



Ending Corporal Punishment of Children: Africa E-newsletter

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FRENCH VERSION ALSO AVAILABLE



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

In this issue:

As we share news of global and regional initiatives to end all forms of violence against children, we hope that these latest developments will encourage more action and progress towards ending all corporal punishment in Africa. Read on for further details about national campaign initiatives and new resources to support advocacy.

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1. Who we are

The Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org) is a non-governmental organisation (NGO) which aims to act as a catalyst to encourage more action and progress towards ending all corporal punishment in all continents. We support national campaigns with relevant information and assistance.

The Africa project of the Global Initiative aims specifically to increase the number of states in Africa committed to and actively pursuing the prohibition and elimination of all corporal punishment of children, in the family, schools and all other settings. For more information, please contact Sonia Vohito at: vohito@endcorporalpunishment.org.

Through this newsletter we aim to keep civil society organisations and other stakeholders informed and encourage networking around the issue of corporal punishment of children. We encourage readers to forward the newsletter to whoever might be interested and we encourage organisations to [sign up to the aims](#) of the Global Initiative.

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2. Recent developments in Africa

Positive moves

Namibia: In a landmark decision, High Court judge Elton Hoff ruled that physical force of any kind to discipline pupils was not acceptable in both government and private schools and that perpetrators would be severely punished. Judge Hoff argued that interpreting the laws prohibiting corporal punishment as applying only to teachers employed by the government would be “an absurdity in that children enrolled at state schools would be protected against invasive punishment while those enrolled at private schools would not”. This decision confirms a Supreme Court judgment in 1991, which ruled that the guarantee of human dignity in article 8 of the Constitution precludes the use of corporal punishment in schools and as a sentence for crime. (*amarhealth.com*, 11 September 2016; *The Namibian*, 14 September 2016). Note: Corporal punishment is still lawful in the home, alternative care settings and day care.

Uganda: The Children Act (Amendment) Bill 2015 was signed into law in May 2016. Key amendments in the Children Act Amendment Bill include prohibition of corporal punishment of children in schools in a new article 106A. Note: Prohibition is still to be achieved in the home, alternative care settings and day care.

But...

UR Tanzania: Following examination of Tanzania’s overall human rights record under the second cycle of the Universal Periodic Review, the Tanzanian

Government rejected a recommendation to prohibit all forms of corporal punishment stating that “this form of punishment plays a significant deterrent role in the society.” Tanzania is also a pathfinder country under the Global Partnership to End Violence against Children (see section 3 below).

Zambia: In August 2016, the constitutional referendum to amend the Bill of Rights, which included full prohibition of corporal punishment was not successful. Although 71% of voters voted in favour of the amendments, the turnout was not sufficient to validate the results. Corporal punishment of children therefore remains lawful in the home, alternative care settings and day care; legal provisions for corporal punishment in penal institutions and as a sentence for crime should also be formally repealed.

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3. Campaigns and other moves towards prohibition

Global campaign

The Global Partnership to End Violence against Children: Launched at the UN Headquarters in July 2016, the new partnership brings together governments, foundations, UN agencies, civil society organisations, academia, the private sector and young people in driving action toward achieving the new global target to end abuse, exploitation, trafficking and all forms of violence and torture against children - including corporal punishment. Established as part of the Agenda 2030 for sustainable development under target 16.2 to end all forms of violence against children by 2030, the Global Partnership also launched the new INSPIRE package of seven proven strategies to prevent violence against children (see section 5 below). At the launch event, the roadmap for Tanzania as a pathfinder country was announced, wherein the Tanzanian Government committed to specific plans to combat violence against children, including tackling behaviours and traditions that further violence and making schools and institutions safe for all children.

National campaigns

The Gambia: In August 2016, in collaboration with the Gambia Teachers’ Union (GTU), the [Child Protection Alliance](#) (CPA) held a one-day seminar on law reform to prohibit physical and humiliating punishment of children, for the media and journalists in the Gambia. The seminar aimed at raising awareness on the necessity for journalists to support the campaign for law reform to prohibit corporal

punishment of children in the Gambia. The seminar was part of CPA's advocacy campaign for law reform to prohibit corporal punishment of children across the country. For more information, please contact: cpagambia@yahoo.com.

UR Tanzania: During a press conference, Tanzanian soul singer Damian Soul stood against corporal punishment of children. In collaboration with Save the Children, the singer composed a song aimed at educating parents and teachers against the use of sticks as a way of disciplining children in schools. (*Tanzania Daily News*, 17 June 2016)

Positive discipline

Ghana: During an event organised by the child-centred NGO Right To Play Ghana on "Promoting Children's Rights to Education through Play," children members of the Pong-Tamale Experimental Primary School Child Rights Club called on teachers and parents to use alternative discipline approaches instead of corporal punishment. The School Child Rights Clubs used various drama sketches to sensitise traditional authorities, teachers, parents, community members and other duty-bearers on barriers to quality education in the community which include corporal punishment. (*Graphic Online*, 7 July 2016)

Nigeria: During a seminar organised by the Lagos State chapter of All Nigerian Conference of Principals of Secondary Schools (ANCOPPS), the President of the Lagos state chapter of Conference, Mrs. Omotunde Lawson, advised teachers and principals against the use of corporal punishment in schools and called for the use of alternative and friendly methods of engaging with children. (*Today*, 17 May 2016). Note: Article 11 of the 2003 Child Rights Act prohibits torture, inhuman or degrading treatment or punishment of children but it does not explicitly prohibit corporal punishment in schools.

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4. Human rights monitoring

Key decisions and recommendations, etc.

At the 33rd session of the [Human Rights Council](#), held in September 2016, the final working group reports of states reviewed in the 25th session of the Universal Periodic Review (UPR) in May 2016 were adopted and Governments gave their formal responses to recommendations they didn't respond to during the UPR

session. **Sudan** “noted” a recommendation to remove from national legislation all forms of corporal punishment and abolish corporal punishment in the penal system, and three further recommendations to prohibit corporal punishment in the penal system. **Swaziland** accepted in part a recommendation to prohibit corporal punishment in all settings, but the Government stated “Swaziland is not yet ready to accept prohibiting corporal punishment of children in the home”. **UR Tanzania** – a pathfinder country under the Global Partnership to End Violence Against Children – rejected a recommendation to prohibit all forms of corporal punishment, stating “the majority of citizens are in favour of corporal punishment. This form of punishment plays a significant deterrent role in the society.”

At the 32nd session of the [Human Rights Council](#), held in June/July 2016, the final working group reports of states reviewed in the 24th session of the UPR in January 2016 were adopted and Governments gave their formal responses to recommendations they didn't respond to during the UPR session. **Mozambique** had already accepted recommendations to prohibit all corporal punishment and has been added to the list of states committed to achieving full prohibition. Recommendations to prohibit all corporal punishment of children were accepted by **Namibia, Seychelles** and **Sierra Leone**; these are all new commitments and so these states can now be added to the list of states committed to achieving full prohibition. The Government of Seychelles also confirmed that the education law is being revised to include prohibition and amendments to the Children Act are being considered. Recommendations to prohibit all corporal punishment were “noted” by **Somalia**. No recommendations specifically on corporal punishment were made to **Niger** but a general recommendation to harmonise legislation with international child rights obligations was accepted.

The [Committee on the Rights of the Child](#), in its concluding observations on states examined at its 72nd session held in May/June 2016, expressed serious concern that corporal punishment of children is not prohibited in all settings in **Gabon**; it urged prohibition in all settings including the home and alternative and day care settings, and the promotion of positive, non-violent and participatory forms of child-rearing and discipline among parents and day care personnel.

Briefing the human rights bodies

The Global Initiative regularly briefs human rights treaty monitoring bodies prior to examination of state parties, and encourages national NGOs and human rights institutions to do likewise. We are particularly trying to identify “key” NGOs and human rights institutions in each state with whom we can work more closely in briefing the treaty bodies: if you/your organisation is interested please contact

vohito@endcorporalpunishment.org.

Below is a list of African states coming up for examination by the treaty bodies. For deadlines for submitting briefings to the Committees, please see the individual country reports on the [Global Initiative website](#). We are always willing to advise NGOs and human rights institutions on the practical details of how to submit briefings (email vohito@endcorporalpunishment.org).

The [African Committee of Experts on the Rights and Welfare of the Child](#) will meet at its 28th ordinary session and its 12th Pre-session in October 2016, in Banjul, The Gambia. This session will be held jointly with that of the [African Commission on Human and Peoples' Rights](#). The Committee will consider state party reports from Cameroon, Eritrea, Ghana and Sierra Leone.

Committee on the Rights of the Child:

- (1) Session 75 Pre-Sessional Working Group (Oct 2016). The Committee will adopt Lists of Issues for [Cameroon](#)
- (2) Session 74 (Jan/Feb 2017). The Committee will examine [Central African Republic](#), [DR Congo](#) and [Malawi](#)

Committee Against Torture:

- (1) Session 59 (Nov/Dec 2016). The Committee will examine [Cabo Verde](#) and [Namibia](#), and will adopt the List of Issues Prior to Reporting for [Côte d'Ivoire](#)
- (2) Session 60 (Apr/May 2017). The Committee will adopt the List of Issues for [Rwanda](#)

Committee on the Elimination of Discrimination against Women:

- (1) Session 65 (Oct/Nov 2016). The Committee will examine [Burundi](#)
- (2) Session 67 Pre-Sessional Working Group (Nov 2016). The PSWG will adopt the List of Issues for [Niger](#) and [Nigeria](#)
- (3) Session 66 (Feb/Mar 2017). The Committee will examine [Rwanda](#)

Committee on the Rights of Persons with Disabilities:

- (1) Session 17 Pre-Sessional Working Group (Mar 2017). The PSWG will adopt the List of Issues for [Morocco](#)

Human Rights Committee:

- (1) Session 118 (Oct/Nov 2016). The Committee will examine [Morocco](#); the Task Forces will adopt the List of Issues for [Madagascar](#) and List of Issues Prior to

Reporting for [Togo](#)

(2) Session 119 (Mar 2017). The Task Forces will adopt the List of Issues for [DR Congo](#), [Eritrea](#) and [Mauritius](#)

The Universal Periodic Review

The obligation to prohibit and eliminate corporal punishment of children continues to be raised with states in the Universal Periodic Review (UPR) of their overall human rights records. The Global Initiative submits briefings on every state being reviewed, sharing advance draft briefings with relevant organisations to encourage submissions at national level. We also conduct a follow up programme, pursuing the issue with states that accept recommendations to prohibit corporal punishment by writing to key NGOs, NHRIs and Government ministers, and undertake ongoing analysis of coverage of the issue in all aspects of the UPR process (for further information email vohito@endcorporalpunishment.org).

The next African states to be reviewed under the UPR process are as follows:

(1) Session 26 (Oct/Nov 2016) – [South Sudan](#), [Togo](#), [Uganda](#), [Zimbabwe](#)

(2) Session 27 (May 2017) – [Algeria](#), [Morocco](#), [Tunisia](#), [South Africa](#)

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5. Resources: Research/Reports/Publications

Global resources

[*INSPIRE: Seven Strategies for ending violence against children*](#): Collaboratively produced by ten agencies lead by the World Health Organisation (WHO), this package presents seven strategies with the greatest potential to reduce violence against children, based on the best available evidence. The INSPIRE strategies include the implementation and enforcement of laws to prevent violent behaviours, including laws banning violent punishment of children by parents, teachers or other caregivers, and the document presents evidence that laws can reduce the use of violent punishment against children, deepen understanding of its negative effects and change attitudes towards its use. The package as a whole constitutes an essential tool to help achieve Sustainable Development Goal Target 16.2, which calls for ending all forms of violence against children.

[*Châtiments corporels et violences éducatives: Pourquoi il faut les interdire en 20 questions réponses*](#): (Muriel Salmona, 2016) (In English: Corporal punishment and

violent childrearing: why it must be prohibited in 20 questions and answers)
Through 20 questions and answers, this book addresses the most common prejudices on corporal punishment. It promotes childrearing that is centered on the best interests of the child and the need for children to reach their full potential. Available only in French.

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6. Can you help?

Promoting positive, non-violent discipline

We are collecting resources for the promotion of positive discipline in homes, schools and other settings in Africa for listing on the website. Contact triona@endcorporalpunishment.org to suggest resources for inclusion. Resources which promote positive discipline as part of a campaign for law reform or which are clearly linked to prohibition that has already been achieved are especially welcome.

Research on corporal punishment of children

Evidence of the nature and prevalence of corporal punishment gathered through national studies is important to keep the issue visible and to assess the effectiveness of implementation of prohibiting laws and of measures to change attitudes and practice. Please send us any recent research findings relevant to corporal punishment of children in Africa at the following address: vohito@endcorporalpunishment.org.

And ...

Other ways to contribute to the work of the Global Initiative include:

- sending us information on laws prohibiting or authorising corporal punishment
- letting us know about opportunities for promoting law reform (e.g. if draft legislation is being considered) and when new laws are passed which prohibit corporal punishment
- providing contact details for organisations actively working to promote the prohibition and elimination of corporal punishment of children.

If you can help with any of the above, please email vohito@endcorporalpunishment.org.

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We hope you find this newsletter informative and useful and welcome your comments: please email vohito@endcorporalpunishment.org. If your organisation is not listed as supporting the aims of the Initiative, please consider signing up ([on our website](#) or email info@endcorporalpunishment.org).



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