



Global Initiative to
End All Corporal Punishment
of Children

Ending Corporal Punishment of Children: Africa E-Newsletter

FRENCH VERSION ALSO AVAILABLE

Issue 14: February 2014

In this issue

As we share our first issue for 2014, we hope that this year will be marked by more African states joining the list of states prohibiting corporal punishment of children in all settings. As at February 2014, 36 states across the world prohibit corporal punishment of children. Only 7.3% of children in Africa are legally protected from all corporal punishment. It is our hope that the regional and national research findings and campaign towards ending all corporal punishment of children in Africa presented in this issue will contribute to achieving full prohibition of corporal punishment of children across the continent.

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1 Who we are

The Global Initiative to End All Corporal Punishment of Children 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 (www.endcorporalpunishment.org). 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** at: www.endcorporalpunishment.org.

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2 Recent developments in Africa

Positive moves

Zimbabwe: In November 2013, Mrs Constance Chigwamba, the Permanent Secretary in the Ministry of Primary and Secondary Education, told school authorities that anyone who applied any form of physical pain on children either at home or in school risked prosecution under the new constitution. “We are rectifying some of our policies to align them with the new constitution. As a ministry we took a position to stop the application of corporal punishment on pupils as this form of disciplining a child has proved to have some adverse effects on children,” she said. (Note: the new Zimbabwean Constitution adopted in 2013 significantly strengthens children’s right to protection from violence and in particular does not include the specific references to “moderate corporal punishment” that were in the previous Constitution. However, there are other national laws which expressly authorise corporal punishment: these must be repealed.)

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3 Campaigns and other moves towards prohibition

National campaigns and calls for prohibition

Benin: In December 2013, the Government of Benin, in partnership with SOS Children’s Village International launched a national campaign Care for ME! Which advocates for better protection of children in alternative care settings. The Benin Care for ME! Campaign is part of the [SOS Children’s Village International Care for ME! Global Campaign](#), which originated in December 2012 as a research and advocacy project aiming to assess countries according to their standards of alternative care and identifies gaps and concerns in legislation and practice. The Benin campaign, which is being rolled out from December 2013 to December 2016, follows a report entitled *A Snapshot of Alternative care Arrangements in Benin*, published in 2013 by SOS Children’s Village International in 2013. The report revealed persistent reports of child abuse in institutional care facilities. Abuse involves inappropriate punishment, including physical punishments, being deprived of food, or being made to do additional chores. The study recommended that reports of child abuse in alternative care should be taken seriously, reported and investigated and sanctions should apply.

Chad: It has been reported that Koranic school students, also known as “*mouhadjiri*”, are victims of serious ill treatment, including forced begging and corporal punishment. In collaboration with other partners, the Association for Koranic teaching and Mouhadjirine Children protection (*L’Association*

pour l'Enseignement Coranique et la Protection des Enfants Mouhadjirine) aims to provide child protection training to Koranic teachers. (*Alwihda Info*, 15 January 2014)

Senegal: In January 2014, in collaboration with the Ministry of Justice, several child rights organisations held a workshop on the validation of a plan of action on law reform to prohibit all corporal punishment. The national organisations called for a review of the Family Code, including article 285, which authorises corporal punishment of children. During the workshop, the representative of the Ministry of Justice, Mame Kaire Sow stated that the review should make provisions for strong sanctions against perpetrators of corporal punishment. Workshop participants were also asked to raise public awareness on alternative methods of discipline.

Sudan: Two independent United Nations experts, Rashida Manjoo, the Special Rapporteur on violence against women and Frances Raday, the chairperson of the Working Group on the issue of discrimination against women in law and in practice have warned Sudan against subjecting women and girls to corporal punishment. "Corporal punishment of women and girls is usually linked to the control and limitation of their freedom of movement, freedom of association, as well as their personal and sexual choices. Punishment usually has a collective dimension, and is public in character, as the visibility of the issue also serves a social objective, namely, influencing the conduct of other women," the two UN experts said. "We call on States to abolish all forms of judicial and administrative corporal punishment, and to act with due diligence to prevent, respond to, protect against, and provide redress for all forms of gender-based violence," they added. (*UN News Centre*, 6 November 2013)

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4 Human rights monitoring

Key decisions and recommendations

Alongside the 22nd AU Summit (21-31 January 2014), the **African Committee of Experts on the Rights and Welfare of the Child (ACERWC)** launched its Universal Ratification and Reporting Campaign. The Campaign, inter alia, aims at achieving universal ratification and respect for States Parties' fulfilment of their reporting obligations by 2015 and increasing the visibility of the ACRWC and its monitoring body. It also promotes effective implementation of the ACRWC and advocates for the withdrawal of reservations. For the launch of the campaign, the Committee's partners including, the Global Initiative to End All Corporal Punishment of Children, released statements in support of the Campaign. For more information, please check the [Committee's website](#).

During its 22nd Session (Nov 04- 08, 2013), the **African Committee of Experts on the Rights and Welfare of the Child (ACERWC)** held a Day of General Discussion on the theme, "Discrimination and Violence against girls in Africa". The event included Committee members, representatives of the African Union, Regional Economic Communities, civil society organisations, international non-governmental organisations, and UN agencies. As an outcome of the discussions, the [Addis Ababa Declaration on ending discrimination and violence against children in Africa](#) recommended that the African Committee includes violence and discrimination against girls as an important consideration in State Party reporting. The Declaration also recommended that the Committee "expounds and clarifies, in the form of General Comments, some of the key variations in understanding child discipline and corporal punishment stipulated in child rights instruments and those propagated among cultural and religious circles."

The theme of the DAC in 2014, adopted by the African Committee of Experts in April 2013 is “**A child friendly, quality, free and compulsory education for all children in Africa**”. The [DAC 2014 concept note](#) published in February 2014 explains that the focus on the right to education for children in Africa relates to the responsibility of states parties to ensure that education respects, protects and fulfils all the features of education, which respects the child as a bearer of rights and preserve the child’s dignity. The Committee highlights that child-friendliness has to do with the environment in which children learn without violence. Note: As at February 2014, corporal punishment of children is prohibited in schools in 25 African states.

The **Committee on the Rights of the Child** held its 65th session in Geneva, 13-31 January 2014, where it pressed states on their implementation of their obligations to prohibit and eliminate corporal punishment. In its concluding observations on the Republic of Congo, the Committee recommended full implementation of Law 4-2010 prohibiting corporal punishment, including effective investigation and prosecution, continued awareness raising among the general public, including children, the promotion of positive, non-violent discipline, and the provision to children of child-sensitive complaints mechanisms.

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.

The following deadlines for briefing the treaty bodies are based on information available at the time of writing: please note that information is subject to change at short notice. We are always willing to advise NGOs and human rights institutions on the practical details of how to submit briefings (email vohito@endcorporalpunishment.org).

Committee on the Rights of the Child:

- (1) Session 69 Pre-Sessional Working Group (22-24 Sep 2014). The PSWG will adopt Lists of Issues for Ethiopia and Ghana: **the deadline for submitting briefings is 1 July 2014.**
- (2) Session 70 Pre-Sessional Working Group (2-6- Feb 2015). The PSWG will adopt Lists of Issues for Central African Republic and Eritrea: **the deadline for submitting briefings is 1 November 2014.**

Committee Against Torture:

- (1) Session 52 (28 Apr – 23 May 2014). The Committee will examine Guinea and Sierra Leone: **the deadline for submitting briefings is 11 April 2014.**
- (2) Session 53 (3-28 Nov 2014). The Committee will examine Burundi: **the deadline for submitting briefings is 17 October 2014.**

Information on the adoption of Lists of Issues is not yet available.

Committee on Economic, Social and Cultural Rights:

- (1) Session 53 Pre-Sessional Working Group (26-30 May 2014). The PSWG will adopt Lists of Issues for Gambia: **the deadline for submitting briefings is 26 March 2014.**
- (2) Session 54 Pre-Sessional Working Group (1-5 Dec 2014). The PSWG will adopt Lists of Issues for Sudan and Uganda: **the deadline for submitting briefings is 1 October 2014.**

Committee on the Elimination of Discrimination against Women:

- (1) Session 58 (30 Jun – 18 Jul 2014). The Committee will examine Central African Republic and Mauritania: **briefings should be submitted by 2 weeks before the session (exact date to be confirmed).**
- (2) Session 60 Pre-sessional Working Group (21-25 Jul 2014). The PSWG will adopt Lists of Issues for Eritrea and Gabon: **briefings should be submitted by 2 weeks before the session (exact date to be confirmed).**
- (3) Session 59 (20 Oct – 7 Nov 2014). The Committee will examine Ghana and Guinea: **briefings should be submitted by 2 weeks before the session (exact date to be confirmed).**
- (4) Session 61 Pre-Sessional Working Group (10-14 Nov 2014). The PSWG will adopt Lists of Issues for Gambia, Namibia and Senegal: **briefings should be submitted by 2 weeks before the session (exact date to be confirmed).**

Human Rights Committee:

- (1) Session 111 (7-25 Jul 2014). The Committee will examine Malawi and Sudan: **the deadline for submitting briefings is not yet published.**
- (2) Session 111 Country Report Task Forces (7-25 Jul 2014). The Country Report Task Forces will adopt Lists of Issues for Cote d'Ivoire: **the deadline for submitting briefings is not yet published.**

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 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 info@endcorporalpunishment.org).

The 18th session of the UPR took place in Jan/Feb 2014. Recommendations to prohibit corporal punishment were made to Comoros. The Government's response is due no later than June 2014.

The deadline for submitting briefings for the 20th session (Oct/Nov 2014) is **15 March 2014**: Angola, Egypt, Gambia, and Madagascar.

The deadline for submitting briefings for the 21st session (Jan/Feb 2015) is provisionally **1 June 2014**: Guinea, Guinea-Bissau, Kenya and Lesotho.

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5 Resources: Research/Reports/Publications

International and regional reports

A new [UNICEF report](#) highlights the prevalence of violent punishment of children in more than 50 low- and middle-income countries, as well as revealing for the first time the average prevalence of violent punishment of children across two world regions. In West and Central Africa, on average 90% of children of children aged 2-14 experienced “violent discipline” (physical punishment and/or psychological aggression) in the home in the month prior to the surveys, carried out between 2005 and 2012. Across the Middle East and North Africa, the figure is 89%. (UNICEF (2014), *The State of the World’s Children 2014 in Numbers: Every Child Counts*, NY: UNICEF)

National resources

Ghana, Kenya, Mozambique: A study involving more than 1,000 girls in Ghana, Kenya and Mozambique analysed the impact of ActionAid’s 2008-2013 project “Stop Violence Against Girls in School”. The project included awareness raising and lobbying for the adoption and implementation of legal and policy measures that ensure education is free from corporal punishment in the three countries. The study found that in 2013 the use of some forms of corporal punishment had reduced since the baseline survey 2009. In Mozambique in 2009, 52% of girls had been whipped or caned in the past 12 months; by 2013, this had dropped to 29%. In Kenya in 2013, 55% of girls had been beaten in the past year, compared to 80% in 2009, although the proportion of girls who had been whipped in the past year increased from 50% in 2009 to 70% in 2013. In Ghana in 2013 there had been slight reductions in the proportions of girls experiencing most forms of corporal punishment since 2009 – for example, 56% of girls had been beaten in the past year in 2009, compared to 47% in 2013. (ActionAid International (2013), *Stop Violence Against Girls in School: A cross-country analysis of change in Ghana, Kenya and Mozambique*, Johannesburg: Action Aid)

Tanzania: A study involving 409 children (average age 10.5 years) at a private school in Tanzania found that 95% of them had been physically punished at least once in their lifetime by a teacher. The same percentage reported experiencing physical punishment by parents or caregivers. Eighty two per cent had been beaten with sticks, belts or other objects and 66% had been punched, slapped or pinched. Nearly a quarter of the children had experienced punishment so severe that they were injured. The study found that the children’s experience of corporal punishment was associated with increased aggressive and hyperactive behaviour and decreased empathetic behaviour. (Hecker, T. et al (2013), “Corporal punishment and children's externalizing problems: A cross-sectional study of Tanzanian primary school aged children”, *Child Abuse & Neglect*, available online 17 December 2013)

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6 Events in the region

Upcoming events

Conference on [“Keeping Children Safe in Africa: Identifying and Addressing the Challenges”](#), 3-5 September 2014, Cape Town, South Africa

This conference is designed to identify the specific challenges of, and potential solutions to, creating safe

environments for children in Africa. One of the sub-themes of the conference concerns the African context for children - the challenges of safeguarding children within this context, which includes practices and beliefs in Africa which cause harm to children and the challenges of addressing these through organisational safeguarding measures. The conference organisers include USAID/UNICEF Nigeria/Warchild Holland/Plan/Save the Children/Terre Des Hommes. For more information email: info@safeguardingconference.org

Outcomes of past events

Regional NGO Network for Child Protection in West Africa, 17-19 February 2014, Cotonou, Benin

This sub-regional initiative is part of Plan International's Regional Child Protection Framework for West Africa, which focuses on building partnerships with civil society organisations and strengthening their capacity in child protection.

The meeting aimed to strengthen the capacities of West African civil society organisations through the West African Coalition Union (WACU) in view of collaborating with Plan International at national and regional level for the efficient strengthening of community-based child protection mechanisms. It gathered INGOs, NGOs and CSOs representatives from 11 West African countries. Issues around national child protection mechanisms, coalition governance, child protection and media relations and the advocacy for prohibition of corporal punishment of children in West Africa were discussed.

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7 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 elinor@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.

We hope you find this newsletter informative and useful and welcome your comments: please email vohito@endcorporalpunishment.org. We are sending the newsletter to supporters of the aims of the Global Initiative and others who we think will be interested. If you do not want to receive future editions, please tell us at info@endcorporalpunishment.org. If your organisation is not listed as supporting the aims of the Initiative, please consider signing up (online at www.endcorporalpunishment.org or email info@endcorporalpunishment.org).

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