



Global Initiative to  
**End All Corporal Punishment  
of Children**

## **Prohibiting corporal punishment of children: a vital first step in protecting children from bullying in schools and other settings**

**Submission to the UN Secretary-General's report on  
protecting children from bullying**

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In order to prevent and protect children from bullying in schools and other settings, it is logical and necessary to be absolutely clear that no form of violence against a child is legally or socially acceptable, whoever the perpetrator and whether or not it is inflicted under the guise of “discipline” or punishment. It would be an oversight to discuss measures to prevent and protect children from bullying in schools and others settings, and fail to address national legal frameworks that allow adults (teachers, parents and others entrusted with the care of children) to assault children with impunity – assault which, if inflicted on an adult, would be unlawful. A credible discussion on measures to protect children from bullying must therefore acknowledge the scale and legality of corporal punishment in schools and other settings worldwide, and call for an end to it.

Corporal punishment is the most common form of violence experienced by children. According to UNICEF statistics from 62 countries published in 2014, about 80% of children aged 2-14 were subjected to “violent discipline” (physical punishment and/or psychological aggression) in the home in the past month, and 17% experienced severe physical punishment (being hit on the head, ears or face or being hit hard and repeatedly).<sup>1</sup>

Research into the effects of corporal punishment on children’s behaviour has consistently found associations with bullying, being cruel to other children and/or parents and hitting other children or adults.<sup>2</sup> Children who experience physical punishment have been found more likely to approve of the use of violence in their peer relationships, to have been involved in a fight in the past year, to bully their peers and to have experienced violence from their peers in the last school term.<sup>3</sup>

While research into the effects of corporal punishment are relevant in the present context, and of course helpful for advocacy, evidence of the negative effects of corporal punishment

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<sup>1</sup> UNICEF (2014), *Hidden in Plain Sight: A statistical analysis of violence against children*, NY: UNICEF

<sup>2</sup> Straus, M. A. et al (2014), *The Primordial Violence: Spanking Children, Psychological Development, Violence, and Crime*, NY: Routledge. See also Gershoff, E. T. (2002), “Corporal punishment by parents and associated child behaviors and experiences: A meta-analytic and theoretical review”, *Psychological Bulletin*, 128(4), 539-579; Eamon, M. K. (2001), “Antecedents and socioemotional consequences of physical punishment on children in two-parent families”, *Child Abuse & Neglect*, 25(6), 787-802

<sup>3</sup> Ohene, S. et al (2006), “Parental Expectations, Physical Punishment, and Violence Among Adolescents Who Score Positive on a Psychosocial Screening Test in Primary Care”, *Pediatrics*, 117(2), 441-447

are not needed in order to know that it must be prohibited and eliminated – just as there is no need for research to show that violence against women, elderly people or any group is harmful to justify prohibiting and eliminating it. Corporal punishment breaches children’s fundamental rights to respect for human dignity and physical integrity, and its legality in the majority of states worldwide – in contrast to other forms of interpersonal violence – challenges the universal right to equal protection under the law. Governments are increasingly enacting laws to prohibit corporal punishment, but this form of violence against children remains lawful in some or all settings of children’s lives in the majority of states worldwide. As at September 2015, corporal punishment remains lawful in some or all schools in 72 countries and in the home in 152 countries around the world.<sup>4</sup>

International human rights law is clear on states’ obligation to prohibit all corporal punishment, including in the home. The Committee on the Rights of the Child consolidated and confirmed these obligations in its General Comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment.<sup>5</sup> General Comment No. 13 (2011) on the right of the child to freedom from all forms of violence<sup>6</sup> also identifies corporal punishment as unacceptable, however light, and the Committee systematically recommends prohibition in its concluding observations to states.<sup>7</sup> The monitoring bodies of other international treaties, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights have also recommended prohibition of corporal punishment, and the issue is regularly raised in the Universal Periodic Review of states’ overall human rights records.

## **Recommendation**

The Global Initiative to End All Corporal Punishment of Children recommends that the Secretary-General’s report to the General Assembly on protecting children from bullying includes an acknowledgement of the scale and legality of corporal punishment in schools and other settings worldwide, and calls for its prohibition and elimination.

*Submission prepared by the Global Initiative to End All Corporal Punishment of Children*  
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<sup>4</sup> Detailed and up to date global and regional tables of the legality of corporal punishment of children in each setting (the home, alternative care settings, day care, schools, penal institutions and as a sentence for crime) and individual reports for every state worldwide, are available on the Global Initiative website ([www.endcorporalpunishment.org](http://www.endcorporalpunishment.org)). Tailored information is available on request; email [sharon@endcorporalpunishment.org](mailto:sharon@endcorporalpunishment.org).

<sup>5</sup> Committee on the Rights of the Child (2006), *General Comment No. 8: 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)* (CRC/C/GC/8)

<sup>6</sup> Committee on the Rights of the Child (2011), *General Comment No. 13: The right of the child to freedom from all forms of violence* (CRC/C/GC/13)

<sup>7</sup> For details see <http://endcorporalpunishment.org/prohibiting-corporal-punishment/hrlaw/crc/> (date accessed: 7 September 2015)