



Newsletter 35 October 2016



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

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Welcome to the quarterly e-newsletter from the Global Initiative to End All Corporal Punishment of Children. We hope you find this update useful; please share it with your networks and if you have any comments, contributions or feedback, email us at info@endcorporalpunishment.org.

Global news and developments

Paraguay prohibits all corporal punishment!

In August 2016, the National Congress approved the 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, which includes (unofficial translation): “Corporal punishment and humiliating treatment of children and adolescents is prohibited as a form of correction or discipline, especially when it is imparted by parents, tutors, guardians or anyone responsible for their education, care, guidance, or treatment of any kind.” Enacted by the Executive on 2 September 2016, this reform makes Paraguay the 50th state globally – and 10th in Latin America – to achieve this fundamental reform for children. [Read more](#).

More states commit to prohibiting all corporal punishment of children

At the 32nd session of the Human Rights Council, held in June/July 2016, the Governments of Namibia, Seychelles and Sierra Leone formally accepted recommendations to prohibit all corporal punishment of children made during the Universal Periodic Review of their overall human rights records in January 2016. These were all new commitments, meaning these states can be added to the list of states committed to achieving full prohibition – now 56 globally. Mozambique had already accepted recommendations to prohibit all corporal punishment at the review in January and had been added to the list. [Read more.](#)

Global Partnership to End Violence Against Children launched

In response to commitment by the world's governments to end all forms of violence against children (target 16.2 of the 2030 Sustainable Development Agenda) the [Global Partnership to End Violence Against Children](#), the associated Fund to End Violence Against Children, and *INSPIRE: Seven Strategies for Ending Violence Against Children*, were launched in New York in July 2016. INSPIRE includes the implementation and enforcement of laws banning violent punishment of children by parents, teachers and caregivers, and 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 (read more below). At the launch event, Sweden, Mexico, Indonesia and Tanzania were presented as “pathfinder” countries, with government ministers committing to developing specific plans that will combat violence against children. Note: the Government of Tanzania has since rejected recommendations to prohibit all corporal punishment, made during the Universal Periodic Review of its overall human rights record (read more below).

CRPD says all corporal punishment must be prohibited

In its new [General Comment No.4: Right to inclusive education](#) (2016), the Committee on the Rights of Persons with Disabilities (CRPD) clearly recommends prohibition of all corporal punishment of children (para. 49): “The Committee strongly endorses the recommendations of the CRC, the Human Rights Committee and CESCR that States parties must prohibit all forms of corporal punishment, and cruel, inhuman and degrading treatment in all settings, including schools, and ensure effective sanctions against perpetrators.” This is the strongest statement made by the treaty monitoring body to date. [Read more.](#)

African and Caribbean newsletters out now!

The latest edition of the African (in [English](#) and [French](#)) and [Caribbean](#) e-newsletters from the Global Initiative were published in September 2016. They include regional developments, national action and campaigns to end corporal punishment and news from the UN and regional human rights systems. Sign up to [receive future editions](#).

Steps towards prohibition

El Salvador: a draft bill is under discussion in Parliament which would remove parents' right to "adequately and moderately correct" their children from the Law for the Integral Protection of Children and Adolescents 2009, but it does not repeal similar legal defences from the Family Code or Civil Code.

Philippines: House Bill 516 (the "Positive and Non-Violent Discipline of Children Act") which aims to prohibit corporal punishment and promote positive non-violent discipline of children, has been re-filed. The measure was approved on third and final reading during the 16th Congress but was not enacted. Representative Bernadette Herrera-Dy [promises](#) to promote the Bill at the 17th Congress.

Other positive news

Finland: a new [survey](#) has found an increasing number of Finnish residents disapprove of corporal punishment for children. According to the study as many as 70% of respondents oppose the idea of physically disciplining children by measures such as flicking them with a finger or pulling their hair.

Gambia: the Gambia Teachers Union (GTU) and the Child Protection Alliance (CPA) are [advocating](#) for legal reforms to prohibit the physical and humiliating punishment of children in all settings. In August 2016, they held a day workshop for journalists aimed at soliciting the support of media practitioners.

Peru: a new national campaign "[Atrévete A Criar Con Amor](#)" has been launched; the campaign aims to raise awareness of recent law reform which prohibits all corporal punishment of children as well as the dangers associated with its use, and promote effective positive parenting and good treatment of children.

But...

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.

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Advocacy resources

New resources from the Global Initiative

[*Prohibition of violent punishment of children: a critical step towards fulfilling the 2030 Agenda for Sustainable Development*](#): Produced ahead of the High Level Political Forum on Sustainable Development, held in New York in July 2016, this briefing sets out for each of the 22 states reviewed at the Forum, the law reform that is necessary in order to achieve prohibition of corporal punishment in all settings and the latest information on prevalence of corporal punishment as documented through UNICEF's Multiple Indicator Cluster Surveys and other studies.

[*Progress towards prohibiting all corporal punishment of children in East and Southern Africa*](#): Launched in October 2016 at the 28th Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child and 59th Ordinary Session of the African Commission on Human and Peoples' Rights, in Banjul, The Gambia, this new briefing from the Global Initiative, Sonke Gender Justice and Save the Children examines progress so far towards prohibition of all violent punishment of children in East and Southern Africa, what remains to be done, and immediate opportunities for reform.

Other resources to support advocacy

[*INSPIRE: Seven Strategies for ending violence against children*](#): Collaboratively produced by ten agencies lead by the World Health Organisation (WHO), this package presents strategies with the greatest potential to reduce violence against children, based on the best available evidence. It includes the implementation and enforcement of laws to prevent violent behaviours, and highlights laws banning violent punishment of children by parents, teachers or caregivers; it 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 was launched alongside the Global Partnership to End Violence

Against Children in July 2016 (see above).

[*Sharing Caregiving and Stopping Corporal Punishment*](#): In October 2016, MenCare hosted a webinar looking at the harmful effects of corporal punishment, strategies to prevent violence, and global progress on law reform to eliminate corporal punishment. Speakers: Elizabeth Gershoff, Associate Professor of Human Development and Family Sciences, University of Texas; Joan Durrant, Child-Clinical Psychologist and Professor of Community Health Sciences, University of Manitoba; Sonia Vohito, Africa Project Coordinator, Global Initiative to End All Corporal Punishment of Children.

[*The Government's Compromise on Violence against Children*](#): This new Policy Brief from the Partnership for Human Rights (PHR) analyses the legal flaws that permit corporal punishment of children in Georgia, and presents recommendations to the state legislative and executive branches in order to regulate and reduce and prevalence of corporal punishment of children. The policy document states: "Criminal law should prohibit corporal punishment in any form and intensity, as it is necessary to fundamentally change the public tolerance of violence against children and its harmful consequences."

[*APSAC Position Statement on Corporal Punishment of Children*](#): In this new position statement, the American Professional Society on the Abuse of Children (APSAC) calls for the elimination of all forms of corporal punishment and physical discipline of children in all settings including homes and schools. APSAC pledges an active role to inform professionals, policy makers, and the public about the risk factors associated with corporal punishment.

[*Châtiments corporels et violences éducatives: Pourquoi il faut les interdire en 20 questions réponses*](#): (Corporal punishment and violent childrearing: why it must be prohibited in 20 questions and answers) Through 20 questions and answers, this new book by Muriel Salmona addresses the most common prejudices on corporal punishment. It promotes childrearing centred 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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News from the UN and regional human rights systems

Note: All of these and previous recommendations by treaty bodies are available in full in the relevant [country reports](#) and on the [treaty body pages](#) on our website.

Universal Periodic Review outcomes

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).

Fourteen states were reviewed at the 25th session of the UPR in May 2016. All states reviewed except one received recommendations on corporal punishment. At the 33rd session of the Human Rights Council, held in September 2016, the final working group reports of states reviewed were adopted and Governments responded to recommendations they hadn't responded to during the UPR session. **Suriname** and **Thailand** supported recommendations to prohibit corporal punishment in all settings; **Swaziland** accepted in part but the Government stated "Swaziland is not yet ready to accept prohibiting corporal punishment of children in the home." **Tajikistan** supported a recommendation to enforce prohibition in all settings. Recommendations to prohibit corporal punishment were "noted" by **Papua New Guinea**, **St Vincent and the Grenadines**, **Samoa** and **Sudan**. The Government of Samoa said this work is ongoing and referred to a Bill which "seeks to prohibit corporal punishment". **Antigua and Barbuda** and **Trinidad and Tobago** did not support – also "noted" – recommendations to prohibit corporal punishment of children; both governments commented on the social acceptance of corporal punishment of children. **UR Tanzania** rejected a recommendation to prohibit all forms of corporal punishment and stated "This form of punishment plays a significant deterrent role in the society." **Greece**, **Hungary** and **Ireland** have already achieved prohibition of all corporal punishment of children. Hungary and Ireland accepted recommendations to end corporal punishment; no recommendation on corporal punishment was made to Greece. [Read more](#).

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 responded 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 states were 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 consideration will now be given to amending the Children Act. **Palau** accepted recommendations to prohibit corporal punishment in all settings and re-stated its commitment to amending legislation, especially in relation to education. Having accepted a recommendation to prohibit all corporal punishment, **Belgium** noted another recommendation to prohibit but said it couldn't be implemented. **Solomon Islands** accepted one, and noted one, recommendation to prohibit all corporal punishment. The Government confirmed that the Education Bill would prohibit corporal punishment and said the Child and Family Welfare Bill would address "fair discipline". Recommendations to prohibit all corporal punishment were noted by **Somalia** and **Singapore**. No recommendations specifically on corporal punishment were made to **Niger** or **Paraguay** but general recommendations to harmonise legislation with CRC were accepted by both; Paraguay has since prohibited all corporal punishment – see above. [Read more.](#)

Submitting information to the UN human rights system

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 info@endcorporalpunishment.org.

The following lists show which states are coming up for examination by the treaty bodies and the UPR. For details of deadlines for submitting briefings see the [individual country reports](#).

Committee on the Rights of the Child

(1) Session 74 (Jan 2016). The Committee will examine Antigua and Barbuda, Barbados, Central African Republic, DR Congo, Estonia, Georgia, Malawi, St Vincent and the Grenadines, Serbia

(2) Session 76 Pre-Sessional Working Group (Feb 2017). The PSWG will adopt List of Issues for DPR Korea, Denmark, Ecuador, Republic of Moldova, Tajikistan, Vanuatu

Committee Against Torture

(1) Session 59 (Nov/Dec 2016). The Committee will examine Armenia, Cabo Verde, Ecuador, Finland, Monaco, Namibia, Sri Lanka, Turkmenistan; List of Issues Prior to Reporting will be adopted for Australia, Côte d'Ivoire, Croatia, Montenegro, Sweden, Ukraine, USA

(2) Session 60 (Apr/May 2017). The Committee will examine Afghanistan, Argentina, Bahrain, Lebanon, New Zealand, Pakistan, Republic of Korea; List of Issues will be adopted for Rwanda and List of Issues Prior to Reporting for Colombia, Luxembourg, New Zealand, Romania, TFYR Macedonia

Committee on Economic, Social and Cultural Rights

(1) Session 60 Pre-Sessional Working Group (Feb/Mar 2017). The PSWG will adopt List of Issues for Colombia, Mexico, Republic of Korea, Republic of Moldova, Russian Federation

(2) Session 61 (May/Jun 2017). The Committee will examine Australia, Liechtenstein, Netherlands, Pakistan, Sri Lanka, Uruguay

Committee on the Elimination of Discrimination Against Women

(1) Session 67 Pre-Sessional Working Group (Nov 2016). The PSWG will adopt List of Issues for Barbados, Costa Rica, Italy, Montenegro, Niger, Nigeria, Thailand

(2) Session 66 (Feb/Mar 2017). The Committee will examine El Salvador, Germany, Ireland, Jordan, Micronesia, Rwanda, Sri Lanka, Ukraine

Committee on the Rights of Persons with Disabilities

(1) Session 7 Pre-Sessional Working Group (Mar 2017). The PSWG will adopt List of Issues for Haiti, Latvia, Luxembourg, Montenegro, Morocco, UK

(2) Session 17 (Mar/Apr 2017). The Committee will examine Armenia, Bosnia and Herzegovina, Canada, Cyprus, Honduras, Iran, Jordan, Republic of Moldova; List of Issues will be adopted for Panama

Human Rights Committee

(1) Session 119 (Mar 2017). The Committee will examine Bangladesh, Bosnia and

Herzegovina, Italy, Serbia, Thailand, Turkmenistan; the Country Report Task Forces will adopt Lists of Issues for DR Congo, Dominican Republic, Eritrea, Jordan, Mauritius, Timor-Leste and Lists of Issues Prior to Reporting for Netherlands

Universal Periodic Review

(1) Session 26 (Nov 2016) – Haiti, Iceland, Lithuania, Republic of Moldova, South Sudan, Syrian Arab Republic, Timor-Leste, Togo, Uganda, Venezuela, Zimbabwe

(2) Session 27 (May 2017) – Algeria, Bahrain, Brazil, Ecuador, Finland, India, Indonesia, Morocco, Netherlands, Philippines, Poland, South Africa, Tunisia, United Kingdom

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"Let us truly dedicate ourselves to action. Let us condemn in the strongest possible terms all violent punishment of children, denouncing all attempts to justify or defend it, and pledge to change our laws so that children are fully legally protected from punitive assault – and let us resolve in our hearts as well as our minds to make this the first step towards truly changing the world so that every child can grow up free from violence."

Paulo Sérgio Pinheiro, Independent Expert who led the UN Study on Violence against Children, Chairperson of the Independent International Commission of Inquiry on Syria, speaking at the side event "10 years on, the Study on Violence against Children – past, present and future", Geneva, 27 September 2016



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