



Ending Corporal Punishment of Children: Africa E-Newsletter

FRENCH VERSION ALSO AVAILABLE

Issue 4: May 2011

In this issue

The highlight of this issue is that from 28 February to 1 March 2011, The African Child Policy Forum and the Global Initiative to End All Corporal Punishment of Children, in collaboration with the African Committee of Experts on the Rights and Welfare of the Child, held a Strategic Consultation on ending corporal punishment of children across Africa, in Ouagadougou, Burkina Faso. The outcome of the Consultation is a detailed Strategic Plan to prohibit and eliminate corporal punishment. For more information, please see our recent developments section....

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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 African Child Policy Forum (ACPF) is an

independent, Pan-African research and advocacy organisation which aims to put children in Africa on the public and political agenda through promotion of supportive policies and laws. ACPF works with other child rights organisations and governments to develop and implement effective pro-child policies and programmes (www.africanchildforum.org).

The Global Initiative and The African Child Policy Forum initiated a joint project in 2009 to promote law reform and support national campaigns in all regions of Africa with information and strategies. The joint project aims to build a continent-wide network of supporters of prohibition of corporal punishment of children in Africa.

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2 Recent developments in Africa

Positive moves

Ouagadougou Consultation and Strategic Consultation: The African Child Policy Forum and the Global Initiative, in collaboration with the African Committee of Experts on the Rights and Welfare of the Child, held a Strategic Consultation in Ouagadougou, Burkina Faso 28 February – 1 March, attended by key stakeholders from across Africa. The objectives were to:

- review the status of corporal punishment across Africa and progress towards its prohibition and elimination (the [All Africa Report](#) published in December 2010 provides a basis for this);
- identify immediate and forthcoming opportunities for progress and how to make effective use of them;
- discuss the role of key partners and how to achieve accelerating progress effectively through collaboration;
- identify challenges and how to overcome them;
- agree practical ways forward.

The outcome is a detailed Strategic Plan which is available at www.africanchildinfo.net/corporalpunishment and www.endcorporalpunishment.org.

International, Pan-African and African Regional organisations are invited to consider how they can support the Mission and Objectives of the Strategic Plan, including through the development of work plans.

The Marrakesh Declaration: The Fourth Arab High Level Conference on the Rights of the Child, held in Marrakesh, Morocco, 19-21 December 2010, focused on “Promoting Arab partnership to enhance the Status of the child”. During the Conference, the [Marrakesh Declaration](#) was adopted by the League of Arab States, declaring determination to “enforce existing legislation and promulgate laws that incriminate the violation of the rights of the child and protect the child against all forms of exploitation, violence, neglect and ill-treatment especially with regards to female circumcision, sexual exploitation, early marriage, corporal punishment and trafficking of children...” Ten African States are members of the League of Arab States: Algeria, Egypt, Comoros, Djibouti, Libya, Mauritania, Morocco, Somalia, Sudan and Tunisia.

But...

Zambia: The Education Bill which would have prohibited corporal punishment in schools has been withdrawn from Parliament because of concerns about another provision in the bill.

Zanzibar: On 29 March 2011, the Government of Zanzibar officially announced that the Children's Act for Zanzibar had been endorsed by the House of Representatives. The Act protects children from torture and degrading treatment but does not explicitly prohibit corporal punishment of children in all settings. The Bill initially included an article which would explicitly prohibit all corporal punishment of children and repeal all legal provisions to the contrary. However this was withdrawn in the course of discussions on the Bill. The Bill nonetheless generated numerous discussions about the abolition of corporal punishment, and children's views were also taken on this issue.

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3 Campaigns and other moves towards prohibition

Ethiopia: ANPPCAN Ethiopia has been engaged in a project called "Abolishment of Physical and Humiliating Punishment of Children and Promotion of Positive Child Disciplining". The 3 year project (2009-2012) is being implemented in Addis Ababa and in Woldia, in collaboration with Save the Children Sweden and the Ministry of Women Affairs. In 2009, ANPPCAN-Ethiopia developed a manual on the alternative methods of child disciplining. In 2011 ANPPCAN-Ethiopia plans to implement further activities including: Training of Trainers on alternative methods of disciplining and child abuse in schools; a discussion forum for trained community motivators on physical and other humiliating punishment and parenting skills; and public education on alternative methods of child disciplining through radio programmes. For more information, please contact: Anppcan-eth@ethionet.et.

Cameroon: In the context of Plan International's global "Learn Without Fear" campaign which aims to eliminate violence in schools, a consultation workshop took place on 14 April in Yaounde. Members of Plan Cameroon and various actors involved in children's education including journalists met in order to develop a national action plan for the implementation of the campaign in Cameroon. The campaign activities were launched in December 2010 by the Minister of Basic Education, on the theme: "Corporal punishment and humiliating treatment as a source of school under-performance." (*Cameroun Tribune*, 18 April 2011)

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4 Human rights monitoring

Update

The 17th session of the **African Committee of Experts on the Rights and Welfare of the Child** was held from 22 to 25 March 2011 in Addis Ababa, Ethiopia. The Committee considered the state party report of Togo. A pre-sessional working group met on 21 March 2011 to consider the issues to raise in the forthcoming examination of Libya and Senegal. The African Policy Forum and The Global Initiative submitted briefings on the legality of corporal punishment of children in these countries.

The second annual report of the **Special Representative of the Secretary-General on Violence against Children**, Marta Santos Pais, was submitted to the Human Rights Council. It reports on the

achievement of prohibition in all settings including in Kenya and Tunisia as well as high level regional commitments to pursue law reform, and calls for increased efforts to introduce legislation to protect children from all forms of violence in all settings and, in countries which have achieved law reform, further efforts to narrow the gap between law and practice. Paragraph 20 states: “Legislation needs to permeate the work of institutions and shape the training and ethical standards of professionals working with and for children. Implementation needs to be supported by awareness raising and social mobilization initiatives for the public at large and children in particular....” Also, the first newsletter of the SRSG was published in March. For further information and to obtain a copy, email Miguel Caldeira at mcaldeira@unicef.org). A website for the SRSG is expected to be launched soon.

The **UN Committee on the Rights of the Child** adopted General Comment No. 13 (2011) on “Article 19: The right of the child to freedom from all forms of violence”. It builds on the Committee’s previous work, including General Comment No. 8 on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment. The Committee defines physical violence as including fatal and non-fatal physical violence, stating in para. 21: “The Committee is of the opinion that ‘physical and mental violence’ includes all corporal punishment and all other forms of torture, cruel, inhuman or degrading treatment or punishment....” In para. 22, the Committee recalls the definition of corporal/physical punishment in its earlier General Comment No. 8. The Committee also states that “harmful practices” include “corporal punishment and other cruel or degrading forms of punishment; ... amputations, binding, scarring, burning and branding”. The Committee outlines what is meant by the best interests of the child (article 3 of the Convention) and emphasises that it “cannot be used to justify practices, including corporal punishment and other forms of cruel or degrading punishment, which conflict with the child’s human dignity and rights to physical integrity” (para. 54).

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. Current opportunities to submit advance briefings on states coming up for examination are listed below. We are always willing to advise NGOs and human rights institutions on the practical details of how to submit briefings (email info@endcorporalpunishment.org).

The *Committee on the Rights of the Child* pre-sessional working group will be meeting in October 2011 to consider the issues to raise in its forthcoming examination of Algeria. **Briefings should be submitted before 22 August 2011.**

The *Committee Against Torture* pre-sessional working group will be meeting at its 46th session in May 2011 to consider the issues to raise in its future examinations of Morocco and Tunisia. **The deadline for submitting briefings on these countries has now passed. Information on the next opportunity for briefing the pre-sessional working group will be included in the next newsletter.**

The *Committee on the Elimination of Discrimination against Women* pre-sessional working group will be meeting at its 49th session in July 2011 to consider the issues to raise in its future examinations of Algeria, Comoros, Republic of Congo and Zimbabwe. **Briefings should be submitted by 11 June 2011.**

The country report task forces of the *Human Rights Committee* will be meeting at its 103rd session in October/November 2011 to consider the issues to raise in the future examinations of Cameroon, Cape Verde and Kenya. **Briefings should be submitted by 5 August 2011.**

The 12th session of the *Universal Periodic Review* will take place in October 2011, the final session of the first cycle of the Review. The deadlines for making submissions have now passed. The second cycle of the Review is due to begin in June 2012. **We will include information on deadlines for submitting briefings at the earliest opportunity.**

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5 Resources: Research/Reports/Publications

New UNICEF publication on child discipline: UNICEF launched a statistical review on [Child Disciplinary Practices at Home](#) in 35 low-and middle-income countries including 11 African countries (Algeria, Burkina Faso, Cameroon, Central African Republic, Côte d'Ivoire, Djibouti, Gambia, Ghana, Guinea Bissau, Sierra Leone and Togo). Thirty five surveys were conducted and mothers (or primary caregivers) of children aged 2-14 were asked questions on a range of violent disciplinary practices, including shouting, name calling, shaking and hitting. The survey suggests that parents and caregivers simultaneously use violent and non-violent disciplinary methods. The report also found that most caregivers do not consider physical punishment necessary in childrearing, although many nevertheless use it. The report concludes that it is not enough to focus only on trying to change attitudes towards corporal punishment. A comprehensive strategy is needed to prevent and address violence against children. A key component of this strategy is law reform to prohibit all forms of violence, including all physical punishment, in all settings including the home.

Nigeria: Idogo, G. (2011), "The effects of domestic violence on pre-school children in Nigeria", *African Journal of Education and Technology*, 1(1), April 2011, pp.25-29. The purpose of this research paper is to examine the effects of domestic violence on preschool children and to devise possible solutions to ending the cycle of domestic violence in Nigeria, taking into account its negative effects on children. The paper identifies physical punishment in the home and in the classroom as affecting children's mental development. It suggests a series of recommendations including legal reform to prohibit violence inflicted by parents on children.

Upcoming publication

Breaking the silence: Violence against children with disabilities: field studies from Cameroon, Ethiopia, Senegal, Uganda and Zambia

The African Child Policy Forum has recently launched a retrospective assessment of violence against children with disabilities which was conducted in the above countries. As a follow up to the retrospective assessment, this publication is an advocacy paper which aims to support the work of child's rights CSOs, NGOs and other stakeholders. The initial study revealed that corporal punishment (hitting, punching, kicking and beating) is widely used in each of the five countries studied. The advocacy paper will be published in May 2011. For more information, please contact:

info@africanchildforum.org.

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6 Media watch

Benin: Based on the traumatizing experience of a 16 year old boy who dropped out of school due to severe corporal punishment at school, the article makes a vibrant call for legal reform to prohibit

corporal punishment of children in schools in Benin. Referring to the UN Convention on the Rights of the Child, the article calls on teachers to respect children's human rights.

(<http://levenementprecis.com/?p=6105>, 28 March 2011)

Senegal: A seminar on violence against children took place in Thiès from 18 to 20 February 2011. The three-day seminar which was attended by experts, NGOs, the Ministry of Family, grassroots organisations and other development partners aimed to develop a national plan for social mobilisation in order to fight the scourge of child abuse in all these forms (including physical punishment) in all settings. Mamadou Kebe, child protection director from the Department of Family called on all partner organisations to work together with the Ministry of Family, to address the urgent issue of "physical, psychological, moral abuse and even neglect to the child". He announced that a Communication and Social Mobilization Plan would be developed in order to put an end to violence against children in Senegal. (<http://sostalibes-blog.africaciel.com/>, 22 February 2011)

Swaziland: An eight year-old girl was allegedly assaulted by her father, who is a teacher, for misplacing a container he used for his marula brew. He has been arrested. (*Times of Swaziland*, 14 February 2011)

Uganda: The Ministry of Gender, Labour and Social Development intends to amend the Children's Act in order to ban corporal punishment in schools, communities and in homes. James Kaboggoza, the assistant commissioner in charge of children's affairs, announced that his ministry was strengthening the child protection unit to handle cases of defilement. While condemning such "awful practice", he encouraged the public to hand perpetrators of corporal punishment to the authorities. (*New Vision*, 12 April 2011)

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7 Events in the region

6th Annual Meeting of the Southern African Network to end Corporal and Humiliating Punishment of Children, 22-23 February 2011, Cape Town

Organised by RAPCAN (Resources Aimed at the Prevention of Child Abuse and Neglect), the meeting gathered 26 members of the Network, coming from Botswana, Ethiopia, South Africa, Swaziland, Mauritius, Namibia, Zambia and the UK. The objectives of the meeting included: Sharing experiences of initiatives in different countries (within the Network), and Exploring how the Network could strengthen the work of the international NGO Advisory Council to the UN Special Representative on Violence Against Children via the Eastern and Southern African representative to the Council.

Senegal/UNICEF: Technical meeting to strengthen the protection of children in educational settings in West Africa, 15-17 March 2011

The meeting was co-organised by the ECOWAS Commission, UNICEF Regional Office for West and Central Africa in cooperation with Action Aid, Plan International and Save the Children Sweden. Education settings in West and Central Africa can be locations of serious abuse and violence against children, including sexual violence and grades in exchange for sex, corporal punishment and bullying. Gathering about 30 representatives of regional agencies involved in education and child protection work, as well as communication and advocacy specialists, the meeting aimed to develop a methodology and concrete national approaches to protect children in education settings (as part of child protection systems).

Senegal/ANCEFA: Fifth “Kingdom of Children” Festival (F.A.R.E.), 9-10 July 2011, Dakar

The FARE is a children’s cultural event which includes competitions such as poem reading, advocacy speeches, general discussion on the principles of children’s rights, as well as portrayal of a historical figure or legend. The theme of this year’s advocacy contest is violence against children including sexual abuse, corporal punishment and female genital mutilation. The Festival is open to children from Senegal, Benin, Cote d’Ivoire, Gambia, DRC and Ethiopia. For more information, please go to: www.auroyaumedesenfants.org

Tanzania: Pan-African Conference on skilful parenting, 14-15 April 2011

The theme for this inaugural conference organised by the Parenting in Africa Network was “Giving children a voice in the family”. The conference aimed to provide a platform for member organisations, experts and policy makers to share experiences on the programmes and approaches currently in use in promoting skilful parenting in the region. A new book on children’s perspectives on parenting in the region was also launched. For more information, please contact: Josephine.gitonga@parentinginafrica.org or visit www.parentinginafrica.org.

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8 Can you help?

We would appreciate any **information on laws** prohibiting or authorising corporal punishment in the following countries and settings:

Penal system (sentence of the courts) – Equatorial Guinea, Gabon

Penal system (disciplinary measure in penal institutions) – Equatorial Guinea, Eritrea, Gabon, Guinea, Liberia, Libyan Arab Jamahiriya, Sao Tome and Principe

Alternative care settings – Guinea-Bissau, Libyan Arab Jamahiriya.

If draft legislation is proposed in your country which provides an opportunity to prohibit corporal punishment, or if laws are enacted which achieve this in any setting, please let us know so that we can keep our information up to date.

Photographs and illustrations

The Global Initiative is always pleased to receive photographs and other illustrations of campaigns against corporal punishment. Please send them together with caption details and any copyright information to info@endcorporalpunishment.org.

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