

Progress towards prohibiting all corporal punishment in UN member states

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



Global Initiative to
End All Corporal Punishment
of Children

The following table summarises the legal status of corporal punishment of children – and progress towards achieving prohibition – in all UN member states. As at March 2017, 52 states have achieved prohibition in all settings, including the home; governments of at least 54 others have expressed a commitment to enacting full prohibition. Fifty-nine UN member states have prohibited corporal punishment in all alternative care settings, 59 in day care, 127 in schools, 135 in penal institutions and 160 as a sentence for crime.

States with full prohibition in legislation

The following 52 states have prohibited corporal punishment in all settings, including the home.

<i>States with full prohibition ...</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
Albania	YES ¹	YES	YES	YES	YES	YES
Andorra	YES ²	YES	YES	YES	YES	YES
Argentina	YES ³	YES	YES	YES	YES	YES
Austria	YES ⁴	YES	YES	YES	YES	YES
Benin	YES ⁵	YES	YES	YES	YES	YES
Bolivia	YES ⁶	YES	YES	YES	YES	YES
Brazil	YES ⁷	YES	YES	YES	YES	YES
Bulgaria	YES ⁸	YES	YES	YES	YES	YES
Cabo Verde	YES ⁹	YES	YES	YES	YES	YES
Congo, Republic of	YES ¹⁰	YES	YES	YES	YES	YES
Costa Rica	YES ¹¹	YES	YES	YES	YES	YES
Croatia	YES ¹²	YES	YES	YES	YES	YES
Cyprus	YES ¹³	YES	YES	YES	YES	YES
Denmark	YES ¹⁴	YES	YES	YES	YES	YES

¹ Prohibited in Law on the Protection of the Rights of the Child 2010

² Prohibited in 2014 amendments to Criminal Code 2005

³ Prohibited in Civil and Commercial Code 2014, in force 2016

⁴ Prohibited in 1989 amendment to General Civil Code, reiterated in Federal Constitutional Act on the Rights of Children 2011

⁵ Prohibited in Children's Code 2015

⁶ Prohibited in Children and Adolescents Code 2014

⁷ Prohibited in 2014 amendments to Children and Adolescents Code 1990

⁸ Prohibited in Child Protection Act 2000 (amended 2003) and Regulations on the Implementation of the Child Protection Act 2003

⁹ Prohibited in Law on Children and Adolescents 2013

¹⁰ Prohibited in Law on the Protection of the Child 2010

¹¹ Prohibited in 2008 amendments to Code on Children and Adolescents and Family Code

¹² Prohibited in Family Act 1998, superseded by Family Act 2003

¹³ Prohibited in Violence in the Family (Prevention and Protection of Victims) Law 1994, reiterated in Act on Violence in the Family 2000; right "to administer punishment" formally repealed from Children's Law 1956 in 2013

<i>States with full prohibition ...</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
Estonia	YES ¹⁵	YES	YES	YES	YES	YES
Finland	YES ¹⁶	YES	YES	YES	YES	YES
Germany	YES ¹⁷	YES	YES	YES	YES	YES
Greece	YES ¹⁸	YES	YES	YES	YES	YES
Honduras	YES ¹⁹	YES	YES	YES	YES	YES
Hungary	YES ²⁰	YES	YES	YES	YES	YES
Iceland	YES ²¹	YES	YES	YES	YES	YES
Ireland	YES ²²	YES	YES	YES	YES	YES
Israel	YES ²³	YES	YES	YES	YES	YES
Kenya	YES ²⁴	YES	YES	YES	YES	YES
Latvia	YES ²⁵	YES	YES	YES	YES	YES
Liechtenstein	YES ²⁶	YES	YES	YES	YES	YES
Lithuania	YES ²⁷	YES	YES	YES	YES	YES
Luxembourg	YES ²⁸	YES	YES	YES	YES	YES
Malta	YES ²⁹	YES	YES	YES	YES	YES
Mongolia	YES ³⁰	YES	YES	YES	YES	YES
Netherlands	YES ³¹	YES	YES	YES	YES	YES
New Zealand	YES ³²	YES	YES	YES	YES	YES
Nicaragua	YES ³³	YES	YES	YES	YES	YES
Norway	YES ³⁴	YES	YES	YES	YES	YES
Paraguay	YES ³⁵	YES	YES	YES	YES	YES
Peru	YES ³⁶	YES	YES	YES	YES	YES
Poland	YES ³⁷	YES	YES	YES	YES	YES

¹⁴ Prohibited in 1997 amendment to Parental Custody and Care Act 1995, reiterated in Danish Act on Parental Responsibility 2007

¹⁵ Prohibited in Child Protection Act 2014, in force January 2016

¹⁶ Prohibited in Child Custody and Rights of Access Act 1983

¹⁷ Prohibited in 2000 amendment to Civil Code

¹⁸ Prohibited in Law 3500/2006 on the Combating of Intra-family Violence 2006

¹⁹ Prohibited in 2013 amendments to Family Code and Civil Code

²⁰ Prohibited in 2004 amendment to Child Protection Act 1997

²¹ Prohibited in Children's Act 2003

²² Prohibited in 2015 amendment to Offences Against the Person (Non Fatal) Act 1997

²³ 2000 Supreme Court judgment ruled against all violence in childrearing; "reasonable chastisement" defence repealed same year

²⁴ Prohibited in Constitution 2010 but some legislation still to be formally repealed

²⁵ Prohibited in Children's Rights Protection Law 1998

²⁶ Prohibited in Children and Youth Act 2008

²⁷ Prohibited in 2017 amendments to Law on the Fundamentals of Protection of the Rights of the Child 1996

²⁸ Prohibited in Law on Children and the Family 2008

²⁹ Prohibited in 2014 amendment to Criminal Code but some legislation still to be formally repealed

³⁰ Prohibited in Law on the Rights of Children 2016 and Law on Child Protection 2016

³¹ Prohibited in 2007 amendment to Civil Code

³² Prohibited in Crimes (Substituted Section 59) Amendment Act 2007

³³ Prohibited in Family Code 2014, in force April 2015

³⁴ Prohibited in 1987 amendment to Parent and Child Act 1981, confirmed in further amendments 2010 following 2005 Supreme Court decision supportive of "lighter smacks"

³⁵ Prohibited in Law on promotion of good treatment, positive parenting and protection of children and adolescents against corporal punishment or any type of violence as a method of correction or discipline 2016

³⁶ Prohibited in Law prohibiting physical and other humiliating punishment against children and adolescents 2015

³⁷ Prohibited in 2010 amendment to Family and Guardianship Code 1964

<i>States with full prohibition ...</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
Portugal	YES ³⁸	YES	YES	YES	YES	YES
Republic of Moldova	YES ³⁹	YES	YES	YES	YES	YES
Romania	YES ⁴⁰	YES	YES	YES	YES	YES
San Marino	YES ⁴¹	YES	YES	YES	YES	YES
Slovenia	YES ⁴²	YES	YES	YES	YES	YES
South Sudan	YES ⁴³	YES	YES	YES	YES	YES
Spain	YES ⁴⁴	YES	YES	YES	YES	YES
Sweden	YES ⁴⁵	YES	YES	YES	YES	YES
TFYR Macedonia	YES ⁴⁶	YES	YES	YES	YES	YES
Togo	YES ⁴⁷	YES	YES	YES	YES	YES
Tunisia	YES ⁴⁸	YES	YES	YES	YES	YES
Turkmenistan	YES ⁴⁹	YES	YES	YES	YES	YES
Ukraine	YES ⁵⁰	YES	YES	YES	YES	YES
Uruguay	YES ⁵¹	YES	YES	YES	YES	YES
Venezuela	YES ⁵²	YES	YES	YES	YES	YES

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 ⁵³	YES	YES	YES	YES	YES
Nepal ⁵⁴	NO	NO	NO	NO	NO	YES

³⁸ Prohibited in 2007 amendment to Penal Code

³⁹ Prohibited in 2008 amendment to Family Code

⁴⁰ Prohibited in Law on Protection and Promotion of the Rights of the Child 2004

⁴¹ Prohibited in 2014 amendments to Penal Code and Law of 26 April 1986 No. 49 on Family Law Reform

⁴² Prohibited in Law Amending and Supplementing the Law on Prevention of Family Violence 2016

⁴³ Prohibited in Transitional Constitution 2011, confirming pre-independence prohibition in Interim Constitution 2005 and Child Act 2008

⁴⁴ Prohibited in 2007 amendment to Civil Code

⁴⁵ Prohibited in 1979 amendment to Parenthood and Guardianship Code

⁴⁶ Prohibited in Law on Child Protection 2013

⁴⁷ Prohibited in Children's Code 2007

⁴⁸ Prohibited in 2010 amendment to Penal Code

⁴⁹ Prohibited in Law on Guarantees of the Rights of the Child 2002, reiterated in Family Code 2012

⁵⁰ Prohibited in Family Code 2003

⁵¹ Prohibited in 2007 amendments to Civil Code and Children and Adolescents Code 2004

⁵² Prohibited in 2007 amendments to Law for the Protection of Children and Adolescents 1998

⁵³ 1996 Supreme Court judgment ruled against all violence in childrearing but this not yet confirmed in legislation

⁵⁴ 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; draft legislation which would prohibit under discussion (2016)

States expressing commitment to law reform in UPR and other contexts

Governments in the following 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 and/or in another official context.

<i>States committed 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
Afghanistan ⁵⁵	NO	NO	SOME ⁵⁶	YES	NO	NO ⁵⁷
Algeria ⁵⁸	NO	NO	NO	YES	NO	YES
Angola ⁵⁹	NO	NO	NO	NO	NO	YES
Armenia ⁶⁰	NO	SOME ⁶¹	NO	YES	YES	YES
Azerbaijan ⁶²	NO	NO	NO	YES	YES	YES
Bangladesh ⁶³	NO	NO	NO	YES ⁶⁴	NO	NO
Belize ⁶⁵	NO	SOME ⁶⁶	SOME ⁶⁷	YES	SOME ⁶⁸	YES
Bhutan ⁶⁹	NO	NO	NO	NO ⁷⁰	[YES]	YES
Bosnia and Herzegovina ⁷¹	SOME ⁷²	SOME ⁷³	SOME ⁷⁴	YES	YES	YES
Burkina Faso ⁷⁵	NO	NO	SOME ⁷⁶	SOME ⁷⁷	[YES]	YES
Chile ⁷⁸	NO	NO	NO	YES	YES	YES
Comoros ⁷⁹	NO	NO	NO	NO	NO	[YES]

⁵⁵ 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

⁵⁶ Prohibited in preschool provision

⁵⁷ Lawful under Shari'a law

⁵⁸ Government accepted UPR recommendation to prohibit in all settings (2012)

⁵⁹ Government accepted UPR recommendation to prohibit all corporal punishment (2014)

⁶⁰ Government accepted UPR recommendations to prohibit (2010, 2015); draft legislation which would prohibit under discussion (2015)

⁶¹ Unlawful in care institutions

⁶² Government accepted UPR recommendations to prohibit (2009, 2013)

⁶³ 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)

⁶⁴ Unlawful under 2011 Supreme Court ruling, not yet confirmed in legislation

⁶⁵ Government accepted UPR recommendation to prohibit (2009)

⁶⁶ Prohibited in residential care facilities

⁶⁷ Prohibited in day care centres

⁶⁸ Prohibited in "Youth Hostel" detention centre

⁶⁹ 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

⁷⁰ Code of Conduct and ministerial directives state corporal punishment should not be used but no prohibition in law

⁷¹ Government accepted UPR recommendations to prohibit (2015)

⁷² Prohibited in Republic of Srpska

⁷³ Prohibited in Republic of Srpska

⁷⁴ Prohibited in Republic of Srpska

⁷⁵ Draft legislation which would prohibit under discussion (2014)

⁷⁶ Prohibited in preschool settings

⁷⁷ Prohibited in primary schools

⁷⁸ Government accepted UPR recommendations to prohibit in all settings (2014); prohibiting legislation under discussion (2016)

⁷⁹ Government accepted UPR recommendations to prohibit in all settings (2014); draft legislation which would prohibit possibly under discussion (2014)

<i>States committed 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
Cuba ⁸⁰	NO	[SOME] ⁸¹	[SOME] ⁸²	[YES]	YES	YES
Dominican Republic ⁸³	NO	NO	NO	YES	YES	YES
Ecuador ⁸⁴	NO	NO	SOME ⁸⁵	YES	YES	SOME ⁸⁶
El Salvador ⁸⁷	NO	NO	SOME ⁸⁸	YES	YES	YES
Fiji ⁸⁹	NO	NO	NO	YES ⁹⁰	YES	YES
Georgia ⁹¹	NO	[SOME] ⁹²	NO	YES	YES	YES
Guinea-Bissau ⁹³	NO	[NO]	[NO]	[YES]	[YES]	YES
India ⁹⁴	NO	SOME ⁹⁵	NO ⁹⁶	SOME ⁹⁷	YES ⁹⁸	SOME ⁹⁹
Kiribati ¹⁰⁰	NO	NO	NO	YES	NO	NO
Kyrgyzstan ¹⁰¹	NO	SOME ¹⁰²	NO	YES	[YES]	YES
Marshall Islands ¹⁰³	NO	NO	NO	[YES] ¹⁰⁴	YES	YES
Mauritius ¹⁰⁵	NO	NO	[SOME] ¹⁰⁶	YES	NO	YES
Mexico ¹⁰⁷	NO	SOME ¹⁰⁸	SOME ¹⁰⁹	YES	YES	YES
Micronesia ¹¹⁰	NO	NO	NO	[YES]	NO	YES

⁸⁰ Government adopted Central American Regional Roadmap on Violence against Children (2011) which recommends full prohibition

⁸¹ Possibly prohibited in care institutions

⁸² Possibly prohibited in preschool institutions

⁸³ Government accepted UPR recommendation to prohibit in all settings (2009) and adopted Central American Regional Roadmap on Violence against Children (2011) which recommends full prohibition; prohibiting legislation being drafted (2015)

⁸⁴ Government accepted UPR recommendation to prohibit in all settings (2012)

⁸⁵ Prohibited in preschool provision

⁸⁶ Lawful in indigenous communities

⁸⁷ Government accepted UPR recommendation to prohibit in all settings (2010); commitment reaffirmed at Directing Council of the Inter-American Children's Institute meeting (2014)

⁸⁸ Prohibited in preschool provision

⁸⁹ Government accepted UPR recommendation to prohibit in all settings (2014)

⁹⁰ Unlawful under 2002 High Court ruling, not yet confirmed in legislation

⁹¹ Government accepted UPR recommendation to prohibit in all settings (2015)

⁹² Possibly prohibited in care institutions

⁹³ Government accepted UPR recommendation to prohibit in all settings (2015)

⁹⁴ Commitment to prohibition in all settings confirmed in report to UN Committee on the Rights of the Child (2011); Government accepted UPR recommendation to prohibit in all settings (2012)

⁹⁵ Prohibited in care institutions except in Jammu and Kashmir; bill which would prohibit in all childcare institutions under discussion (2014)

⁹⁶ Bill which would prohibit in anganwadi centres and playschools under discussion (2014)

⁹⁷ Prohibited for 6-14 year olds except in Jammu and Kashmir; not prohibited in religious schools

⁹⁸ But prohibiting law not applicable in Jammu and Kashmir

⁹⁹ Permitted in traditional justice systems

¹⁰⁰ Government accepted UPR recommendations to prohibit in all settings and repeal "reasonable punishment" defence (2015)

¹⁰¹ Government accepted UPR recommendation to prohibit in all settings (2015)

¹⁰² Prohibited in residential institutions

¹⁰³ Government accepted UPR recommendations to prohibit (2015)

¹⁰⁴ But some legislation still to be formally repealed

¹⁰⁵ Bill which would prohibit under discussion (2015)

¹⁰⁶ Possibly unlawful in preschool provision

¹⁰⁷ Government adopted Central American Regional Roadmap on Violence against Children (2011), which recommends full prohibition; prohibition included in General Law on the Rights of Children and Adolescents 2014 but further reform needed

¹⁰⁸ Prohibited in institutions

¹⁰⁹ Prohibited in institutions

<i>States committed 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
Montenegro ¹¹¹	NO	NO	SOME ¹¹²	YES	YES	YES
Morocco ¹¹³	NO	NO	NO	NO ¹¹⁴	YES	YES
Mozambique ¹¹⁵	NO	NO	NO	NO ¹¹⁶	YES	YES
Namibia ¹¹⁷	NO	SOME ¹¹⁸	SOME ¹¹⁹	YES	YES ¹²⁰	YES ¹²¹
Niger ¹²²	NO	NO	NO	NO ¹²³	NO	YES
Oman ¹²⁴	NO	NO	[SOME] ¹²⁵	YES	NO	[YES]
Pakistan ¹²⁶	SOME ¹²⁷	SOME ¹²⁸	SOME ¹²⁹	SOME ¹³⁰	SOME ¹³¹	SOME ¹³²
Palau ¹³³	NO	NO	NO	NO	NO	YES
Panama ¹³⁴	NO	NO	NO	NO	YES	YES
Papua New Guinea ¹³⁵	NO	SOME ¹³⁶	NO	NO	YES	YES
Philippines ¹³⁷	NO	YES	YES	YES	YES	YES
Rwanda ¹³⁸	NO	NO	NO	YES	YES	YES
Samoa ¹³⁹	NO	NO	SOME ¹⁴⁰	SOME ¹⁴¹	YES	YES

¹¹⁰ Government accepted UPR recommendations to prohibit in all settings (2015)

¹¹¹ Government accepted UPR recommendations to prohibit (2013); bill which would prohibit under discussion (2016)

¹¹² Prohibited in preschool education

¹¹³ Government accepted UPR recommendation to prohibit in all settings (2012)

¹¹⁴ Ministerial direction advises against corporal punishment but no prohibition in law

¹¹⁵ Government accepted UPR recommendation to prohibit in all settings (2016)

¹¹⁶ Government directive advises against corporal punishment but no prohibition in law

¹¹⁷ Government accepted UPR recommendations to prohibit in all settings (2016)

¹¹⁸ Unlawful in state-run childcare under 1991 Supreme Court ruling but some legislation still to be repealed; prohibited in Child Care and Protection Act 2014, not yet in force

¹¹⁹ Unlawful in state-run childcare under 1991 Supreme Court ruling but some legislation still to be repealed; prohibited in Child Care and Protection Act 2014, not yet in force

¹²⁰ Unlawful under 1991 Supreme Court ruling but some legislation still to be repealed; prohibited in Child Care and Protection Act 2014, not yet in force

¹²¹ Unlawful under 1991 Supreme Court ruling but some legislation still to be repealed

¹²² Draft legislation which would prohibit under discussion (2014)

¹²³ Ministerial Order states corporal punishment should not be used but no prohibition in law

¹²⁴ Government accepted UPR recommendation to prohibit in all settings (2015)

¹²⁵ Possibly prohibited in preschool provision

¹²⁶ 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 2014 in Government launch of national campaign for law reform

¹²⁷ Prohibited in Pakistan administered Gilgit-Baltistan

¹²⁸ Prohibited in Pakistan administered Gilgit-Baltistan, in Islamabad Capital Territory and in Sindh

¹²⁹ Prohibited in Pakistan administered Gilgit-Baltistan, in Islamabad Capital Territory and in Sindh

¹³⁰ Prohibited for 5-16 year olds in Punjab; prohibited in Pakistan administered Gilgit-Baltistan, Islamabad Capital Territory and Sindh

¹³¹ Prohibited in Juvenile Justice System Ordinance 2000, not applicable in all areas and other laws not amended/repealed; prohibited in Pakistan administered Gilgit-Baltistan, Islamabad Capital Territory and Sindh

¹³² Lawful under Shari'a law; prohibited in Pakistan administered Gilgit-Baltistan

¹³³ Government accepted UPR recommendations to prohibit (2011, 2016)

¹³⁴ Government accepted UPR recommendations to prohibit (2010, 2015)

¹³⁵ Government accepted UPR recommendation to prohibit in all settings (2011)

¹³⁶ Corporal punishment of children "in the care of the Director" prohibited

¹³⁷ Government accepted UPR recommendation to prohibit in the home and other settings (2012); bill which would prohibit under discussion (2016)

¹³⁸ Government accepted UPR recommendation to prohibit in all settings and to repeal the "right of correction" (2011, 2015)

¹³⁹ Government accepted UPR recommendation to prohibit in the home (2011)

¹⁴⁰ Prohibited in early childhood centres

<i>States committed 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
Sao Tome and Principe ¹⁴²	NO	NO	NO	[YES]	[YES]	[YES]
Serbia ¹⁴³	NO	NO	SOME ¹⁴⁴	YES	YES	YES
Seychelles ¹⁴⁵	NO	NO	NO	NO ¹⁴⁶	NO	YES
Sierra Leone ¹⁴⁷	NO	NO	NO	NO	YES	YES
Slovakia ¹⁴⁸	NO	YES	YES	YES	YES	YES
South Africa ¹⁴⁹	NO	YES	YES	YES	YES	YES
Sri Lanka ¹⁵⁰	NO	NO	NO	NO ¹⁵¹	SOME ¹⁵²	YES
Tajikistan ¹⁵³	NO	NO	SOME ¹⁵⁴	YES	NO	YES
Thailand ¹⁵⁵	NO	NO	NO	YES	YES	YES
Timor-Leste ¹⁵⁶	NO	NO	NO	NO	YES	YES
Turkey ¹⁵⁷	NO	NO	NO	YES	YES	YES
Uganda ¹⁵⁸	NO	NO	NO	YES	YES	YES
Zambia ¹⁵⁹	NO	NO	SOME ¹⁶⁰	YES	YES	YES ¹⁶¹
Zimbabwe ¹⁶²	NO	NO	NO	NO	NO	NO ¹⁶³

States without a clear commitment to law reform

The following states have yet to make a clear commitment to prohibiting all corporal punishment. Some 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 have accepted some UPR recommendations to prohibit corporal punishment but rejected other similar recommendations.

¹⁴¹ Prohibited in government schools for children aged 5-14

¹⁴² Government accepted UPR recommendation to prohibit in all settings (2011, 2015)

¹⁴³ Government accepted UPR recommendations to prohibit (2008, 2013)

¹⁴⁴ Prohibited in day care which forms part of education system

¹⁴⁵ Government accepted UPR recommendations to prohibit in all settings (2016)

¹⁴⁶ Policy states corporal punishment should not be used but no prohibition in law

¹⁴⁷ Government accepted UPR recommendation to prohibit in all circumstances (2016)

¹⁴⁸ Government accepted UPR recommendation to prohibit (2009); prohibiting legislation being drafted (2015)

¹⁴⁹ Government accepted UPR recommendation to prohibit in the home (2012); bill which would prohibit under discussion (2016)

¹⁵⁰ 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

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

¹⁵² Prohibited in prisons

¹⁵³ Government accepted UPR recommendation to prohibit in all settings (2011)

¹⁵⁴ Prohibited in preschool education settings

¹⁵⁵ Government accepted UPR recommendations to prohibit in all settings (2012)

¹⁵⁶ Government accepted UPR recommendation to prohibit (2011)

¹⁵⁷ Government accepted UPR recommendations to prohibit (2010, 2015)

¹⁵⁸ Government Bill which would prohibit in all settings tabled in 2015 but failed to progress through parliament

¹⁵⁹ Government accepted UPR recommendation to prohibit in all settings (2012); draft Constitution would prohibit (2016)

¹⁶⁰ Prohibited in preschool provision

¹⁶¹ Unlawful under 1999 Supreme Court ruling but some legislation still to be repealed

¹⁶² Government accepted UPR recommendation to prohibit in all settings (2011)

¹⁶³ 2014 High Court ruling declaring judicial corporal punishment unconstitutional not yet confirmed by Constitutional Court

<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
Antigua and Barbuda	NO	NO	NO	NO	NO	YES
Australia	NO	SOME ¹⁶⁴	SOME ¹⁶⁵	SOME ¹⁶⁶	SOME ¹⁶⁷	YES
Bahamas	NO	SOME ¹⁶⁸	NO	NO	[YES] ¹⁶⁹	[NO] ¹⁷⁰
Bahrain	NO	NO	NO	YES	NO	YES
Barbados	NO	NO	SOME ¹⁷¹	NO	NO	NO
Belarus ¹⁷²	NO	NO	NO	YES	YES	YES
Belgium	NO ¹⁷³	SOME ¹⁷⁴	NO	YES	YES	YES
Botswana	NO	NO	NO	NO	NO	NO
Brunei Darussalam ¹⁷⁵	NO	NO	SOME ¹⁷⁶	NO	NO	NO
Burundi	NO	NO	NO	[YES]	NO	YES
Cambodia	NO	NO	NO	YES	YES	YES
Cameroon	NO	NO	[SOME] ¹⁷⁷	YES	[YES]	YES
Canada	NO ¹⁷⁸	SOME ¹⁷⁹	SOME ¹⁸⁰	YES ¹⁸¹	YES	YES
Central African Republic	NO	NO	NO	NO	NO	YES
Chad ¹⁸²	NO	[SOME] ¹⁸³	[SOME] ¹⁸⁴	YES	[YES]	YES
China	NO ¹⁸⁵	[NO]	SOME ¹⁸⁶	YES	YES	YES
Colombia	NO	[SOME] ¹⁸⁷	NO	[YES] ¹⁸⁸	[YES] ¹⁸⁹	SOME ¹⁹⁰

¹⁶⁴ Prohibited in all residential centres and foster care in all states/territories except Northern Territory, Tasmania, Victoria and Western Australia

¹⁶⁵ Prohibited in all states/territories except in Northern Territory and Tasmania; prohibition in childminding unconfirmed

¹⁶⁶ Prohibited in all states/territories except Northern Territory, Queensland and Western Australia

¹⁶⁷ Prohibited in all states/territories except Australian Capital Territory and Western Australia

¹⁶⁸ Prohibited in residential institutions

¹⁶⁹ But some legislation possibly still to be repealed

¹⁷⁰ Prohibited in 1984 but reintroduced in 1991

¹⁷¹ Prohibited in day nurseries

¹⁷² Government accepted UPR recommendation to prohibit (2010) but stated it had already been implemented and all corporal punishment unlawful

¹⁷³ Draft legislation which would prohibit under discussion (2016); Government gave a mixed response to UPR recommendations to prohibit (2016)

¹⁷⁴ Prohibited in institutions in Flemish community

¹⁷⁵ Government accepted some UPR recommendations to prohibit but rejected others (2009)

¹⁷⁶ Prohibited in childcare centres

¹⁷⁷ Possibly prohibited in nursery education

¹⁷⁸ 2004 Supreme Court ruling limited but upheld parents' right to physically punish children; Bill which would prohibit under discussion (2016)

¹⁷⁹ 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

¹⁸⁰ Prohibited in all states/territories except New Brunswick

¹⁸¹ Unlawful under 2004 Supreme Court ruling but this not yet confirmed in laws relating to private schools and to all schools in Alberta and Manitoba

¹⁸² Government accepted UPR recommendation to prohibit in 2009 but rejected recommendation to prohibit in 2013

¹⁸³ Possibly prohibited in institutional care settings

¹⁸⁴ Possibly prohibited in institutions

¹⁸⁵ But corporal punishment of girls prohibited in Shenzhen Special Economic Zone

¹⁸⁶ Prohibited in nurseries and kindergartens

¹⁸⁷ Possibly unlawful in care institutions

¹⁸⁸ Prohibition in indigenous communities unconfirmed

¹⁸⁹ Prohibition in indigenous communities unconfirmed

<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
Cote d'Ivoire	NO	NO	NO	NO ¹⁹¹	YES	YES
Czech Republic	NO	SOME ¹⁹²	SOME ¹⁹³	YES	YES	YES
Djibouti	NO	NO	NO	[YES]	NO	YES
Dominica	NO	NO	SOME ¹⁹⁴	NO	NO	NO
DPR Korea ¹⁹⁵	NO	NO	NO	[NO] ¹⁹⁶	[YES]	[YES]
DR Congo	NO	NO	NO	YES	NO	YES
Egypt	NO	NO	NO	[NO] ¹⁹⁷	[YES] ¹⁹⁸	YES
Equatorial Guinea	NO	NO	NO	NO	NO	YES
Eritrea	NO	NO	NO	NO ¹⁹⁹	[NO]	YES
Ethiopia ²⁰⁰	NO	SOME ²⁰¹	SOME ²⁰²	YES	YES	YES
France ²⁰³	NO	NO	NO	YES ²⁰⁴	YES	YES
Gabon	NO	NO	SOME ²⁰⁵	YES	YES	YES
Gambia	NO	NO ²⁰⁶	NO	NO ²⁰⁷	NO	YES
Ghana ²⁰⁸	NO	NO	NO	NO ²⁰⁹	SOME ²¹⁰	YES
Grenada	NO	SOME ²¹¹	NO	NO	NO	NO ²¹²
Guatemala ²¹³	NO	NO	NO	NO	YES	YES
Guinea	NO	NO	NO	NO ²¹⁴	[NO]	YES
Guyana	NO	SOME ²¹⁵	SOME ²¹⁶	NO	SOME ²¹⁷	SOME ²¹⁸

¹⁹⁰ Lawful in indigenous communities

¹⁹¹ Ministerial circular states corporal punishment should not be used but no prohibition in law

¹⁹² Unlawful in institutions

¹⁹³ Prohibited in preschool provision

¹⁹⁴ Prohibited in early childhood education facilities

¹⁹⁵ Government accepted UPR recommendation to prohibit in all settings (2014)

¹⁹⁶ Policy states corporal punishment should not be used but possibly no prohibition in law

¹⁹⁷ Ministerial directive states corporal punishment should not be used but possibly no prohibition in law

¹⁹⁸ Possibly lawful in social welfare institutions

¹⁹⁹ Policy states corporal punishment should not be used but no prohibition in law

²⁰⁰ Government accepted UPR recommendation to abolish corporal punishment but rejected recommendation to criminalise it (2014)

²⁰¹ Prohibited in institutions

²⁰² Prohibited in institutions

²⁰³ Government accepted UPR recommendation to prohibit (2013) but stated that acceptance of recommendations did not necessarily imply a commitment to further action

²⁰⁴ But courts have recognised a "right of correction"

²⁰⁵ Prohibited in preschool provision

²⁰⁶ Minimum standards for residential childcare institutions state corporal punishment should not be used but no prohibition in law

²⁰⁷ Ministerial directive advises against corporal punishment but no prohibition in law

²⁰⁸ Government accepted UPR recommendations to prohibit in all settings (2008, 2012) but also defended "reasonable" punishment and has asserted existing legislation is adequate

²⁰⁹ Ministerial directive possibly advises against corporal punishment but no prohibition in law

²¹⁰ Prohibited in prisons

²¹¹ Prohibited in childcare homes

²¹² Prohibited in Juvenile Justice Act 2012, not yet in force

²¹³ Government accepted UPR recommendation to prohibit in the home (2008) and in all settings (2012) but has also said existing law prohibits

²¹⁴ Ministerial circular possibly advises against corporal punishment but no prohibition in law

²¹⁵ Prohibited in some but not all settings in Child Care and Services Development Act 2011

²¹⁶ Prohibited in some but not all settings in Child Care and Services Development Act 2011

²¹⁷ Prohibited for persons under 17

²¹⁸ Prohibited for persons under 17

<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
Haiti	NO ²¹⁹	[YES] ²²⁰	[YES] ²²¹	YES	YES	YES
Indonesia	NO	NO ²²²	NO	NO	YES	SOME ²²³
Iran	NO	NO	SOME ²²⁴	NO ²²⁵	YES	NO
Iraq	NO ²²⁶	NO	NO	NO	SOME ²²⁷	YES
Jamaica	NO	YES	SOME ²²⁸	NO ²²⁹	YES	YES
Japan ²³⁰	SOME ²³¹	NO	NO	YES ²³²	NO	YES
Jordan ²³³	NO	[SOME] ²³⁴	[NO]	YES	[YES]	YES
Kazakhstan	NO	[SOME] ²³⁵	SOME ²³⁶	YES	YES	YES
Kuwait ²³⁷	NO	NO	NO	YES	NO	[YES]
Lao PDR	NO	NO	SOME ²³⁸	YES	YES	YES
Lebanon	NO	NO	NO	NO ²³⁹	[YES]	YES
Lesotho ²⁴⁰	NO	NO	NO	NO	YES	YES
Liberia	NO	SOME ²⁴¹	SOME ²⁴²	NO	YES	YES
Libya	NO	NO	SOME ²⁴³	YES	NO	NO
Madagascar	NO	NO	NO	[YES]	NO	YES
Malawi	NO	SOME ²⁴⁴	SOME ²⁴⁵	[YES] ²⁴⁶	YES	YES
Malaysia	NO	NO	NO	NO	NO	NO ²⁴⁷

²¹⁹ Bill which would prohibit under discussion (2015)

²²⁰ Prohibition in foster care unconfirmed

²²¹ Prohibition in crèches and childminding unconfirmed

²²² National Standards of Care for Child Welfare Institutions state corporal punishment should not be used but no prohibition in law

²²³ Lawful under Shari'a law

²²⁴ Prohibited in day care centres (kindergartens)

²²⁵ Government directive states corporal punishment should not be used but no prohibition in law

²²⁶ But possibly prohibited in Kurdistan

²²⁷ Prohibited in prisons and detention centres

²²⁸ Prohibited in early childhood centres ("basic schools")

²²⁹ Prohibition under discussion (2015); see also note on day care

²³⁰ Government accepted UPR recommendation to prohibit all corporal punishment (2008, 2012) but denied that "right to discipline" allows corporal punishment and stated that legislation adequately protects children from "excessive" discipline (2012)

²³¹ Prohibited in Kawasaki City by local ordinance

²³² But Tokyo High Court has ruled some physical punishment may be lawful in some circumstances

²³³ 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"

²³⁴ Possibly prohibited in institutions

²³⁵ Possibly prohibited in children's villages

²³⁶ Prohibited in preschool education and training

²³⁷ 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"

²³⁸ Unlawful in early childhood education settings

²³⁹ Ministerial directive states corporal punishment should not be used but no prohibition in law

²⁴⁰ Government accepted UPR recommendation to abolish corporal punishment, stating it was being implemented (2010), but subsequent law reform prohibited only as sentence for crime

²⁴¹ Corporal punishment by child protection practitioners prohibited

²⁴² Corporal punishment by child protection practitioners prohibited

²⁴³ Unlawful in preschool provision

²⁴⁴ Prohibited in state-run institutions

²⁴⁵ Prohibited in state-run day care

²⁴⁶ Prohibition in private schools unconfirmed

<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
Maldives ²⁴⁸	NO	NO	NO	NO ²⁴⁹	NO	NO
Mali	NO	NO	SOME ²⁵⁰	YES	YES	YES
Mauritania	NO	NO	NO	NO ²⁵¹	NO	NO
Monaco	NO	NO	NO	YES	YES	YES
Myanmar	NO	NO	NO	NO ²⁵²	NO	YES ²⁵³
Nauru	NO	NO	[SOME] ²⁵⁴	YES	YES	[YES]
Nigeria	NO	NO	NO	NO ²⁵⁵	SOME ²⁵⁶	SOME ²⁵⁷
Qatar ²⁵⁸	NO	NO	NO	NO ²⁵⁹	YES	NO
Republic of Korea ²⁶⁰	SOME ²⁶¹	SOME ²⁶²	SOME ²⁶³	SOME ²⁶⁴	YES	YES
Russian Federation	NO	NO	SOME ²⁶⁵	YES	YES	YES
Saudi Arabia ²⁶⁶	NO	NO	NO	NO ²⁶⁷	NO	NO
Senegal ²⁶⁸	NO	NO	NO	SOME ²⁶⁹	[YES]	YES
Singapore	NO	NO	SOME ²⁷⁰	NO	NO	NO
Solomon Islands ²⁷¹	NO	NO	NO	NO	YES	YES ²⁷²
Somalia	NO	SOME ²⁷³	SOME ²⁷⁴	[SOME] ²⁷⁵	SOME ²⁷⁶	SOME ²⁷⁷

²⁴⁷ Government committed to prohibition (2007); bill which would prohibit (but not under Islamic law) under discussion (2015)

²⁴⁸ Government expressed commitment to prohibition in all settings, including the home, at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation, but law reform in 2014/2015 re-authorised corporal punishment in all settings and Government rejected UPR recommendations to prohibit (2015)

²⁴⁹ Ministry of Education advises against corporal punishment but no prohibition in law

²⁵⁰ Prohibited in preschools and kindergartens

²⁵¹ Ministerial Order states corporal punishment should not be used but no prohibition in law

²⁵² Government directive advises against corporal punishment but no prohibition in law

²⁵³ But some legislation still to be repealed

²⁵⁴ Possibly prohibited in preschool education settings

²⁵⁵ But possibly prohibited in Lagos State

²⁵⁶ Prohibited in Child Rights Act 2003, not enacted in all states

²⁵⁷ Prohibited in Child Rights Act 2003, not enacted in all states; lawful in some states under Shari'a law

²⁵⁸ Government accepted some UPR recommendations to prohibit but rejected another similar one, stating corporal punishment already prohibited (2010)

²⁵⁹ Code of Conduct for schools states corporal punishment should not be used but no prohibition in law

²⁶⁰ Government accepted UPR recommendations to prohibit in all settings (2012) but was unclear on need for prohibition in the home

²⁶¹ Prohibited in Seoul

²⁶² Prohibited in Seoul

²⁶³ Prohibited in Seoul

²⁶⁴ Law prohibits direct (with contact) but not indirect (no contact) physical punishment; fully prohibited in Seoul

²⁶⁵ Unlawful in preschool provision

²⁶⁶ 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

²⁶⁷ Ministerial circulars advise against corporal punishment but no prohibition in law

²⁶⁸ Draft legislation to prohibit under discussion (2016)

²⁶⁹ Prohibited for 6-14 year olds

²⁷⁰ Prohibited in childcare centres

²⁷¹ Government accepted UPR recommendation to prohibit in all settings (2011) but stated review of Penal Code included assessing need for clarification on lawful corporal punishment

²⁷² But used in traditional justice

²⁷³ Prohibited in Somaliland

²⁷⁴ Prohibited in Somaliland

²⁷⁵ Possibly prohibited in Somaliland

²⁷⁶ Prohibited in Somaliland

²⁷⁷ Prohibited in Somaliland

<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
St Kitts and Nevis	NO	NO	NO	NO	NO	[YES] ²⁷⁸
St Lucia ²⁷⁹	NO	NO	NO	NO	NO	YES
St Vincent and the Grenadines	NO	NO	NO	NO	NO	NO
Sudan	NO	NO	NO	SOME ²⁸⁰	NO	[YES] ²⁸¹
Suriname	NO	NO	NO	NO ²⁸²	YES	YES
Swaziland	NO	NO	NO	NO	NO	YES
Switzerland	NO ²⁸³	[SOME] ²⁸⁴	YES	YES	YES	YES
Syrian Arab Republic	NO	NO	NO	NO ²⁸⁵	NO	YES
Tonga	NO	NO	SOME ²⁸⁶	YES	[YES]	NO ²⁸⁷
Trinidad and Tobago	NO	YES	YES	YES	YES	YES
Tuvalu ²⁸⁸	NO	SOME ²⁸⁹	NO	NO	SOME ²⁹⁰	SOME ²⁹¹
UK	NO	SOME ²⁹²	SOME ²⁹³	YES ²⁹⁴	YES	YES
United Arab Emirates	NO	NO	NO	YES	[YES]	NO
UR Tanzania	NO	SOME ²⁹⁵	NO	NO	SOME ²⁹⁶	SOME ²⁹⁷
USA	NO	SOME ²⁹⁸	SOME ²⁹⁹	SOME ³⁰⁰	SOME ³⁰¹	YES
Uzbekistan	NO	NO	NO	YES	YES	YES
Vanuatu	NO	NO	NO	YES	YES	SOME ³⁰²
Viet Nam	NO	NO	NO	YES	YES	YES
Yemen	NO	NO	[SOME] ³⁰³	YES	YES	NO

²⁷⁸ But some legislation still to be formally repealed

²⁷⁹ Government accepted some but not all UPR recommendations to prohibit (2015)

²⁸⁰ Prohibited in Khartoum State

²⁸¹ Possibly lawful under Shari'a law

²⁸² Government accepted UPR recommendation to prohibit in schools (2011)

²⁸³ 2003 Federal Court ruling stated repeated and habitual corporal punishment unacceptable but did not rule out all corporal punishment in childrearing

²⁸⁴ Possibly lawful in family placements

²⁸⁵ Ministry of Education advises against corporal punishment but no prohibition in law

²⁸⁶ Prohibited in preschool institutions

²⁸⁷ 2010 Court of Appeal ruling stated "it might be argued" whipping is unconstitutional but did not declare it such

²⁸⁸ Government accepted 2008 UPR recommendation to prohibit but in 2013 accepted some UPR recommendations to prohibit and rejected others

²⁸⁹ Prohibited in hospital mental health wing

²⁹⁰ Corporal punishment by police officers prohibited

²⁹¹ Island courts may order corporal punishment

²⁹² Prohibited in residential institutions and foster care arranged by local authorities and voluntary organisations

²⁹³ 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

²⁹⁴ But in 2014 Government confirmed no prohibition in "unregistered independent settings providing part-time education"

²⁹⁵ Prohibited in residential institutions in Zanzibar

²⁹⁶ Prohibited in approved schools and remand homes in Zanzibar

²⁹⁷ Prohibited in Zanzibar

²⁹⁸ Prohibited in all care settings in 31 states, and in some settings in other states and District of Columbia

²⁹⁹ Prohibited in all care settings in 31 states, and in some settings in other states and District of Columbia

³⁰⁰ 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 (2015)

³⁰¹ Prohibited in 32 states

³⁰² Permitted in rural areas under customary justice systems

³⁰³ 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.

Analysis prepared by the Global Initiative to End All Corporal Punishment of Children
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