to compliance with the Sustainable Development Goals and the post-2015 agenda.”

Maria Soledad Cisternas Reyes, Chairperson, Committee on the Rights of Persons with Disabilities, 2014



The aims of the Global Initiative – promoting the prohibition and elimination of all corporal punishment of children – are supported by UNICEF, UNESCO and many international and national organisations, including:

ActionAid International
Association for Childhood Education International
Association for the Prevention of Torture
Better Care Network
Caribbean College of Paediatricians
Center for Effective Discipline, USA
Child Helpline International
Child Rights Connect, formerly the NGO Group for the CRC
Child Rights International Network (CRIN)
Child Welfare League of Canada
ChildFund International
Commission on Justice, Peace and Creation, National Council of Churches in India
Consortium for Street Children
Defence for Children International
Disabled Peoples' International
ECPAT International
Eurochild
EveryChild
Franciscans International
Global Child Development Group
Harm Reduction International
HealthRight International
Human Rights Watch
International Council of Nurses
Inclusion International
Instituto Interamericano del Niño, la Niña y Adolescentes
International Disability Alliance (IDA)
International Federation of Social Workers (IFSW)
International Federation for Parenting Education
International Federation Terre des Hommes
International Foster Care Organisation
International Pediatric Association
International Society for the Prevention of Child Abuse and Neglect (ISPCAN)
International Women's Rights Action Watch Asia Pacific
National Society for the Prevention of Cruelty to Children, UK
OMCT – World Organisation Against Torture
Plan International
Promundo Institute, Brazil
Rehabilitation International

Right to Education Project
Save the Children
Sightsavers
SOS Children's Villages International
Society for the Protection of the Rights of the Child (SPARC), Pakistan
War Child Holland

Individual supporters include:

The Hon Madam Justice Désirée Bernard, Judge of the Caribbean Court of Justice, Trinidad and Tobago
Shuaib Chalklen, former Special Rapporteur on Disability of the Commission for Social Development
Maria Soledad Cisternas Reyes, Chairperson, UN Committee on the Rights of Persons with Disabilities
His Holiness the Dalai Lama
Maud de Boer-Buquicchio, Special Rapporteur on the sale of children, child prostitution and child pornography and former Deputy Secretary General, Council of Europe
Thomas Hammarberg, former Human Rights Commissioner, Council of Europe
The Hon Madam Justice Sandra Mason, former Member and Chairperson, Committee on the Rights of the Child; Justice of Appeal of the Supreme Court of Barbados
Mr Marek Michalak, Ombudsman for Children, Poland
Professor Manfred Nowak, former Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
Mr. Dainius Pūras, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of health
Rosa María Ortiz, Rapporteur on the Rights of the Child, Inter-American Commission on Human Rights
Lisbet Palme, Sweden, former Member, Committee on the Rights of the Child
Mrs Mary Robinson, former UN High Commissioner for Human Rights
Kirsten Sandberg, ninth Chair, Committee on the Rights of the Child
The Most Reverend Desmond M. Tutu, Anglican Archbishop Emeritus of Cape Town

For a full list of supporting international and national organisations and prominent individuals, and to sign-up as a supporter, see www.endcorporalpunishment.org

PUBLISHED DECEMBER 2014 BY:

**Global Initiative to End All Corporal Punishment of Children www.endcorporalpunishment.org
Save the Children Sweden raddabarnen.se, resourcecentre.savethechildren.se**

**This publication is partly financed by Sida (Swedish International Development Cooperation Agency).
Sida has not taken part in its production and does not assume responsibility for its content.**

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Acknowledgements

Photos from DCI-Ghana (inside front cover), UNICEF (pp. 5, 10). Other photographs of children depict models and are used for illustrative purposes only.

Designed by Simon Scott

Printed in the UK by The Russell Press Limited, Nottingham

The Global Initiative to End All Corporal Punishment of Children is administered by the Association for the Protection of All Children, APPROACH Ltd, a registered charity No. 328132. Registered office Unit W (West) 125-127, Westminster Business Square, 1-45 Durham St, LONDON SE11 5JH, UK.

Note on facts and figures

The Global Initiative bases its analyses on a total of 198 states, all states parties to the UN Convention on the Rights of the Child except Holy See, plus Somalia, South Sudan, Taiwan, US and Western Sahara. Child population figures are from UNICEF 2012 (2010 for Russian Federation) and, where no UNICEF figures are available, *World Population Prospects 2010* (0-19) (Cyprus, Montenegro, Serbia, Western Sahara), Statistical Yearbook 2012 (Lao PDR), Children Bureau Ministry of Interior 2005 (Taiwan); South Sudan and Sudan figures are estimates.

Due to the rapidly accelerating pace of law reform, this and future annual reports will be briefer than in previous years and will be complemented by regional progress briefings throughout the year. Global and regional progress tables and individual reports on every state and territory are continually updated at www.endcorporalpunishment.org.

Messages



Kirsten Sandberg

Chair, UN Committee on the Rights of the Child

The best birthday gift children could get for the 25th anniversary of the Convention on the Rights of the Child, is a life free from violence. It is absurd that adults in most countries are allowed to use physical punishment in the upbringing of children, who are so much smaller than them. It is also absurd that children have to accept violence from those they love most and who should be the persons they should really be able to trust and feel safe with. I am thinking about all forms of violence, including the smallest slap or pinch. The 25th anniversary is a golden occasion for states to prohibit corporal punishment against children in all settings, and to educate parents and other caregivers in alternative ways of raising children. Children have the right to be treated well and need to learn that violence does not solve any problems.



Marta Santos Pais

Special Representative of the UN Secretary General on Violence against Children

Twenty-five years ago, the Convention on the Rights of the Child brought a paradigm shift in the way society envisages children. The Convention recognises children's rights and agency and calls upon states to take all necessary measures to safeguard these rights, including by supporting families. To address the legal and social tolerance of physical, emotional and other forms of humiliating punishment of children, states are required to enact explicit legislation prohibiting all forms of violence against children, including within the home. States must also support parents and caregivers in their childrearing responsibilities. Over the recent years there has been a visible and steady increase in the number of countries enacting such comprehensive legislation and adopting public policies to support positive parenting and invest in early childhood initiatives. May this be the prelude of an allegro and in crescendo movement towards the end of violence against children, everywhere and at all times!



Professor Paulo Sérgio Pinheiro

The Independent Expert who led the UN Secretary General's Study on Violence against Children

2014 is not only the 25th anniversary of the adoption of the Convention on the Rights of the Child. It is 35 years since Sweden became the first state in the world to clearly and explicitly prohibit all corporal punishment of children. It is taking the rest of the world much too long to catch up and confirm this fundamental respect for their child citizens as people and rights holders. The Global Initiative's steepening progress graph does indeed show acceleration – but 35 years on we are less than a quarter of the way to achieving universal prohibition of violent punishment of children.

We must redouble our active and explicit advocacy to end the extraordinary anomaly in so many countries whereby violent punishment of children is now isolated as the only form of legalised violence. I am pleased that my own country, Brazil, achieved a complete ban in June this year and thus placed itself on the right side of history.

2014 Estonia
Nicaragua
San Marino
Malta
Brazil
Bolivia
Argentina

2013 Macedonia
Honduras
Cabo Verde

2012

2011 South Sudan

2010 Poland
Tunisia
Kenya
Congo
Albania

2009

2008 Costa Rica
Moldova
Luxembourg
Liechtenstein

2007 Netherlands
New Zealand
Portugal
Uruguay
Venezuela
Spain
Togo

2006 Greece

2005 Hungary

2004 Ukraine
Romania

2003 Iceland

2002 Turkmenistan

2001

2000 Bulgaria
Israel
Germany

1999 Croatia

1998 Latvia

1997 Denmark

1996
1995

1994 Cyprus

1993
1992
1991
1990

1989 Austria

1988

1987 Norway

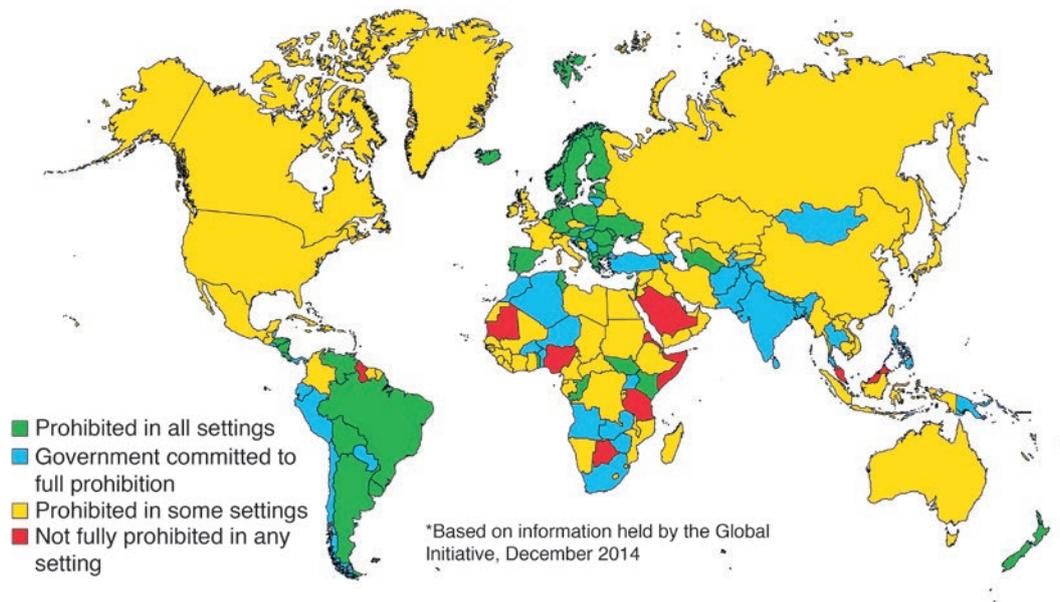
1986
1985
1984

1983 Finland

1982
1981
1980

1979 Sweden

Progress towards universal prohibition



States across the world are achieving prohibition ...

The past year has been a remarkable one. Since 1 January, the Global Initiative has added 10 states to the list of those that now prohibit corporal punishment of children in the home and all other settings. Seven of these achieved law reform during 2014; in three cases confirmation was obtained that legislation passed prior to 2014 really is being interpreted as prohibiting all corporal punishment, without exception. At the end of 2014, there are now 44 states with fully prohibiting laws in place.

As states which are committed to achieving prohibition actually do so, other Governments are expressing their commitment to reform. At the end of 2014, 45 states are clearly committed to prohibition; in many of these draft laws or bills that would achieve prohibition are actively under discussion.

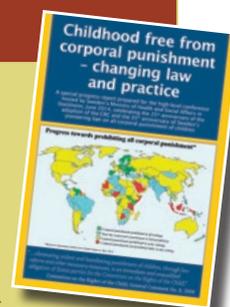
Overall, at the end of 2014, corporal punishment is prohibited in the home in 44 states, in alternative care and day care settings in 50 states, in schools in 122 states, in penal institutions in 130 states, and as a sentence for crime in 160 states.

States where Governments are committed to prohibition

Afghanistan; Algeria; Angola; Armenia; Azerbaijan; Bangladesh; Belize; Benin; Bhutan; Burkina Faso; Chile; Comoros; Ecuador; El Salvador; Fiji; India; Lithuania; Maldives; Mauritius; Mongolia; Montenegro; Morocco; Nepal; Niger; Pakistan; Palau; Panama; Papua New Guinea; Paraguay; Peru; Philippines; Samoa; Sao Tome and Principe; Serbia; Slovakia; Slovenia; South Africa; Sri Lanka; Tajikistan; Thailand; Timor-Leste; Turkey; Uganda; Zambia; Zimbabwe

International action to speed universal prohibition

In June 2014, Sweden's Government hosted an international conference in Stockholm bringing together high-level representatives of states which have achieved or are committed to a complete ban on corporal punishment to discuss how to accelerate progress. The conference celebrated the 35th anniversary of Sweden's pioneering ban in 1979 and the 25th anniversary of the adoption of the CRC. Austria – the fourth state to achieve a complete ban in 1989 – has agreed to host a similar follow-up conference in 2016. See the full report at www.endcorporalpunishment.org/pages/pdfs/reports/Special Report Sweden.pdf.



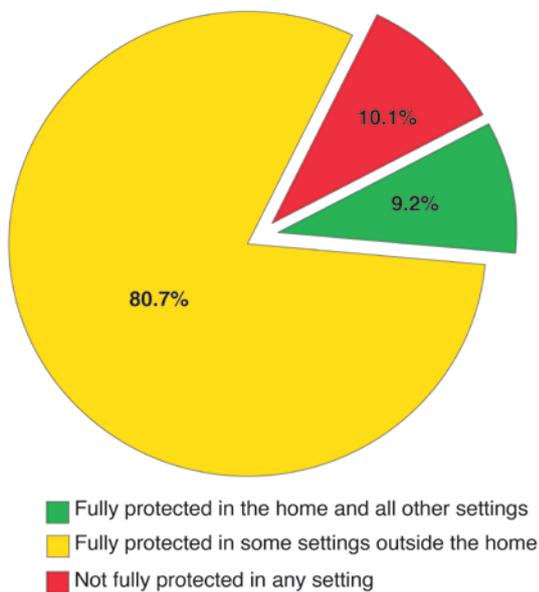
... but there is a lack of progress in some states

While there is much to celebrate there is also much to regret. Still only one in ten children is legally protected from punitive assault in all settings; still the majority of UN member states are not meeting their human rights obligations to prohibit all corporal punishment. Corporal punishment is not yet fully prohibited in the home in 154 states, in alternative care and day care in 148 states, in schools in 76 states, in penal institutions in 68 states and as a sentence for crime in 38 states. In 23 states, laws do not fully prohibit corporal punishment in any setting.

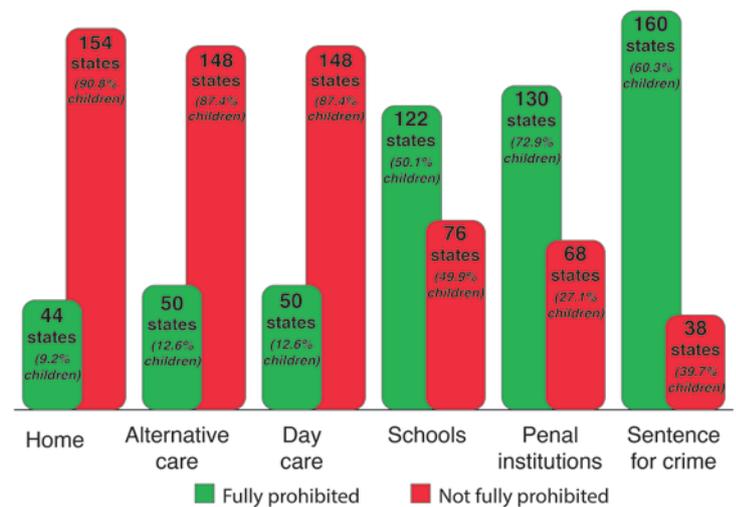
States where corporal punishment is not fully prohibited in any setting

Antigua and Barbuda; Barbados; Botswana; Brunei Darussalam; Dominica; Eritrea; Grenada; Guyana; Malaysia; Maldives; Mauritania; Nigeria; Pakistan; Saudi Arabia; Singapore; Somalia; St Kitts and Nevis; St Vincent and the Grenadines; State of Palestine; Trinidad and Tobago; Tuvalu; UR Tanzania; Zimbabwe

Percentage of global child population fully protected in law from corporal punishment



Number of states worldwide prohibiting all corporal punishment (and percentage of global child population legally protected)



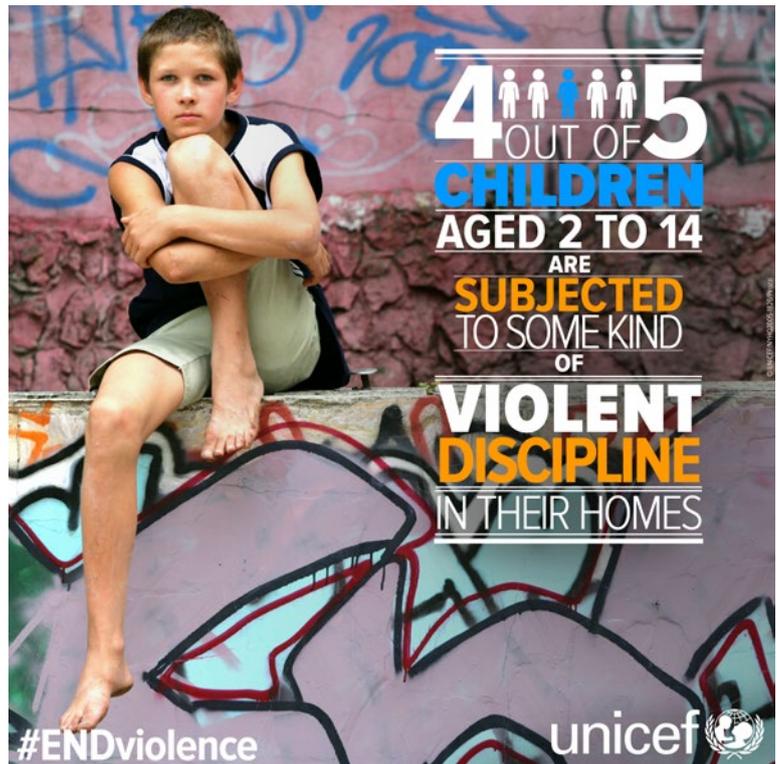
The messages on page 2 of this report are directed to readers of the report – governments, non-governmental organisations, national human rights institutions, child advocates, professionals working with and for children, and other interested adults and children. They come from experts wholly committed to children’s rights and opposed to all forms of corporal punishment in all circumstances, and hopefully they will help to provoke action to end this violation of children’s fundamental rights.

But more important are the messages that states, societies and individuals send to the children in their care – children in their homes, schools, communities and all other settings of their lives. Is it really acceptable that, 25 years after the adoption of the Convention on the Rights of the Child, the messages which nine out of ten children hear in their homes and elsewhere are that violence is wrong except when it comes to bigger more powerful people hitting and hurting smaller more vulnerable people? Or that domestic violence is wrong except against those who most need the protective and nurturing environment that a family can provide? Or that violence between people and groups is wrong except when adults with influence enact laws allowing children to be hit?

Surely, it is time to change the messages we send to children and to prohibit and eliminate corporal punishment and other cruel or degrading punishment once and for all.

Current opportunities for law reform

Opportunities for promoting and enacting prohibiting legislation occur when laws relating to children are reviewed, revised and freshly drafted, including laws relating to the family, education and juvenile justice. The revision and enactment of criminal and civil codes also provide key opportunities for prohibiting corporal punishment. As at December 2014, opportunities such as these exist in at least 116 states: in 33 of these the draft laws/bills under discussion include prohibition of corporal punishment. **Urgent action is needed to ensure that prohibition is drafted and promoted in the context of the reforms in all other states.**



States where draft laws/bills currently under discussion include (or reportedly include) prohibition of corporal punishment

*Armenia; Azerbaijan; Benin; Burkina Faso; *Burundi; *Central African Republic; Chile; *Comoros; *Dominican Republic; France; *Gabon; *Guinea-Bissau; Haiti; Lithuania; *Mauritius; Mexico; Mongolia; *Montenegro; Niger; *Niue; *Pakistan; Paraguay; Peru; Philippines; *Serbia; *Slovakia; Slovenia; South Africa; Timor-Leste; Uganda; USA; *Viet Nam; Zambia

* Prohibiting text not yet seen by the Global Initiative

Why family protection/domestic violence laws should prohibit corporal punishment

“Family protection” and “domestic violence” bills are actively under consideration in many states worldwide – but too often domestic violence laws are being enacted which fail to prohibit all corporal punishment in childrearing. The home can never be free from violence while the law condones violent punishment of children. It is vital that legal debate about family protection includes consideration of violence against children, the most developmentally fragile and vulnerable members of the family, and the drafting of legal provisions to protect children from violence inflicted in the guise of “discipline”.

It is sometimes argued by those in favour of physical punishment in childrearing that parenting is a private affair, and the state should not interfere. Yet the concept of a law on family protection clearly recognises that violence in the home is not a private matter: the state has an obligation to prevent it, including by prohibiting it. What can be the justification for protecting adults in the home but leaving children in that same home vulnerable to violent punishment? And failure to prohibit corporal punishment of children in the home can only undermine the effectiveness of the protection for adults, making the home less safe for everyone.

A Family Protection/Domestic Violence Law which does not clearly prohibit all corporal punishment of children fails to protect the most dependent and vulnerable members of the family. A home where it is lawful to “discipline” children by hitting and hurting them – however lightly – can never be completely safe or violence-free.

How to draft prohibiting legislation

The drafting of prohibiting legislation is in itself a straightforward task. The new law should:

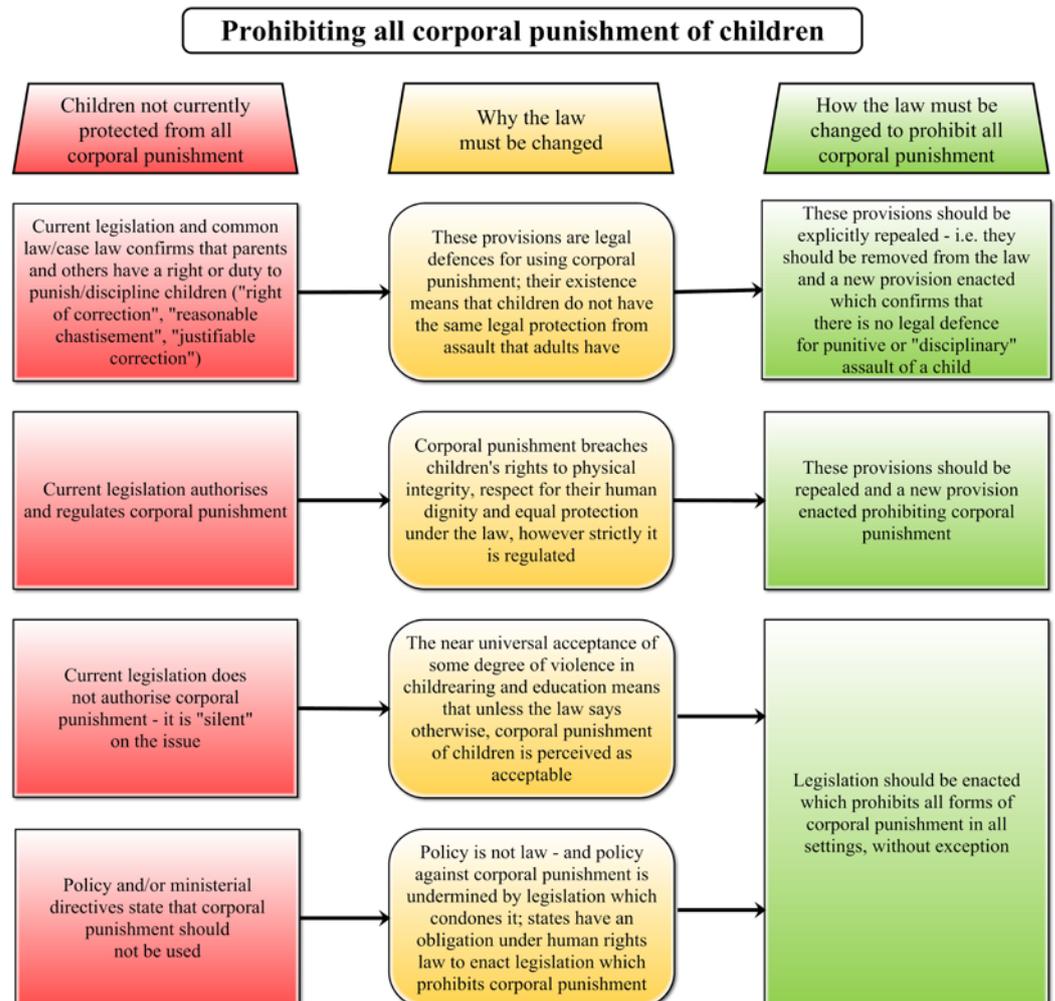
- clearly prohibit all corporal punishment in all settings, including the home
- explicitly repeal all legal provisions that may be construed as a defence for the use of corporal punishment in childrearing (such as a right of “correction”, a right to “discipline” or a right “to administer reasonable punishment”)
- repeal all laws specifically authorising and regulating the administration of corporal punishment (such as provisions for the imposition of caning in schools or for whipping and other cruel punishments in penal systems)



Drafting should be premised on a firm understanding that all corporal punishment must be prohibited, regardless of the perceived level of severity, the perceived injury caused to the child and the context in which the punishment is inflicted. If it is felt necessary to define corporal punishment in the law, the point of reference should be the definition adopted by the Committee on the Rights of the Child in its General Comment on the issue – in essence, corporal punishment is “any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light”.¹

Drafting of prohibiting legislation should always take account of the fact that for many individuals and societies, corporal punishment is simply not regarded as a form of violence, as cruel or degrading, as harmful or even as a violation of a child’s right to respect for human dignity. On the contrary, physical punishment may

be perceived as a duty in parenting, as “for the child’s own good”, as a necessary element of disciplining children, as somehow different from the forms of violence against children which would readily be abhorred by the majority. For this reason, general prohibitions against violence, abuse, cruelty, etc do not achieve the legal clarity required to convey the message that it is unlawful to subject a child to any form of corporal punishment.



¹ Committee on the Rights of the Child (2006), General Comment No. 8 on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, para. 2; and 37, inter alia), para. 11

Human rights pressure to prohibit



“... eliminating violent and humiliating punishment of children, through law reform and other necessary measures, is an immediate and unqualified obligation of States parties.”

(Committee on the Rights of the Child, General Comment No. 8, 2006)

Almost every state has ratified or acceded to the Convention on the Rights of the Child. Since the very beginning of its work in monitoring implementation of the Convention, the Committee on the Rights of the Child has reminded states of their obligation under the Convention to prohibit and eliminate all corporal punishment of children, including in the home. The Committee has now made 373 observations/recommendations on the issue to 189 states. The landmark General Comment on the child’s right to protection from corporal punishment, adopted by the Committee in 2006, sets out clearly the obligation to prohibit corporal punishment and what it entails.

Other international and regional human rights instruments also carry obligations to end corporal punishment of children. In monitoring implementation of treaties, recommendations to prohibit corporal punishment of children have been made by the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee Against Torture and the Committee on the Elimination of Discrimination against Women.

Regionally, pressure on states to prohibit corporal punishment has been imposed by the European Committee of Social Rights, the European Court of Human Rights, the African Committee of Experts on the Rights and Welfare of the Child, the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights.

International and regional standards are frequently referred to in national high-level court rulings against corporal punishment of children, including in Bangladesh (2011), Costa Rica (2005), Fiji (2002), India (2000), Israel (2000), Italy (1996), Namibia (1991), Nepal (2005), South Africa (1994, 2000), Zambia (1999) and Zimbabwe (1987, 1989).

For full details and analyses of all aspects of the human rights imperative to prohibit corporal punishment of children, see the Global Initiative website www.endcorporalpunishment.org.

“OAS member states [should] act immediately on the problem of corporal punishment by placing explicit and absolute legal bans on its use in all contexts and, in parallel, by adopting such preventive, educational, and other measures that may be necessary to ensure the eradication of this form of violence, which poses a serious challenge to the wellbeing of children in the Hemisphere.” (Inter-American Commission on Human Rights, 2009, Report on corporal punishment and human rights of children and adolescents)

“The Committee does not find it acceptable that a society which prohibits any form of physical violence between adults would accept that adults subject children to physical violence.” (European Committee of Social Rights, 2001, General observation regarding articles 7 (para. 10) and 17)

“... it is necessary to continue to incorporate the provisions of the Convention on the Rights of the Child which guarantee the best interest of the child in the domestic laws of each country, particularly in relation to the deep concerns raised with regards to corporal punishment of children...” (African Committee of Experts on the Rights and Welfare of the Child, 2011, Statement on violence against children)

Corporal punishment and the Universal Periodic Review

The Universal Periodic Review of states' overall human rights record provides a critical forum for increasing pressure on UN member states to fulfil their obligations under human rights law to prohibit by law all corporal punishment of children, including in the home. Of the 149 UN member states that have not yet prohibited all corporal punishment, 105 have received recommendations on the issue during their review(s). More than half of these have accepted recommendations to prohibit: in most cases the acceptance is clear and indicates a commitment to law reform; in some cases the acceptance appears ambiguous and the Government's commitment to further reform of its laws is unclear.

A minority of states have rejected recommendations to prohibit. Only a fraction of these actively defend the legality of corporal punishment; in most cases it appears that Governments erroneously believe existing law is sufficient.

States clearly accepting UPR recommendations to prohibit corporal punishment

Algeria; Angola; Armenia; Azerbaijan; Bangladesh; Belize; Benin; Chile; Comoros; DPR Korea; Ecuador; El Salvador; Fiji; India; Lithuania; Mongolia; Montenegro; Morocco; Palau; Panama; Papua New Guinea; Peru; Philippines; Samoa; Sao Tome and Principe; Serbia; Slovakia; Slovenia; South Africa; Tajikistan; TFYR Macedonia; Thailand; Timor-Leste; Turkey; Zambia; Zimbabwe

States ambiguously accepting UPR recommendations to prohibit corporal punishment

Andorra; Belarus; Dominican Republic; France; Ghana; Guatemala; Japan; Jordan; Kuwait; Kyrgyzstan; Lesotho; Republic of Korea; Rwanda; Solomon Islands; Tuvalu

States rejecting UPR recommendations to prohibit corporal punishment

Antigua and Barbuda; Australia; Bahamas; Barbados; Belgium; Brunei Darussalam; Burkina Faso; Cameroon; Canada; Chad; Czech Republic; Eritrea; Georgia; Grenada; Indonesia; Italy; Myanmar; St Lucia; St Vincent and the Grenadines; Saudi Arabia; Sudan; Switzerland; Trinidad and Tobago; United Arab Emirates

States openly defending the legality of corporal punishment

Botswana; Dominica; Malaysia; Singapore; Tonga; UK; UR Tanzania

“It is very welcome that the UPR is paying serious attention to this issue; that there have been many recommendations to hold states to account for their very obvious human rights obligation to prohibit all violent punishment of children. It is even more welcome that so many states have accepted recommendations to prohibit. We must hope for systematic follow-up in successive cycles of the Review.”

(Paulo Sérgio Pinheiro, Speaking at a panel discussion side event during the 15th UPR session)



Faith-based advocacy for prohibition



Religious leaders and their communities are using the many opportunities afforded through their diverse roles and functions to support the global movement for prohibition and to be strong advocates for children. Religious leaders have unparalleled connections with their communities as teachers, pastors, spiritual advisers, theologians, preachers and community leaders and activists.

There are a growing number of examples of the commitment of religious communities towards helping to change traditional, religious and cultural attitudes that perpetuate violent punishment of children.

Cambodia Ministry of Cults and Religion commits to preventing corporal punishment

“Religious leaders commit to disseminate religious principles to prevent corporal punishment and emotional violence against children and to promote religious principles on non-violent forms of child discipline in educating children, to ensure stable, safe and nurturing relationships between parents and caregivers and their children.”

Cambodia Ministry of Cults and Religion, in *Violence against Children in Cambodia: Core Commitments to Prevent and Respond to Violence against Children in Cambodia*, 2014, www.unicef.org/cambodia/Core_Commitments_English.pdf

The continuing theme of the World Day of Prayer and Action for Children, celebrated each year on Universal Children’s Day, is STOP VIOLENCE AGAINST CHILDREN. In 2014 there were over 70 world celebrations. In Ecuador, the Ecumenical and Interreligious Forum facilitated “Action to End Violence against Children” and emphasised the importance of joint working to end violence against children. The Jamaica Council of Churches trained 120 leaders from faith-based organisations to run workshops on eliminating

corporal punishment of children. In Panama, the Global Network of Religions for Children with UNICEF worked closely with faith communities including Muslims, Christians, Orthodox Jewish and Baha’is to promote ending violence against children including in religious services.

During 2014, religious leaders have taken opportunities during acts of worship to denounce corporal punishment. Preaching at a service dedicated to ending legalised violence against children, at St Davids Cathedral, Wales, UK, Bishop Wyn Evans stated: “Violence, both deliberate and directed and casual and unthinking and directed towards children ... violence, especially when it has the sanction of the state and the law behind it, is pandemic.” In a message for a vigil held on Universal Children’s Day 2014, the Archbishop of Wales spoke in support of prohibition. The Revd Meg Underdown described the campaign to end legalised violence against children as “Godly work”.

For more information on all aspects of faith-based advocacy for prohibition of corporal punishment, see the website of the Churches’ Network for Non-violence, churchesfornon-violence.org, email info@churchesfornon-violence.org. The new briefing *Faith-based support for prohibition and elimination of corporal punishment of children – a global overview* is available at <http://churchesfornon-violence.org/wp/wp-content/uploads/2014/11/Global-faith-support-summary.pdf>. To celebrate the 25th anniversary of the CRC, the Network is preparing a new worship handbook, to be published early in 2015.

“We all have a responsibility for ending the legal and cultural acceptance of this most common form of violence against children. As we celebrate this 25th anniversary of the adoption of the Convention on the Rights of the Child we have an opportunity to commit ourselves to ending legalised violence against children.”

Archbishop of Wales, Universal Children’s Day, 2014

Mounting research on corporal punishment

UNICEF: “two billion children without full legal protection”

In the most major collection of data on violent punishment of children to date, published in 2014, UNICEF highlighted that violent “discipline” is the most common form of violence against children and that children in all regions experience it.

The report used data from 62 countries from surveys carried out in 2005-2013. On average about four in five 2-14 year olds had been violently “disciplined” (physical punishment and/or psychological aggression) at home in the past month; 17% were severely physically punished (hit on the head, face or ears or hit hard and repeatedly). About six children in ten (almost a billion) were physically punished in the home in the past month. The report highlights that most corporal punishment occurs at home – the setting where it is least likely to be prohibited by law.²

Moving on from violent punishment of children

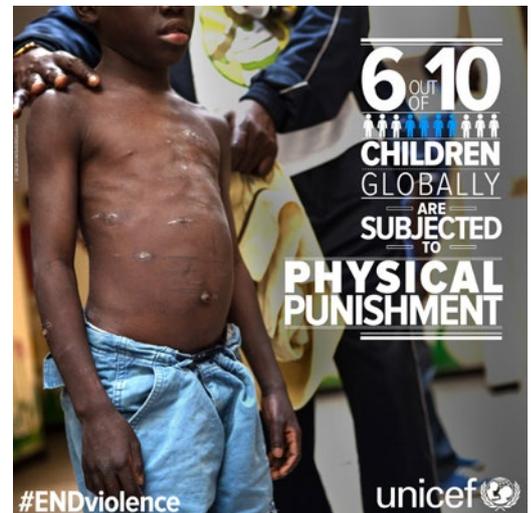
Recent research is showing the progress being made towards elimination of all violent punishment of children in some states which have prohibited it.

In **Finland** (prohibition achieved in 1983), a series of six nationally representative surveys show a consistent decline in adult acceptance of corporal punishment, from 47% in 1981 to 15% in 2014.³ A 2014 study found that the proportion of people who were slapped and beaten with an object during childhood decreased after corporal punishment was prohibited.⁴

A 2011 study in **Germany** (prohibition achieved in 2000) involved 9,500 16-40 year olds and found that younger people were most likely to have never been physically punished. The proportion of people who had experienced “light” violence in childhood decreased significantly since a similar study in 1992, from 58% to 36%.⁵

In **Austria** (prohibition achieved in 1989), a 2013 study found that 18-29 year olds, who grew up mostly after prohibition, were less likely to have been slapped or smacked on the bottom by their parents than people over 30.⁶

Research in **Poland** in 2013 found a decrease in the proportion of adults who agreed that “there are situations when a child needs to be smacked” since prohibition in 2010. In 2013, 60% agreed, compared to 78% in 2008. In 2013, 33% disagreed with the statement, compared to 19% in 2008.⁷



Research on the impact of corporal punishment

There is abundant evidence of the negative impact of corporal punishment on children, adults and societies. A review of the research which shows the associations between corporal punishment and many negative outcomes – including poor mental and physical health, increased violence and aggression and damage to family relationships – is available at www.endcorporalpunishment.org.

² UNICEF (2014), *Hidden in Plain Sight: A statistical analysis of violence against children*, NY: UNICEF

³ Sariola, H. (2012), *Violence against children and child sexual abuse in Finland*, presentation given at the Central Union for Child Welfare, Helsinki 30 August 2012; Central Union for Child Welfare (2012), *Attitudes to disciplinary violence*, Finland: Central Union for Child Welfare & Taloustutkimus Oy; reported by Central Union for Child Welfare, 9 April 2014

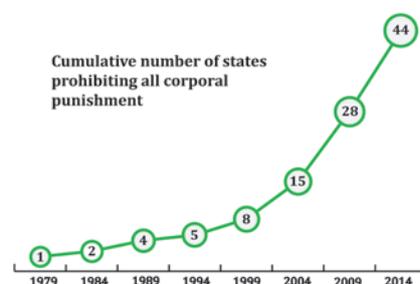
⁴ Österman, K. et al (2014) “Twenty-Eight Years After the Complete Ban on the Physical Punishment of Children in Finland: Trends and Psychosocial Concomitants”, *Aggressive Behaviour*, 9999, 1-14

⁵ Pfeiffer, C. (2012), “Weniger Hiebe, mehr Liebe. Der Wandel familiärer Erziehung in Deutschland”, *Centaur*, 11 (2), 14-17, cited in Pfeiffer, C. (2013), *Parallel Justice – Why Do We Need Stronger Support for the Victim in Society?*, Address at the closing plenary session of the 18th German Congress on Crime Prevention, April 23, 2013

⁶ Spectra Marktforschung (2013), *Gewaltverbot in der Erziehung: trendmessung zu 2009*

⁷ Ombudsman for Children (2013), *Annual Report of the Ombudsman for Children of the Republic of Poland for 2013*, Warsaw: Office of the Ombudsman for Children

States which have achieved prohibition



Prohibition of corporal punishment has historically been piecemeal, being achieved in the penal system first and gradually extended to schools, care settings and, finally, the home. This in part reflects how societies have inched towards appreciating children as holders of human rights and progressively amended their laws. But from children's perspective, there is no justification for it. The table below lists for each state the law that eventually extended prohibition to the home (in some, further law reform has confirmed the prohibition). We hope that, increasingly, future prohibiting legislation will comprehensively address all the settings of children's lives.

Albania	Law on the Protection of the Rights of the Child 2010	Liechtenstein	Children and Youth Act 2008
Argentina	Civil and Commercial Code 2014	Luxembourg	Law on Children and the Family 2008
Austria	General Civil Code as amended 1989	Malta	2014 amendment to Criminal Code
Bolivia	Children and Adolescents Code 2014	Netherlands	2007 amendment to Civil Code
Brazil	2014 amendments to Children and Adolescents Code 1990	New Zealand	Crimes (Substituted Section 59) Amendment Act 2007
Bulgaria	Child Protection Act 2000 (amended 2003) and Implementing Regulations	Nicaragua	Family Code 2014
Cabo Verde	Law on Children and Adolescents 2013	Norway	1987 amendment to Parent and Child Act 1981
Congo, Rep.	Law on the Protection of the Child 2010	Poland	2010 amendments to Family Code
Costa Rica	2008 amendments to Code on Children and Adolescents and Family Code	Portugal	2007 amendment to Penal Code
Croatia	Family Act 1998, replaced by Family Act 2003	Rep. Moldova	2008 amendments to Family Code
Cyprus	Violence in the Family (Prevention and Protection of Victims) Law 1994	Romania	Law on Protection and Promotion of the Rights of the Child 2004
Denmark	1997 amendment to Parental Custody and Care Act 1995	San Marino	2014 amendments to Penal Code and Law of 26 April 1986 No. 49 on Family Law Reform
Estonia	Child Welfare Act 2014	South Sudan	Transitional Constitution 2011
Finland	Child Custody and Rights of Access Act 1983	Spain	2007 amendment to Civil Code
Germany	2000 amendment to Civil Code	Sweden	1979 amendment to Parenthood and Guardianship Code
Greece	Law 3500/2006 on the Combating of Intra-family Violence	TFYR Macedonia	2013 Law on Child Protection
Honduras	2013 amendments to Family Code and Civil Code	Togo	Children's Code 2007
Hungary	2004 amendment to Child Protection Act	Tunisia	2010 amendment to Penal Code
Iceland	Children's Act 2003	Turkmenistan	Law on Guarantees of the Rights of the Child 2002
Israel	2000 Supreme Court ruled against all violence in childrearing; "reasonable chastisement" defence repealed the same year	Ukraine	Family Code 2003
Kenya	Constitution 2010	Uruguay	2007 amendments to Civil Code and Children and Adolescents Code 2004
Latvia	Children's Rights Protection Law 1998	Venezuela	2007 amendments to Law for the Protection of Children and Adolescents 1998

Progress in states still to complete law reform

The following information has been compiled from many sources, including reports to and by the United Nations human rights treaty bodies. Information in square brackets is unconfirmed. We are very grateful to government officials, UNICEF and other UN agencies, NGOs and human rights institutions, and many individuals who have helped to provide and check information. Please let us know if you believe any of the information to be incorrect: info@endcorporalpunishment.org. For further details on all states see the individual state reports at www.endcorporalpunishment.org.

Corporal punishment unlawful by Supreme Court ruling

In the following states, Supreme Court rulings have declared corporal punishment to be unlawful in all settings including the home but prohibition has not yet been enacted in legislation. Nepal is committed to law reform; Italy is yet to make a public commitment to enacting prohibition:

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Italy	NO ¹	YES	YES	YES	YES	YES
Nepal ²	NO	NO	NO	NO	NO	YES

States expressing commitment to law reform in the UPR and other contexts

Governments in the following 44 states have expressed a commitment to prohibition of all corporal punishment of children. In the majority of cases this has been through unequivocally accepting recommendations to prohibit made during the Universal Periodic Review (UPR) of the state concerned. Some states have formally confirmed a commitment to prohibition in a public context outside of the UPR.

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Afghanistan ³	NO	NO	SOME ⁴	YES	NO	NO ⁵
Algeria ⁶	NO	NO	NO	YES	NO	YES
Angola ⁷	NO	NO	NO	NO	NO	YES
Armenia ⁸	NO	SOME ⁹	NO	YES	YES ¹⁰	YES
Azerbaijan ¹¹	NO	NO	NO	YES	YES	YES

- 1 1996 Supreme Court ruling prohibited all violence in childrearing but this not yet confirmed in legislation
- 2 Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation; 2005 Supreme Court ruling removed legal defence for corporal punishment by parents, guardians and teachers
- 3 Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation
- 4 Prohibited in preschool provision
- 5 Lawful under Shari'a law
- 6 Government accepted UPR recommendation to prohibit in all settings (2012)
- 7 Government accepted UPR recommendations to prohibit in all settings (2014)
- 8 Government accepted UPR recommendation to prohibit (2010); draft legislation which would prohibit under discussion (2014)
- 9 Unlawful in care institutions but possibly no explicit prohibition
- 10 But no explicit prohibition
- 11 Government accepted UPR recommendations to prohibit (2009, 2013); draft legislation which would prohibit under discussion (2013)

States expressing commitment to law reform in the UPR and other contexts

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Bangladesh ¹²	NO	NO	NO	YES ¹³	NO	NO
Belize ¹⁴	NO	SOME ¹⁵	SOME ¹⁶	YES	SOME ¹⁷	YES
Benin ¹⁸	NO	NO	NO	NO ¹⁹	NO	YES
Bhutan ²⁰	NO	NO	NO	NO ²¹	[YES] ²²	YES
Burkina Faso ²³	NO	NO	SOME ²⁴	SOME ²⁵	[YES] ²⁶	YES
Chile ²⁷	NO	NO	NO	YES	YES	YES
Comoros ²⁸	NO	NO	NO	NO	NO	[YES]
Ecuador ²⁹	NO	NO	SOME ³⁰	YES	YES	SOME ³¹
El Salvador ³²	NO	NO	SOME ³³	YES	YES	YES
Fiji ³⁴	NO	NO	NO	YES ³⁵	YES	YES
India ³⁶	NO	SOME ³⁷	NO ³⁸	SOME ³⁹	YES ⁴⁰	SOME ⁴¹
Lithuania ⁴²	NO	NO	SOME ⁴³	YES	YES	YES
Maldives ⁴⁴	NO	NO	NO	NO ⁴⁵	NO	NO
Mauritius ⁴⁶	NO	NO	[SOME] ⁴⁷	YES	NO	YES
Mongolia ⁴⁸	NO	NO	[SOME] ⁴⁹	YES	NO	YES
Montenegro ⁵⁰	NO	NO	SOME ⁵¹	YES	YES ⁵²	YES

- 12 Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation; Government accepted UPR recommendation to prohibit (2009)
- 13 Unlawful under 2011 Supreme Court ruling, still to be confirmed in legislation
- 14 Government accepted UPR recommendation to prohibit (2009)
- 15 Prohibited in residential care facilities
- 16 Prohibited in day care centres
- 17 Prohibited in "Youth Hostel" detention centre
- 18 Government accepted UPR recommendation to prohibit in all settings (2012); draft legislation which would prohibit under discussion (2014)
- 19 Government circular advises against corporal punishment but no prohibition in law
- 20 Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation
- 21 Code of Conduct and ministerial directives state corporal punishment should not be used but no prohibition in law
- 22 Possibly prohibited in Child Care and Protection Act 2011
- 23 Draft legislation which would prohibit under discussion (2014)
- 24 Prohibited in preschool settings
- 25 Prohibited in primary schools
- 26 But no explicit prohibition and law permits use of force "in case of apathy following orders"
- 27 Government accepted UPR recommendations to prohibit in all settings (2014); prohibiting legislation under discussion (2014)
- 28 Government accepted UPR recommendations to prohibit in all settings (2014); draft legislation which would prohibit possibly under discussion (2014)
- 29 Government accepted UPR recommendation to prohibit in all settings (2012)
- 30 Prohibited in preschool provision
- 31 Lawful in indigenous communities
- 32 Government accepted UPR recommendations to prohibit in all settings (2010, 2014)
- 33 Prohibited in preschool provision
- 34 Government accepted UPR recommendation to prohibit in all settings (2014)
- 35 Ruled unconstitutional in 2002 High Court ruling but legislation still to be amended
- 36 Commitment to prohibition in all settings confirmed in third/fourth report to UN Committee on the Rights of the Child (2011); Government accepted UPR recommendation to prohibit in all settings (2012)
- 37 Prohibited in care institutions except in Jammu and Kashmir; bill which would prohibit in all childcare institutions under discussion (2014)
- 38 Bill which would prohibit in anganwadi centres and playschools under discussion (2014)
- 39 Prohibited for 6-14 year olds except in Jammu and Kashmir; not prohibited in religious schools
- 40 But prohibiting law not applicable in Jammu and Kashmir
- 41 Permitted in traditional justice systems
- 42 Government stated intention to prohibit to UN Committee on the Rights of the Child (2006); Government accepted UPR recommendation to prohibit in the home (2011); draft legislation under discussion (2014)
- 43 Prohibited in preschool provision
- 44 Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation
- 45 Ministry of Education advises against corporal punishment but no prohibition in law
- 46 Bill which would prohibit under discussion (2014)
- 47 Possibly unlawful in preschool provision
- 48 Government accepted UPR recommendation to prohibit (2010); prohibiting legislation under discussion (2014)
- 49 Possibly prohibited in preschool settings
- 50 Government accepted UPR recommendations to prohibit in all settings (2013)
- 51 Prohibited in the provision of preschool education
- 52 But possibly no explicit prohibition

States expressing commitment to law reform in the UPR and other contexts

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Morocco ⁵³	NO	NO	NO	NO ⁵⁴	YES	YES
Niger ⁵⁵	NO	NO	NO	NO ⁵⁶	NO	YES
Pakistan ⁵⁷	NO	NO	NO	SOME ⁵⁸	SOME ⁵⁹	SOME ⁶⁰
Palau ⁶¹	NO	NO	NO	NO	NO	YES
Panama ⁶²	NO	NO	NO	NO	YES	YES
Papua New Guinea ⁶³	NO	SOME ⁶⁴	NO	NO	NO	YES
Paraguay ⁶⁵	NO	SOME ⁶⁶	NO	NO	YES	YES
Peru ⁶⁷	NO	NO	[SOME] ⁶⁸	YES ⁶⁹	NO	YES
Philippines ⁷⁰	NO	YES	YES	YES	YES	YES
Samoa ⁷¹	NO	NO	SOME ⁷²	SOME ⁷³	YES	YES
Sao Tome & Principe ⁷⁴	NO	NO	NO	[YES]	[NO]	[YES]
Serbia ⁷⁵	NO	NO	SOME ⁷⁶	YES	YES	YES
Slovakia ⁷⁷	NO	YES	YES	YES	YES	YES
Slovenia ⁷⁸	NO	NO	SOME ⁷⁹	YES	YES ⁸⁰	YES
South Africa ⁸¹	NO	YES	YES	YES	YES	YES
Sri Lanka ⁸²	NO	NO ⁸³	NO	NO ⁸⁴	SOME ⁸⁵	YES
Tajikistan ⁸⁶	NO	NO	SOME ⁸⁷	YES	NO	YES
Thailand ⁸⁸	NO	NO	NO	YES	YES ⁸⁹	YES ⁹⁰

- 53 Government accepted UPR recommendation to prohibit in all settings (2012)
- 54 Ministerial direction advises against corporal punishment but no prohibition in law
- 55 Draft legislation which would prohibit under discussion (2014)
- 56 Ministerial Order states corporal punishment should not be used but no prohibition in law
- 57 Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation, confirmed in 2014 with launch by Government of national campaign for law reform; Bill which would prohibit under discussion (2014)
- 58 Prohibited for 5-16 year olds in Islamabad Capital Territory, Sindh province and Punjab
- 59 Prohibited in Juvenile Justice System Ordinance 2000 but this not applicable in all areas and other laws not amended/repealed
- 60 Lawful under Shari'a law
- 61 Government accepted UPR recommendation to prohibit (2011)
- 62 Government accepted UPR recommendation to prohibit (2010)
- 63 Government accepted UPR recommendation to prohibit in all settings (2011)
- 64 Lukautim Pikinini (Child) Act 2009 prohibits corporal punishment of children "in the care of the Director"
- 65 Draft legislation which would prohibit under discussion (2014); Government has expressed support for this law reform
- 66 Prohibited in shelter homes
- 67 Congress pledged all-party support for prohibition (2007); Government accepted UPR recommendation to prohibit in all settings (2012); draft legislation which would prohibit under discussion (2014)
- 68 Possibly prohibited in preschool provision
- 69 But no explicit prohibition
- 70 Government accepted UPR recommendation to prohibit in the home and other settings (2012); bill which would prohibit under discussion (2014)
- 71 Government accepted UPR recommendation to prohibit in the home (2011)
- 72 Prohibited in early childhood centres
- 73 Prohibited in government schools for children aged 5-14
- 74 Government accepted UPR recommendation to prohibit in all settings (2011)
- 75 Government accepted UPR recommendations to prohibit in the home and all settings (2008, 2013)
- 76 Prohibited in day care which forms part of the education system
- 77 Government accepted UPR recommendation to prohibit in all settings (2009); prohibition under discussion (2014)
- 78 Government accepted UPR recommendation to prohibit (2010); draft legislation which would prohibit under discussion (2014)
- 79 Prohibited in educational day care and in residential schools
- 80 But no explicit prohibition
- 81 Government accepted UPR recommendation to prohibit in the home (2012); prohibition under discussion (2014)
- 82 Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following UN Study on Violence against Children regional consultation
- 83 Legislation to prohibit in children's homes being drafted (2011)
- 84 Ministerial circular states corporal punishment should not be used but no prohibition in law; legislation to prohibit being drafted (2011)
- 85 Prohibited in prisons; legislation to prohibit in all penal institutions being drafted (2011)
- 86 Government accepted UPR recommendation to prohibit in all settings (2011); Government stated legislation is being improved to prohibit corporal punishment in the family and education settings (2012)
- 87 Prohibited in preschool education settings
- 88 Government accepted UPR recommendations to prohibit in all settings (2012)
- 89 But some legislation possibly still to be amended
- 90 But some legislation possibly still to be amended

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Timor-Leste ⁹¹	NO	NO	NO	NO	YES ⁹²	YES
Turkey ⁹³	NO	NO	NO	YES ⁹⁴	YES ⁹⁵	YES
Uganda ⁹⁶	NO	NO	NO	NO ⁹⁷	YES	YES
Zambia ⁹⁸	NO	NO	SOME ⁹⁹	YES	YES ¹⁰⁰	YES ¹⁰¹
Zimbabwe ¹⁰²	NO	NO	NO	NO	NO	NO

States without a clear commitment to law reform

The following 108 states have yet to make a clear commitment to prohibiting all corporal punishment. Some of these states have accepted UPR recommendations to prohibit but have also indicated that they consider existing legislation adequately protects children from corporal punishment, in conflict with information collected by the Global Initiative. Some states have accepted some UPR recommendations to prohibit corporal punishment but rejected other similar recommendations.

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Andorra ¹⁰³	NO	SOME ¹⁰⁴	NO	YES ¹⁰⁵	YES ¹⁰⁶	YES
Antigua & Barbuda	NO	NO	NO	NO	NO	NO
Australia	NO	SOME ¹⁰⁷	SOME ¹⁰⁸	SOME ¹⁰⁹	SOME ¹¹⁰	YES
Bahamas	NO	SOME ¹¹¹	NO	NO	[YES] ¹¹²	[NO] ¹¹³
Bahrain	NO	NO	NO	YES	NO	YES
Barbados	NO	[SOME] ¹¹⁴	[SOME] ¹¹⁵	NO	NO	NO
Belarus ¹¹⁶	NO	NO	NO	[YES]	YES ¹¹⁷	YES
Belgium	NO	SOME ¹¹⁸	NO	YES ¹¹⁹	YES	YES

91 Government accepted UPR recommendation to prohibit (2011); draft legislation which would prohibit in all settings under discussion (2013)

92 But no explicit prohibition

93 Government accepted UPR recommendation to prohibit (2010)

94 But no explicit prohibition

95 But possibly no explicit prohibition

96 Bill which would prohibit all corporal punishment under discussion (2014)

97 Ministerial circular advises against corporal punishment but no prohibition in law

98 Government accepted UPR recommendation to prohibit in all settings (2012); draft Constitution would prohibit in the home, schools and other institutions (2014)

99 Prohibited in preschool provision

100 Ruled unconstitutional by Supreme Court in 1991 but some legislation still to be repealed

101 Ruled unconstitutional by Supreme Court in 1991 but some legislation still to be repealed

102 Government accepted UPR recommendation to prohibit in all settings (2011)

103 Government accepted UPR recommendation to prohibit in all settings (2010) but also stated corporal punishment already unlawful

104 Prohibited in La Gavernera children's centre

105 But no explicit prohibition

106 But no explicit prohibition

107 Prohibited in all residential centres and foster care in all states/territories except Northern Territory, Tasmania, Victoria and Western Australia

108 Prohibited in all states/territories except in Northern Territory and Tasmania; prohibition in childminding unconfirmed

109 Prohibited in all states/territories except Queensland and Western Australia

110 Prohibited in all states/territories except Australian Capital Territory and Western Australia

111 Prohibited in residential institutions

112 But some legislation possibly still to be repealed

113 Judicial corporal punishment prohibited in 1984 but reintroduced in 1991

114 Possibly prohibited in children's centres run by Child Care Board and in state-arranged foster care

115 Possibly prohibited in state-arranged preschool settings and in day care centres run by Child Care Board

116 Government accepted UPR recommendation to prohibit (2010) but stated it had already been implemented and all corporal punishment unlawful

117 But no explicit prohibition

118 Prohibited in institutions in Flemish community

119 But no explicit prohibition

States without a clear commitment to law reform

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Bosnia & Herzegovina	SOME ¹²⁰	SOME ¹²¹	SOME ¹²²	YES	YES	YES
Botswana	NO	NO	NO	NO	NO	NO
Brunei Darussalam ¹²³	NO	NO	SOME ¹²⁴	NO	NO	NO
Burundi	NO	NO	NO	[YES]	NO	YES
Cambodia	NO	NO	NO	YES	YES	YES
Cameroon	NO	NO	[SOME] ¹²⁵	YES	[YES]	YES
Canada	NO ¹²⁶	SOME ¹²⁷	SOME ¹²⁸	YES ¹²⁹	YES ¹³⁰	YES
Central African Republic	NO	NO	NO	NO	NO	YES
Chad ¹³¹	NO	[SOME] ¹³²	[SOME] ¹³³	YES	[YES]	YES
China	NO ¹³⁴	[NO]	SOME ¹³⁵	YES	YES	YES
Colombia	NO	[SOME] ¹³⁶	NO	[YES] ¹³⁷	[YES] ¹³⁸	SOME ¹³⁹
Cook Islands	NO	NO	SOME ¹⁴⁰	YES	NO	YES
Côte d'Ivoire	NO	NO	NO	NO ¹⁴¹	YES ¹⁴²	YES
Cuba	NO	[SOME] ¹⁴³	[SOME] ¹⁴⁴	[YES]	YES	YES
Czech Republic	NO	SOME ¹⁴⁵	SOME ¹⁴⁶	YES	YES	YES
Djibouti	NO	NO	NO	[YES]	NO	YES
Dominica	NO	NO	SOME ¹⁴⁷	NO	NO	NO
Dominican Republic ¹⁴⁸	NO	NO	NO	YES	YES	YES
DPR Korea ¹⁴⁹	NO	NO	NO	[NO] ¹⁵⁰	[YES]	[YES]
DR Congo	NO	NO	NO	YES	NO	YES

120 Prohibited in Republic of Srpska

121 Prohibited in Republic of Srpska

122 Prohibited in Republic of Srpska

123 Government accepted some UPR recommendations to prohibit but rejected others (2009)

124 Prohibited in childcare centres

125 Possibly prohibited in nursery education

126 2004 Supreme Court ruling limited but upheld parents' rights to physically punish children

127 Prohibited in state provided care in Alberta, British Columbia and Manitoba and in foster care in Alberta, British Columbia, Manitoba and Ontario; in Ontario prohibited in provincially licensed childcare programmes and in foster homes for children receiving services from provincially licensed/approved child protection agency or other service provider

128 Prohibited in all states/territories except New Brunswick

129 2004 Supreme Court ruling excluded corporal punishment from teachers' right to use force but this still to be confirmed in laws relating to private schools and to all schools in Alberta and Manitoba

130 But no explicit prohibition in Quebec and possibly other provinces/territories

131 Government accepted UPR recommendation to prohibit in 2009 but rejected recommendation to prohibit in 2013

132 Possibly prohibited in institutional care settings

133 Possibly prohibited in institutions

134 But corporal punishment of girls prohibited in Shenzhen Special Economic Zone

135 Prohibited in nurseries and kindergartens

136 Possibly unlawful in care institutions

137 But no explicit prohibition and application of law in indigenous communities unconfirmed

138 But no explicit prohibition and application of law in indigenous communities unconfirmed

139 Lawful in indigenous communities

140 Prohibited in institutions providing early childhood education

141 Ministerial circular states corporal punishment should not be used but no prohibition in law

142 But no explicit prohibition

143 Possibly prohibited in care institutions

144 Possibly prohibited in preschool institutions

145 Unlawful in institutions

146 Prohibited in preschool provision

147 Prohibited in early childhood education facilities

148 Government accepted UPR recommendation to prohibit in all settings (2009) but also indicated that this had been already achieved; prohibiting legislation possibly being drafted (2014)

149 Government accepted UPR recommendation to prohibit in all settings (2014)

150 Policy states corporal punishment should not be used but possibly no prohibition in law

States without a clear commitment to law reform

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Egypt	NO	NO	NO	[NO] ¹⁵¹	[YES] ¹⁵²	YES
Equatorial Guinea	NO	NO	NO	NO	NO	YES
Eritrea	NO	NO	NO	[NO] ¹⁵³	[NO]	[NO]
Ethiopia ¹⁵⁴	NO	SOME ¹⁵⁵	SOME ¹⁵⁶	YES	YES	YES
France ¹⁵⁷	NO	NO	NO	YES ¹⁵⁸	YES	YES
Gabon	NO	NO	SOME ¹⁵⁹	YES	YES	YES
Gambia	NO	NO	NO	NO	NO	YES
Georgia	NO	[SOME] ¹⁶⁰	NO	YES ¹⁶¹	YES ¹⁶²	YES
Ghana ¹⁶³	NO	NO	NO	NO ¹⁶⁴	SOME ¹⁶⁵	YES
Grenada	NO	SOME ¹⁶⁶	NO	NO	NO	NO ¹⁶⁷
Guatemala ¹⁶⁸	NO	NO	NO	NO	YES	YES
Guinea	NO	NO	NO	NO ¹⁶⁹	[NO]	YES
Guinea-Bissau	NO	[NO]	[NO]	[YES]	[YES]	YES
Guyana	NO	SOME ¹⁷⁰	SOME ¹⁷¹	NO	SOME ¹⁷²	SOME ¹⁷³
Haiti	NO ¹⁷⁴	[YES] ¹⁷⁵	[YES] ¹⁷⁶	YES	YES	YES
Indonesia	NO	NO ¹⁷⁷	NO	NO	YES ¹⁷⁸	SOME ¹⁷⁹
Iran	NO	NO	SOME ¹⁸⁰	NO ¹⁸¹	YES	NO
Iraq	NO ¹⁸²	NO	NO	NO	SOME ¹⁸³	YES
Ireland ¹⁸⁴	NO	SOME ¹⁸⁵	SOME ¹⁸⁶	YES	YES	YES

151 Ministerial directive states corporal punishment should not be used but possibly no prohibition in law

152 Possibly lawful in social welfare institutions

153 Policy states corporal punishment should not be used but possibly no prohibition in law

154 Government accepted UPR recommendation to abolish corporal punishment but rejected recommendation to criminalise it (2014)

155 Prohibited in institutions

156 Prohibited in institutions

157 Government accepted UPR recommendation to prohibit in all settings (2013) but made a general statement that acceptance did not necessarily imply a commitment to further action but could imply a commitment to continue existing efforts or maintain measures already in place

158 But no explicit prohibition and courts have recognised a "right of correction"

159 Prohibited in preschool provision

160 Possibly prohibited in care institutions

161 But no explicit prohibition

162 But no explicit prohibition

163 Government accepted UPR recommendations to prohibit in all settings (2008, 2012) but also defended "reasonable" punishment and in the context of reviewing the Constitution (2012) asserted that existing legislation already adequately protects children

164 Ministerial directive possibly advises against corporal punishment but no prohibition in law

165 Prohibited in prisons

166 Prohibited in childcare homes

167 Prohibited in Juvenile Justice Act 2012, not yet in force

168 Government accepted UPR recommendation to prohibit in the home (2008) and in all settings (2012) but has also said corporal punishment is prohibited under existing law

169 Ministerial circular possibly advises against corporal punishment but no prohibition in law

170 Prohibited in some but not all settings in Child Care and Services Development Act 2011

171 Prohibited in some but not all settings in Child Care and Services Development Act 2011

172 Lawful for persons over 16

173 Lawful for persons over 16

174 Bill which would prohibit under discussion (2014)

175 Prohibition in foster care unconfirmed

176 Prohibition in crèches and childminding unconfirmed

177 National Standards of Care for Child Welfare Institutions state corporal punishment should not be used but no prohibition in law

178 But no explicit prohibition

179 Lawful under Shari'a law in Aceh province and in regional regulations based on Shari'a law in other areas

180 Prohibited in day care centres (kindergartens)

181 Government directive states corporal punishment should not be used but no prohibition in law

182 Possibly prohibited in Kurdistan

183 Prohibited in prisons and detention centres

184 Government "partially accepted" UPR recommendation to prohibit in the home (2011)

185 Prohibited in Special Care Units

186 Prohibited in preschool settings

States without a clear commitment to law reform

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Jamaica	NO	YES	SOME ¹⁸⁷	NO ¹⁸⁸	YES	YES
Japan ¹⁸⁹	SOME ¹⁹⁰	NO	NO	YES ¹⁹¹	NO	YES
Jordan ¹⁹²	NO	[SOME] ¹⁹³	[NO]	YES	[YES]	YES
Kazakhstan	NO	[SOME] ¹⁹⁴	SOME ¹⁹⁵	YES ¹⁹⁶	YES	YES
Kiribati	NO	NO	NO	YES	NO	NO
Kuwait ¹⁹⁷	NO	NO	NO	[YES]	[YES]	[YES]
Kyrgyzstan ¹⁹⁸	NO	SOME ¹⁹⁹	NO	YES	[YES]	YES
Lao PDR	NO	NO	SOME ²⁰⁰	YES	YES ²⁰¹	YES
Lebanon	NO	NO	NO	NO	[YES]	YES
Lesotho ²⁰²	NO	NO	NO	NO	YES	YES
Liberia	NO	SOME ²⁰³	SOME ²⁰⁴	NO	YES	YES
Libya	NO	NO	SOME ²⁰⁵	YES	NO	NO
Madagascar	NO	NO	NO	[YES]	NO	YES
Malawi	NO	SOME ²⁰⁶	SOME ²⁰⁷	[YES] ²⁰⁸	YES	YES
Malaysia	NO	NO	NO	NO	NO	NO ²⁰⁹
Mali	NO	NO	SOME ²¹⁰	YES	YES ²¹¹	YES
Marshall Islands	NO	NO	NO	NO	NO	YES
Mauritania	NO	NO	NO	NO ²¹²	NO	NO
Mexico	NO	NO	[NO] ²¹³	YES ²¹⁴	YES	YES
Micronesia	NO	NO	NO	[YES]	NO	YES
Monaco	NO	NO	NO	YES ²¹⁵	YES ²¹⁶	YES

187 Prohibited in early childhood centres (“basic schools”)

188 But see note on day care; prohibition in all schools under discussion (2013)

189 Government accepted UPR recommendation to prohibit all corporal punishment (2008, 2012) but denied that the legal “right to discipline” allowed for corporal punishment and stated that the law adequately protects children from “excessive” discipline (2012)

190 Prohibited in Kawasaki City by local ordinance

191 Prohibited in School Education Law 1947 but Tokyo High Court judgment stated some physical punishment may be lawful in some circumstances

192 Government accepted UPR recommendation to prohibit in all settings (2009) but stated that laws do not prescribe any form of corporal punishment and subsequently amended but did not repeal the parental right to discipline children according to “general custom”

193 Possibly prohibited in institutions

194 Possibly prohibited in children’s villages

195 Prohibited in preschool education and training

196 But no explicit prohibition

197 Government accepted UPR recommendation to prohibit (2010) but has since stated that corporal punishment is unlawful under existing law

198 Government accepted UPR recommendation to prohibit in all settings but also stated that corporal punishment is already unlawful (2010)

199 Prohibited in residential institutions

200 Unlawful in early childhood education settings

201 But no explicit prohibition

202 Government accepted UPR recommendation to abolish corporal punishment (2010), stating that it was in the process of implementation; subsequent law reform prohibited corporal punishment as a sentence for crime but not in the home or other settings

203 Children’s Law 2011 prohibits corporal punishment by child protection practitioners

204 Children’s Law 2011 prohibits corporal punishment by child protection practitioners

205 Unlawful in preschool provision

206 Prohibited in state-run institutions

207 Prohibited in state-run day care

208 Prohibition in private schools unconfirmed

209 Government committed to prohibition of judicial caning for persons under 18 (2007)

210 Prohibited in preschools and kindergartens

211 But no explicit prohibition

212 Ministerial Order states corporal punishment should not be used but no prohibition in law

213 Possibly unlawful in preschool provision

214 But no explicit prohibition

215 But no explicit prohibition

216 But no explicit prohibition

States without a clear commitment to law reform

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Mozambique	NO	NO	NO	NO ²¹⁷	YES	YES
Myanmar	NO	NO	NO	[NO] ²¹⁸	NO	YES ²¹⁹
Namibia	NO	SOME ²²⁰	SOME ²²¹	YES	YES ²²²	YES ²²³
Nauru	NO	NO	NO	NO	NO	[YES]
Nigeria	NO	NO	NO	NO	SOME ²²⁴	SOME ²²⁵
Niue	NO	NO	NO	NO	[YES]	YES
Oman	NO	NO	[SOME] ²²⁶	YES	NO	[YES]
Qatar ²²⁷	NO	NO	NO	NO ²²⁸	YES	NO
Republic of Korea ²²⁹	SOME ²³⁰	SOME ²³¹	SOME ²³²	SOME ²³³	YES ²³⁴	YES
Russian Federation	NO	NO	NO	YES	YES ²³⁵	YES
Rwanda ²³⁶	NO	NO	NO	YES ²³⁷	YES ²³⁸	YES
Saudi Arabia ²³⁹	NO	NO	NO	NO ²⁴⁰	NO	NO
Senegal	NO	NO	NO	SOME ²⁴¹	[YES] ²⁴²	YES
Seychelles	NO	NO	NO	NO ²⁴³	NO	YES
Sierra Leone	NO	NO	NO	NO	NO	YES
Singapore	NO	NO	SOME ²⁴⁴	NO	NO	NO
Solomon Islands ²⁴⁵	NO	NO	NO	NO	YES	YES ²⁴⁶
Somalia	NO	SOME ²⁴⁷	SOME ²⁴⁸	[SOME] ²⁴⁹	SOME ²⁵⁰	SOME ²⁵¹
St Kitts & Nevis	NO	NO	NO	NO	NO	NO
St Lucia	NO	NO	NO	NO	NO	YES

217 Government directive advises against corporal punishment but no prohibition in law

218 Government directive advises against corporal punishment but not prohibition in law

219 But some legislation still to be repealed

220 Unlawful in state-run childcare under 1991 Supreme Court ruling but some legislation still to be repealed; Child Care and Protection Bill would prohibit (2011)

221 Unlawful in state-run childcare under 1991 Supreme Court ruling but some legislation still to be repealed; Child Care and Protection Bill would prohibit (2011)

222 Unlawful under 1991 Supreme Court ruling but some legislation still to be repealed; Child Care and Protection Bill would prohibit (2011)

223 Unlawful under 1991 Supreme Court ruling but some legislation still to be repealed

224 Prohibited in Child Rights Act 2003 but this not enacted in all states

225 Prohibited in Child Rights Act 2003 but this not enacted in all states and other legislation not amended; lawful in some areas under Shari'a law

226 Possibly prohibited in preschool provision

227 Government accepted some UPR recommendations to prohibit but rejected another similar one, stating that corporal punishment is already prohibited (2010)

228 Code of Conduct for schools states corporal punishment should not be used but no prohibition in law

229 Government accepted UPR recommendations to prohibit in all settings (2012) but was unclear on the need for complete prohibition in the home

230 Prohibited in Seoul

231 Prohibited in Seoul

232 Prohibited in Seoul

233 Law prohibits direct physical punishment (involving physical contact) but not indirect physical punishment (no contact, e.g. painful positions); fully prohibited in Seoul

234 But no explicit prohibition

235 But no explicit prohibition

236 Government accepted UPR recommendation to prohibit, stating it considers it has already been implemented (2011) but recent law reform did not repeal the "right of correction"

237 But no explicit prohibition

238 But no explicit prohibition

239 Government accepted UPR recommendations to prohibit corporal punishment of children in schools and the penal system but stated that it was already prohibited in schools and care settings (2009); recommendations to prohibit in 2013 UPR rejected

240 Ministerial circulars advise against corporal punishment but no prohibition in law

241 Prohibited for 6-14 year olds

242 But no explicit prohibition and law permits use of force "in the case of inertia to the orders given"

243 Policy states corporal punishment should not be used but no prohibition in law

244 Prohibited in childcare centres

245 Government accepted UPR recommendation to prohibit in all settings (2011) but stated that the Penal Code was being reviewed to ascertain whether further provision or guidance is necessary to clarify when corporal punishment is lawful

246 But used in traditional justice

247 Prohibited in Somaliland

248 Prohibited in Somaliland

249 Possibly prohibited in Somaliland

250 Prohibited in Somaliland

251 Prohibited in Somaliland

States without a clear commitment to law reform

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
St Vincent & Grenadines	NO	NO	NO	NO	NO	NO
State of Palestine	NO	NO	NO	SOME ²⁵²	[NO] ²⁵³	[NO] ²⁵⁴
Sudan	NO	NO	NO	SOME ²⁵⁵	NO	[YES] ²⁵⁶
Suriname	NO	NO	NO ²⁵⁷	NO ²⁵⁸	YES	YES
Swaziland	NO	NO	NO	NO	NO	YES
Switzerland	NO ²⁵⁹	SOME ²⁶⁰	YES	YES	YES	YES
Syrian Arab Republic	NO	NO	NO	NO ²⁶¹	NO	YES
Taiwan	NO	NO	[SOME] ²⁶²	YES	YES	YES
Tonga	NO	NO	SOME ²⁶³	YES	[YES]	NO ²⁶⁴
Trinidad & Tobago	NO	NO ²⁶⁵	NO ²⁶⁶	NO ²⁶⁷	NO ²⁶⁸	NO ²⁶⁹
Tuvalu ²⁷⁰	NO	SOME ²⁷¹	NO	NO	SOME ²⁷²	SOME ²⁷³
UK	NO	SOME ²⁷⁴	SOME ²⁷⁵	YES	YES	YES
United Arab Emirates	NO	NO	NO	YES ²⁷⁶	[YES]	NO
UR Tanzania	NO	SOME ²⁷⁷	NO	NO	SOME ²⁷⁸	SOME ²⁷⁹
USA	NO	SOME ²⁸⁰	SOME ²⁸¹	SOME ²⁸²	SOME ²⁸³	YES
Uzbekistan	NO	NO	NO	YES	YES ²⁸⁴	YES
Vanuatu	NO	NO	NO	YES	YES	SOME ²⁸⁵
Viet Nam	NO	NO	NO	YES	YES	YES
Western Sahara	NO	[NO]	[NO]	[NO]	[YES]	[YES]
Yemen	NO	NO	[SOME] ²⁸⁶	YES	YES	NO

252 Prohibited in UNRWA schools and in East Jerusalem; Ministerial direction advises against corporal punishment in public schools but no prohibition in law
253 Possibly unlawful in East Jerusalem
254 Possibly unlawful in Gaza
255 At federal level Child Act 2010 prohibits cruel punishment but not explicitly all corporal punishment; prohibited in Khartoum State
256 Possibly lawful under Shari'a law
257 Draft legislation to prohibit in day care centres under discussion (2011)
258 Government accepted UPR recommendation to prohibit in schools (2011)
259 2003 Federal Court ruling stated repeated and habitual corporal punishment unacceptable but did not rule out right of parents to use corporal punishment
260 Lawful as for parents in alternative care involving family placements
261 Ministry of Education advises against corporal punishment but no prohibition in law
262 Possibly prohibited in care centres under education legislation
263 Prohibited in preschool institutions
264 2010 Court of Appeal ruling stated that "it might be argued" whipping is unconstitutional but did not declare it to be so
265 Prohibited in Children Act 2012, not yet in force
266 Prohibited in Children Act 2012, not yet in force
267 Prohibited in Children Act 2012, not yet in force
268 Prohibited in Children Act 2012, not yet in force
269 Prohibited in Children Act 2012, not yet in force
270 Government accepted UPR recommendation to prohibit in 2008 but in 2013 accepted some UPR recommendations to prohibit and rejected others
271 Prohibited in hospital mental health wing
272 Corporal punishment by police officers prohibited
273 Island Courts may order corporal punishment
274 Prohibited in residential institutions and foster care arranged by local authorities or voluntary organisations throughout the UK
275 Prohibited in day care and childminding in England, Wales and Scotland; in Northern Ireland, guidance states physical punishment should not be used but no prohibition in law
276 But no explicit prohibition in private schools
277 Prohibited in residential institutions in Zanzibar
278 Prohibited in approved schools and remand homes in Zanzibar
279 Prohibited in Zanzibar
280 Prohibited in all care settings in 31 states, and in some settings in other states and District of Columbia
281 Prohibited in all care settings in 31 states, and in some settings in other states and District of Columbia
282 Prohibited in public schools in 29 states and District of Columbia, and in public and private schools in Iowa and New Jersey; federal bill which would prohibit under discussion (2014)
283 Prohibited in 32 states
284 But no explicit prohibition
285 Permitted in rural areas under customary justice systems
286 Possibly prohibited in preschool provision

Resources to support law reform

Detailed information on all aspects of prohibiting corporal punishment is available on the Global Initiative website www.endcorporalpunishment.org. Also available are global and regional progress tables and reports and individual reports on the current legality and progress towards prohibition in every state and territory worldwide.

For detailed technical support and assistance on the drafting of prohibiting legislation and other aspects of national law reform, and information on briefing the treaty bodies and Universal Periodic Review regarding corporal punishment and on using human rights complaints and communications mechanisms, email info@endcorporalpunishment.org.

To subscribe to the global e-newsletter email info@endcorporalpunishment.org; for the Africa e-newsletter email vohito@endcorporalpunishment.org; for the Caribbean e-newsletter email elinor@endcorporalpunishment.org.

The Save the Children Sweden (SCS) Resource Centre (<http://resourcecentre.savethechildren.se>) provides a wide range of information and resources to support law reform to achieve and implement prohibition – including on law reform, the promotion of positive discipline, awareness raising and involving children in the process.



Other key resources include:

Committee on the Rights of the Child, *General Comment No. 8 on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (articles 19, 28(2) and 37, inter alia) (2006)*

Prohibiting corporal punishment of children: A guide to legal reform and other measures (2009) (“Legal reform handbook”)

Legal reform briefings (2009) – a series of seven briefings covering many aspects of law reform, most available in English, Arabic and French: (1) *Understanding the need for prohibition*, (2) *Reviewing current law*, (3) *Drafting prohibiting legislation*, (4) *Building a national strategy*, (5) *Working with Government and Parliament*, (6) *Using legal action and regional and international human rights mechanisms*, (7) *Key resources to support campaigning*

Campaigns Manual: Ending corporal punishment and other cruel and degrading punishment of children through law reform and social change (2010) (“Campaigns Manual”, in English, French and Spanish)

Ending corporal punishment of children: A handbook for working with and within religious communities (2011) (“Faith Handbook”)

Prohibiting all corporal punishment of children: Frequently Asked Questions (2009) (also a child-friendly version, in English, Spanish and French)

Review of research on the effects of corporal punishment: working paper (2013)

Young children’s right to an end to all violent punishment (2014)

Using international communications and inquiry procedures to challenge corporal punishment of children (2014) (in English and French)

25 the number of years since the adoption of the Convention on the Rights of the Child

8 the number of years since the UN Study on Violence against Children recommended prohibition of all corporal punishment as a matter of priority

44 the number of states now prohibiting corporal punishment of children in all settings

45 the number of states committed to enacting prohibiting legislation

33 the number of states actively discussing draft laws/bills which include prohibition of corporal punishment

91 the percentage of the world's children still unprotected in law from corporal punishment in the home

7 the number of states openly defending the legality of corporal punishment before the Human Rights Council

23 the number of states where corporal punishment is not fully prohibited in any setting

This ninth global report reviews progress and delay worldwide towards prohibiting all corporal punishment of children in the context of follow up to the UN Study on Violence against Children, increasing pressure on Governments from human rights bodies, growing support for prohibition among faith communities, and increasingly rigorous and systematic research ensuring visibility of this most common yet most difficult to challenge form of violence against children. Setting out the situation on each of these factors at the end of 2014, the report provides an invaluable springboard for continued and new advocacy in 2015.



Global Initiative to
End All Corporal Punishment
of Children

The Global Initiative to End All Corporal Punishment of Children promotes universal prohibition and elimination of corporal punishment and freely offers technical support and advice on all aspects of law reform.

www.endcorporalpunishment.org

Save the Children opposes all corporal punishment and other humiliating punishment of children and works for its universal prohibition and elimination.

resourcecentre.savethechildren.se



Save the Children

For information about the UN Secretary General's Study on Violence against Children, see www.unviolencestudy.org