

Progress towards prohibiting all corporal punishment in member states of the League of Arab States



Global Initiative to
End All Corporal Punishment
of Children

Prepared by the Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org), January 2017

The following table summarises the legal status of corporal punishment of children – and progress towards achieving prohibition – in all settings in all member states of the League of Arab States. As at January 2017, one state has achieved prohibition in all settings, including the home; governments of at least four others have expressed a commitment to enacting full prohibition. One state has prohibited corporal punishment in all alternative care settings and day care, 10 in schools, eight in penal institutions and 14 as a sentence for crime.

States with full prohibition in legislation

The following state has prohibited corporal punishment in all settings, including the home.

| 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 |
|---------|------------------------|---|------------------------|-----------------------|----------------------------------|----------------------------------|
| Tunisia | YES ¹ | YES | YES | YES | YES | YES |

States expressing commitment to law reform in UPR and other contexts

Governments in the following four states have expressed a commitment to prohibition of all corporal punishment of children through unequivocally accepting recommendations to prohibit made during the Universal Periodic Review (UPR) of the state concerned.

| 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 |
|----------------------|------------------------|---|------------------------|-----------------------|----------------------------------|----------------------------------|
| Algeria ² | NO | NO | NO | YES | NO | YES |
| Comoros ³ | NO | NO | NO | NO | NO | [YES] |
| Morocco ⁴ | NO | NO | NO | NO ⁵ | YES | YES |
| Oman ⁶ | NO | NO | [SOME] ⁷ | YES | NO | [YES] |

States without a clear commitment to law reform

The following 17 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

¹ Prohibited in 2010 amendment to Penal Code

² Government accepted UPR recommendation to prohibit in all settings (2012)

³ Government accepted UPR recommendations to prohibit in all settings (2014); draft legislation which would prohibit possibly under discussion (2014)

⁴ Government accepted UPR recommendation to prohibit in all settings (2012)

⁵ Ministerial direction advises against corporal punishment but no prohibition in law

⁶ Government accepted UPR recommendation to prohibit in all settings (2015)

⁷ Possibly prohibited in preschool provision

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.

| <i>States without a clear commitment to law reform ...</i> | | | | | | |
|--|------------------------|---|------------------------|-----------------------|----------------------------------|----------------------------------|
| 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 |
| Bahrain | NO | NO | NO | YES | NO | YES |
| Djibouti | NO | NO | NO | [YES] | NO | YES |
| Egypt | NO | NO | NO | [NO] ⁸ | [YES] ⁹ | YES |
| Iraq | NO ¹⁰ | NO | NO | NO | SOME ¹¹ | YES |
| Jordan ¹² | NO | [SOME] ¹³ | [NO] | YES | [YES] | YES |
| Kuwait ¹⁴ | NO | NO | NO | YES | NO | [YES] |
| Lebanon | NO | NO | NO | NO ¹⁵ | [YES] | YES |
| Libya | NO | NO | SOME ¹⁶ | YES | NO | NO |
| Mauritania | NO | NO | NO | NO ¹⁷ | NO | NO |
| Qatar ¹⁸ | NO | NO | NO | NO ¹⁹ | YES | NO |
| Saudi Arabia ²⁰ | NO | NO | NO | NO ²¹ | NO | NO |
| Somalia | NO | SOME ²² | SOME ²³ | [SOME] ²⁴ | SOME ²⁵ | SOME ²⁶ |
| State of Palestine | NO | NO | NO | SOME ²⁷ | [SOME] ²⁸ | [SOME] ²⁹ |
| Sudan | NO | NO | NO | SOME ³⁰ | NO | [YES] ³¹ |
| Syrian Arab Republic | NO | NO | NO | NO ³² | NO | YES |
| United Arab Emirates | NO | NO | NO | YES | [YES] | NO |
| Yemen | NO | NO | [SOME] ³³ | YES | YES | NO |

⁸ Ministerial directive states corporal punishment should not be used but possibly no prohibition in law

⁹ Possibly lawful in social welfare institutions

¹⁰ But possibly prohibited in Kurdistan

¹¹ Prohibited in prisons and detention centres

¹² Government accepted UPR recommendation to prohibit in all settings (2009) but stated current laws do not prescribe corporal punishment and subsequently limited but did not repeal right to discipline according to “general custom”

¹³ Possibly prohibited in institutions

¹⁴ Government accepted 2010 UPR recommendation to prohibit but subsequently stated existing law adequate; Government accepted 2015 recommendation to prohibit but appeared to defend “simple discipline”

¹⁵ Ministerial directive states corporal punishment should not be used but no prohibition in law

¹⁶ Unlawful in preschool provision

¹⁷ Ministerial Order states corporal punishment should not be used but no prohibition in law

¹⁸ Government accepted some UPR recommendations to prohibit but rejected another similar one, stating corporal punishment already prohibited (2010)

¹⁹ Code of Conduct for schools states corporal punishment should not be used but no prohibition in law

²⁰ Government accepted UPR recommendations to prohibit corporal punishment in schools and penal system but stated already prohibited in schools and care settings (2009); recommendations to prohibit in 2013 UPR rejected

²¹ Ministerial circulars advise against corporal punishment but no prohibition in law

²² Prohibited in Somaliland

²³ Prohibited in Somaliland

²⁴ Possibly prohibited in Somaliland

²⁵ Prohibited in Somaliland

²⁶ Prohibited in Somaliland

²⁷ Prohibited in UNRWA schools and in East Jerusalem; elsewhere Ministerial direction advises against corporal punishment but no prohibition in law

²⁸ Possibly unlawful in East Jerusalem

²⁹ Possibly unlawful in Gaza

³⁰ Prohibited in Khartoum State

³¹ Possibly lawful under Shari'a law

³² Ministry of Education advises against corporal punishment but no prohibition in law

³³ Possibly prohibited in preschool provision

Note

The above information is based wherever possible on examination of national legislation; additional information is gathered 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 assisted us in our research. We welcome corrections and updates: email info@endcorporalpunishment.org. For further details on all states see the individual state reports at www.endcorporalpunishment.org.

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