



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

GLOBAL INITIATIVE NEWSLETTER 6

(JANUARY 2009)

2009 is an important year. It is the target date set by the UN Study on Violence against Children for prohibition of all corporal punishment of children, including in the home. It is also the 20th anniversary of the adoption of the UN Convention on the Rights of the Child, and 30 years since Sweden became the first state in the world to achieve equal protection from assault for all children.

The year begins with 23 states having achieved law reform and governments in at least a further 24 committed to prohibition and/or actively considering draft legislation. Campaigns are now under way all over the world.

This first newsletter of 2009 reports on moves towards prohibition worldwide, including bills under discussion, new campaigns, new research and developments under international human rights law.

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1 GLOBAL PROGRESS

States with full prohibition

At the start of 2009, children in 23 countries have equal protection from assault, with corporal punishment prohibited in all settings, including the family home: Austria, Bulgaria, Costa Rica, Croatia, Cyprus, Denmark, Finland, Germany, Greece, Hungary, Iceland, Israel, Latvia, Netherlands, New Zealand, Norway, Portugal, Romania, Spain, Sweden, Ukraine, Uruguay and Venezuela. In dialogue during the Universal Periodic Review at the end of last year (see below), the government of Luxembourg stated that it had enacted legislation prohibiting corporal punishment in the home. We are in the process of verifying this information.

Governments committed to prohibition

Governments in the following states have made a public commitment to law reform: Afghanistan, Bangladesh, Bhutan, Czech Republic, Estonia, Ireland, Lithuania, Luxembourg, Maldives, Pakistan, Peru, Poland, Serbia, Slovakia, Slovenia, Sri Lanka and Taiwan. At least 15 European states have signed up to the Council of Europe's regional campaign to end corporal punishment in all 47 member states.

Prohibition in schools

As at January 2009, 108 states prohibit corporal punishment by law in schools. Examples of recent progress towards prohibition in schools include:

Australia: The South Australian government has proposed prohibition of corporal punishment in all schools and early childhood development centres in a Bill to be introduced into Parliament in 2009.

India: After six years of discussion and drafting, the Right to Education Bill 2008, which would prohibit corporal punishment in schools, was tabled in the Rajya Sabha on 15 December.

Middle East: In November, the UN agency for Palestinian refugees (UNRWA) published a new Code of Conduct governing teacher-student-parent relations and promoting positive discipline and violence-free schools, applicable to UNRWA schools in Jordan, Syria, Lebanon, the West Bank and Gaza.

Republic of Korea: Corporal punishment is currently prohibited in schools as a matter of policy. A revised bill on the Elementary, Secondary and Higher Education Act, which would prohibit corporal punishment by law, has been laid before the National Assembly.

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2 CAMPAIGNS AND CALLS FOR PROHIBITION

Campaigns

In December 2008, the **European Children's Network** (EURONET) launched a [campaign to prohibit corporal punishment in the home](#), aiming to ensure that all European Union member states are corporal punishment-free by the end of 2009. EURONET has published a [position paper](#) on ending corporal

punishment in the home which explains the problem, the human rights framework for prohibition and the importance of changing attitudes towards children and discipline, and makes recommendations to EU policymakers and politicians.

More European countries have launched campaigns under the initiative of the **Council of Europe's regional campaign for prohibition**. Some used the Save the Children Worldwide Day of Action against Violence in October to highlight the European campaign at national level:

Albania: In November 2008, the Information Office of the Council of Europe in Tirana launched a campaign to promote positive parenting and to lobby parliament and government institutions to undertake legal reform.

Bosnia and Herzegovina: The campaign involved a series of events to mark the Save the Children Worldwide Day of Action in October 2008, including awareness raising and discussion events with children and a survey of adults' and children's attitudes towards corporal punishment.

Kosovo: The campaign was promoted on the Save the Children Day of Action in October. Children distributed awareness raising materials in city squares and pedestrian zones, and polled members of the public.

Lithuania: Save the Children Lithuania's ongoing campaign was highlighted on the Day of Action through a round table discussion, media broadcasts, information distribution, and a cinema event to encourage more children to become involved.

Montenegro: On the Day of Action, children promoted the Europe-wide campaign and interviewed members of the public.

Republic of Moldova: In November, the Information Office of the Council of Europe in Moldova launched a campaign "Abolishing corporal punishment of children" at the Parliament of the Republic of Moldova.

Serbia: Following action by children in October, the Ombudsman Sasa Jankovic agreed to support law reform. To mark International Human Rights Day on 10 December 2008, the government Council for Child's Rights, Save the Children and the Council of Europe Office in Belgrade launched the campaign to abolish corporal punishment. The Ministry for Labour and Social Issues is to propose legislation to prohibit corporal punishment, and a National Strategy for Prevention and Protection of Children from Violence was launched.

Campaigns outside Europe:

Afghanistan: A month-long campaign by Save the Children in October focused on ending corporal punishment in schools, including by prohibition in law. In response, Ministers made a commitment to drafting a bill to explicitly prohibit corporal punishment in schools.

Guyana: The campaign continues for prohibition of corporal punishment in schools. A motion calling for prohibition put before parliament in 2006 failed when new legislation was passed specifically authorising corporal punishment. A new coordinated approach by a group of individuals and organisations against corporal punishment is now under way (and see below, under "Research and reports").

Pakistan: Plan International's global campaign against violence in schools – "Learn without Fear" – was launched in the Punjab in December. School Education Secretary Nadeem Ashraf

highlighted the impact of corporal punishment in schools on dropout rates and the need to change the attitudes of parents, teachers and society.

Peru: For the Save the Children Day of Action in October, awareness raising was carried out through a public gathering and arts festival, combining the efforts of a number of child rights organisations with the support of the Ombudsman's Office.

Philippines: The campaign for prohibition was promoted during the Save the Children Day of Action in a series of high profile activities in key cities in the country's three major island groupings (Luzon, Visayas and Mindanao).

US: The "21 To Go!" campaign aims to raise awareness that 21 states still allow corporal punishment in schools, through events across the US culminating in January 2009 with a demonstration at the US Capitol Building. PTAVE (Parents and Teachers Against Violence in Education) has called for people to cast their vote online.

Viet Nam: Plan International's global campaign against violence in schools – "Learn without Fear" – was launched in Viet Nam in December by Plan Viet Nam and the Ministry of Labour, Invalids and Social Affairs.

NEW RESOURCE The Global Initiative has launched a new section of the website dedicated to campaigns – in the "Reform" section of the sitemap. It includes further details of the campaigns mentioned above, plus details of international, regional and national campaigns. Please send relevant information to info@endcorporalpunishment.org.

Calls for prohibition

Australia: Sydney University Associate Professor Judy Cashmore called for prohibition of corporal punishment by parents, following the example of New Zealand. She is to present her case to the Australian Institute of Family Studies. (*Live News*, 11 December 2008)

Barbados: At a national consultation between the Office of the Attorney General, the Family Law Council and UNICEF to discuss law reform regarding child protection, the Family Law Council reportedly called for prohibition of all corporal punishment of children. (*Nation News*, 22 December 2008)

Canada: To mark Canada's National Child Day on 20 November, an open letter to MPs was published in the *Hill Times* and the *Globe* calling for repeal of section 43 of the Criminal Code, which justifies corporal punishment of children, on the grounds that it violates the UN Convention on the Rights of the Child. The letter was endorsed by 137 national organisations. (www.repeal43.org, 20 November 2008)

Jordan: Children called for amendments to laws allowing corporal punishment of children, especially article 62 of the Penal Code which gives parents the right to punish their children in accordance with general norms. The call was made during Universal Children's Day, 19 November. (*Reuters Alertnet*, 26 November 2008)

Her Majesty Queen Rania called for an end to corporal punishment in schools and for a national campaign against corporal punishment. (*The Jordan Times*, 22 December 2008)

US: Children's Rights Advocates published an open letter to President Obama drawing attention to the continued use and legality of corporal punishment ("paddling") in American schools and urging him to "extend to each and every previous schoolchild the same protection against

assault and battery you would expect and demand for your own precious children”. (*PTAVE*, 9 December 2008)

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3 RESEARCH AND REPORTS

International reports

The report of **Save the Children's** *Worldwide Day of Action against Violence* (20 October 2008) is now available. The day provides a focus for children and young people in all regions to voice their opposition to violence against them and to engage in ways to end it, in the context of follow up to the UN Study on Violence against Children. Many countries marked the day in 2008 by campaigning for prohibition of corporal punishment, including Bosnia and Herzegovina, Italy, Kenya, Kosovo, Lithuania, Montenegro, Peru, Philippines, Serbia and Uruguay. The report documents these events and others.

The **Children's Rights Project** has published the latest edition of *Article 19*, covering advocacy for prohibition and elimination of corporal punishment in Africa. The December 2008 edition includes the statement made by the Southern African Network to End Corporal Punishment to the African Committee of Experts on the Rights and Welfare of the Child in November and a report on the Committee's response. It also gives details of the Network's presentation to the All Africa Council of Churches Conference in Mozambique, and covers the annual 16 Days of Activism Campaign against violence against women and children.

National reports/research

Australia: A study of child homicides in New South Wales, published in the *Medical Journal of Australia*, found that the most common cause of death was child abuse through physical punishment, which accounted for 36% (59 deaths) over the 14 year period 1991-2005. In almost three in four cases, children had been beaten, thrown or shaken to death by their parents/carers. Children below the age of one are more likely to be killed than older children. Only a minority of perpetrators were affected by severe mental illness at the time of the killing. The researchers, backed by the [Australian Childhood Foundation](#), have called for corporal punishment to be prohibited: "More lives could be saved by measures that reduce the incidence of child abuse, including the prohibition of corporal punishment of children."

A review of "domestic discipline" cases under section 280 of the Criminal Code – which allows parents to use "reasonable force" on their children – was undertaken by the Department of Justice and Attorney-General in Queensland. The results were tabled in Parliament in November 2008. Of the 134 cases of "excessive discipline" in 2006-7, more than half (80 cases) involved the use of implements, including cattle prods. In 85 cases children were hit on the head, in 36 cases they were punched, in 13 kicked. According to Premier Anna Bligh, the review shows that section 280 of the Criminal Code – which allows parents to use "reasonable force" on their children – is not being used as a loophole to protect violent parents. But child protection experts said that the high numbers of children being punched, kicked and hit on the head showed why the law needs to be amended or repealed. (Reported in *The Australian*, 18 December 2008)

Guyana: Research has been conducted by a group of individuals and organisations against corporal punishment to inform the campaign for prohibition of corporal punishment in schools.

Removing Corporal Punishment from Schools: Integrating Partner Efforts marks the end of the first phase of a long-term initiative. It identifies the views, needs and fears of children, parents and teachers, based on focus groups, questionnaires, interviews, and reviews of relevant research and political and non-political materials. It found, among other things, that while there was high support for school corporal punishment among parents (92%) and only 8% felt it should be abolished, almost one in four (23%) felt that children would be better behaved in class if corporal punishment was not used and 2% felt there would be no change in behaviour. Parents reported they would support prohibition if schools and teachers were properly resourced and trained in positive disciplinary methods. Few parents indicated that their opinions would be changed by media campaigns or celebrity endorsements. The report, which will shortly be available on the Global Initiative website, includes recommendations for a targeted awareness raising campaign and other measures to eliminate corporal punishment in schools and to support prohibition in law.

The report of the second Guyana Multiple Indicator Cluster Survey (MICS), carried out by the Bureau of Statistics and UNICEF in 2006, was published in December. The survey of more than 5,000 households showed that 74% of children were subjected to at least one form of psychological or physical punishment; 16% experienced severe punishment; 59% minor physical punishment; 63% psychological punishment. Only 8% were not subjected to these forms of punishment.

Jordan: Research carried out by UNICEF into violence against children at school found that around 71% of the 3,000 schoolchildren aged 9-16 involved in the research had been subjected to verbal abuse, and 57% had experienced severe physical abuse at the hands of their teachers and parents. UNICEF, in cooperation with others, is to develop a national strategy to address the problem. (Reported in *The Jordan Times*, 5 January 2009)

New Zealand: The third review of the impact on police activity of the repeal of the defence justifying corporal punishment by parents was published in December. It shows that while serious incidents are being prosecuted, there is no significant rise in the number of parents being prosecuted, countering the predictions of those opposed to prohibition that the law would lead to untold number of prosecutions and families being torn apart. The majority of cases of “smacking” and “minor acts of physical discipline” were dealt with by referral to the Ministry of Social Development (Child Youth and Family) or an inter-agency case management meeting.

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4 MEDIA WATCH

A selection of media reports on corporal punishment – positive and negative:

Egypt: A teacher was sentenced by an Alexandria court to six years in prison for beating to death an 11 year old student who had not done his homework, receiving the minimum penalty when the victim is a child. Despite the prohibition of corporal punishment in schools, the teacher had claimed that he intended to discipline the boy, not to hurt him. (*Daily News Egypt*, 26 December 2008)

India: Eight-year old Iftesham Chowdhury died a day after allegedly being slapped by her yoga teacher at a school in Calcutta. Shortly after the incident she fell into a coma from which she never regained consciousness. The case is being treated as one of causing death due to negligence. (*The Telegraph*, 1 December 2008)

In light of repeated reports of corporal punishment in schools, the West Bengal Board of Secondary Education is planning to introduce guidelines and introduce training for teachers on anger management and on reducing stress among students. (*Express India*, 8 December 2008)

St Kitts and Nevis: Department of Child Protection Services Director, Maurice Williams, stated that public confusion about abuse and punishment is one of the biggest barriers to child protection in the country. He observed that while corporal punishment remains lawful there is little that can be done to prevent it and that St Kitts “would eventually need to do away with corporal punishment in order to be in compliance with [the Convention on the Rights of the Child]”. (*SKNVibes*, 8 December 2008)

UK: Legislation has been passed to close a loophole in the law to ensure that all providers of education, including small private groups, are subject to education law, including the prohibition of corporal punishment. (*Telegraph.co.uk*, 30 December 2008)

An investigation by *The Times* revealed that Muslim children are being regularly beaten by teachers at some British madrassas (Islamic evening classes). (*The Times*, 10 December 2008)

Welsh Assembly Member Christine Chapman congratulated the Children’s Commissioner on his work since being appointed in March and drew attention to the need to end corporal punishment of children in the home. Welcoming the recognition by the UN Committee on the Rights of the Child of the Assembly’s commitment to equal protection for children, she went on to state: “However, I wish to put on record again my disappointment, which I think is shared by many members, that the recent opportunity at Westminster to prohibit the physical punishment of children was not taken. We now have a very good story to tell in Wales – we need to build on that.” (*Cynon Valley Leader*, 25 December 2008)

Viet Nam: A seminar was held in December by the Department of Labour, Invalids and Social Affairs’ Children Department to address the increasing reports of corporal punishment by parents and teachers and of serious injuries and deaths. It was reported that in HCM City 58% of children say they are flogged or scolded by parents and teachers every time they make a mistake. There was a call for a media campaign and a hotline for children was announced, but there was no reported call for prohibition of corporal punishment by parents. (*Viet Nam News*, 18 December 2008)

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5 HUMAN RIGHTS MONITORING

The **Committee Against Torture** published its [concluding observations](#) on states parties examined at its 41st session in November 2008. The Committee recommended that Belgium, Serbia and Montenegro prohibit by law all corporal punishment, including in the home. The Committee welcomed the prohibition of corporal punishment in schools and in the justice system in China.

Following its 42nd session in October/November 2008, the **Committee on the Elimination of Discrimination against Women** recommended that the government of Ecuador “expressly prohibit corporal punishment of children in the home, as well as in care and justice institutions” ([Concluding observations on sixth/seventh report](#), para. 21).

The **Third Committee of the General Assembly** adopted its [Resolution on the Rights of the Child 2008](#) at its 63rd session. Paragraph 27 includes a number of recommendations concerning corporal

punishment, urging states “(b) to respect fully the rights, human dignity and physical integrity of children and to prohibit and eliminate any emotional or physical violence or any other humiliating or degrading treatment”, “(g) to strive to change attitudes that condone or normalize any form of violence against children, including cruel, inhuman or degrading forms of discipline, harmful traditional practices and all forms of sexual violence” and “(h) to take measures to promote constructive and positive forms of discipline and child development approaches in all settings, including the home, schools and other educational settings, and throughout care and justice systems”.

The **Human Rights Council** UN Forum on Minority Issues held its inaugural meeting in December, focusing on the right to education. The American Civil Liberties Union made a submission on minority access to education in the US which drew attention to the use of corporal punishment in American schools and its impact on minority students, and recommended its prohibition. The draft recommendations of the Forum do not recommend prohibition but do recommend that “disciplinary actions taken against students should be proportionate, fair and be immune from any perception of bias against minority students”.

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 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 is holding its 50th session in January 2009 and will examine the following states: *Convention on the Rights of the Child* – Democratic People’s Republic of Korea, Democratic Republic of Congo, Malawi, Republic of Moldova, Netherlands (including Aruba and Netherlands Antilles), Republic of Chad; *Optional Protocol on the Involvement of Children in Armed Conflict* – Maldives, Republic of Moldova, Tunisia; *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* – Maldives, Netherlands.

At the same session, the Pre-Sessional Working Group of the Committee will be drafting lists of issues and questions for future examination of: *Convention on the Rights of the Child* – Bangladesh, France, Mauritania, Niger; *Optional Protocol on the Involvement of Children in Armed Conflict* – Oman, Slovenia; *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* – Oman, Slovenia. **Briefings on these states should be submitted before 12 January 2009.**

The Committee Against Torture will be holding its 42nd session in Apr/May 2009 and will examine: Chad, Chile, Honduras, Israel, New Zealand, Nicaragua, Philippines.

At the same session, the Pre-Sessional Working Group will be considering issues and questions for future examination of: Azerbaijan, Colombia, El Salvador, Moldova, Slovakia, Spain, Yemen. **Briefings on these states should be submitted before 20 April 2009.**

The Committee on Economic, Social and Cultural Rights will be holding its 42nd session in May 2009 and will examine: Australia, Brazil, Cambodia, Cyprus, Madagascar, UK.

At the same session, the Pre-Sessional Working Group will consider issues and questions for future examination of: Algeria, Colombia, Democratic Republic of Congo, Gabon, Kazakhstan, Mauritius. **Briefings on these states should be submitted before 18 May 2009.**

The Human Rights Committee will be holding its 95th session in March 2009 and will examine: Australia, Chad, Rwanda, Sweden.

At the same session, the Country Report Task Forces will consider issues and questions for

future examination of: Croatia, Moldova, Russian Federation, Switzerland, United Republic of Tanzania. **Briefings on these states should be submitted before 9 March 2009.**

The *Committee on the Elimination of Discrimination against Women* will be holding its 43rd session in Jan/Feb 2009 and will examine: Armenia, Cameroon, Dominica, Germany, Guatemala, Haiti, Libyan Arab Jamahiriya, Rwanda.

At the same session, the Pre-Session Working Group will consider issues and questions for future examination of: Botswana, Egypt, Malawi, Netherlands, Panama, United Arab Emirates, Ukraine, Uzbekistan. **Briefings on these states should be submitted before 15 January 2009.**

Plus ...

In December the **Human Rights Council** held its 3rd session of the *Universal Periodic Review*. Corporal punishment and its legality was raised as an issue in the examination of Bahamas, Barbados, Cape Verde, Liechtenstein, Luxembourg, Tuvalu and United Arab Emirates (for further information see the *Working Group Reports*).

The 4th session is due to take place in February 2009 and involves the following states: Cameroon, Djibouti, Mauritius, Nigeria, Senegal, Bangladesh, China, Jordan, Malaysia, Saudi Arabia, Cuba, Mexico, Canada, Germany, Russian Federation, Azerbaijan.

The deadline for submission of briefings for the 5th session has already passed, but briefings may be submitted for the 6th session, to be held in Nov/Dec 2009, as follows:

By 13 April 2009 for Cote d'Ivoire, Democratic Republic of Congo, Equatorial Guinea, Eritrea, Ethiopia, Bhutan, Brunei Darussalam, Cambodia

By 20 April 2009 for Albania, Costa Rica, Cyprus, Democratic People's Republic of Korea, Dominica, Dominican Republic, Norway, Portugal.

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6 CAN YOU HELP?

Many thanks to all those who have sent us information since the last newsletter!

If you can provide information relating to the legality of corporal punishment of children, research on prevalence and/or children's views and experiences, positive parenting resources, or initiatives and campaigns promoting prohibition, please email info@endcorporalpunishment.org. We are particularly trying to find out if corporal punishment of children has been explicitly prohibited in the following settings/states:

Penal system (sentence of the courts) – Central African Republic, Djibouti, Equatorial Guinea, Gabon, Oman

Penal system (disciplinary measure in penal institutions) – Bahrain, Central African Republic, Equatorial Guinea, Eritrea, Gabon, Guinea, Libyan Arab Jamahiriya, Niue, Sao Tome & Principe, Syrian Arab Republic

Alternative care settings – China, El Salvador, Gabon, Guinea-Bissau, Kuwait, Libyan Arab Jamahiriya, Taiwan

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We hope you find this newsletter informative and useful and welcome your comments: please email info@endcorporalpunishment.org. We are sending the newsletter to supporters of the aims of the Initiative (for the full list, click on “Supporters” on the [sitemap](#)) 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 (email info@endcorporalpunishment.org).

To receive the latest developments between newsletters, please sign up to the RSS news feed at www.endcorporalpunishment.org.

“While we encourage open and frank dialogues, the issue of schoolchildren beatings is a red line and is unacceptable under any circumstances ... Our children do not only go to schools to learn the curricula. Schools are their small communities that represent our values, beliefs and reality... It is also there where our children learn that respect is something they earn and not taken by force. [Respect] is taught and is not applied with a stick, shouting or threats.”

(Her Majesty Queen Rania of Jordan, December 2008)