

# Ending legalised violence against children

GLOBAL PROGRESS TO DECEMBER 2017



Following up the United Nations Secretary General's study on violence against children

**Ending legalised violence against children: Global progress to December 2017.  
Following up the UN Secretary General's Study on Violence against Children**

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**[www.endcorporalpunishment.org](http://www.endcorporalpunishment.org)**

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**NOTE ON FACTS AND FIGURES**

The Global Initiative bases its analyses on a total of 199 states, all states parties to the UN Convention on the Rights of the Child except Holy See, plus Kosovo, Taiwan, the US and Western Sahara. Child population figures are from UNICEF 2015 and, where these are unavailable, UNICEF 2013 (Western Sahara) and Department of Household Registration, Ministry of Interior, 2013 (Taiwan).

# Our aim

**To end legalised violence against children through universal prohibition and elimination of all corporal punishment – the most common form of violence against children**

**We work as a catalyst promoting progress towards ending all corporal punishment by:**

- 1 Encouraging governments and others to “own” the issue and work actively on it**
- 2 Supporting national campaigns and partners with relevant information and assistance**
- 3 Conducting legal research on corporal punishment and reviewing research on its prevalence and effects, the positive impact of prohibition, and positive discipline materials**
- 4 Briefing and reviewing the work of human rights treaty monitoring bodies and the Universal Periodic Review**



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A message from  
**Denise Stuckenbruck**

Chair, Global Initiative to End All Corporal Punishment of Children

What a year for the Global Initiative, and the movement towards universal prohibition and elimination of all corporal punishment of children!

This year, we added Lithuania, Montenegro and Aruba to the list of states and territories which have prohibited all corporal punishment of children, bringing global totals to 53 states and seven territories. An additional 56 states have now clearly committed to achieving prohibition, following exciting new commitments from the Governments of Bahrain, Indonesia and Ghana in 2017.

Within our team, 2017 was a year of growth and renewal. I was delighted to join the Global Initiative in April and became Chair in August, having supported and been connected to the organisation through my work since its creation in 2001. We said goodbye to some of our long-standing Council members, welcomed news ones and look forward to starting 2018 with a very diverse and active group of trustees. We were all thrilled to be joined by our new Director, Anna Henry, in September. Having worked on child and human rights across the spectrum of National Human Rights Institutions, children's ombudsman and NGOs, Anna is well placed to build on the success and momentum of the Global Initiative.

In keeping with the renewal process, we are embarking on an exciting review of our work, considering how we as an organisation adapt to the evolving global landscape and global momentum to end all violence against children in the context of the Sustainable Development Goals, and look forward to launching a new five-year strategy in April 2018.

We know that we still have much to do. Despite accelerating progress, only 10% of the world's children live in states which recognise their right to protection from all forms of violence and to equal protection from assault. The Global Initiative does not shy away from the challenges of making this right a reality for all children across the globe – and we look forward to working with you, our friends and supporters, towards this most important goal for children.



A message from

## Susan Bissell

Director, Global Partnership to End Violence against Children

Nine out of every ten of the world's children live in states where the law doesn't recognise their rights to equal protection from assault. The consequences are evident; nearly all forms of corporal punishment were used more commonly in countries without legal bans than in those with such bans. The recent Know Violence in Childhood report estimates that corporal punishment affects nearly 80 percent of the 1.7 billion children who experienced violence. This should set a priority for governments and all other stakeholders. We encourage them to adopt INSPIRE, the seven evidence-based strategies to prevent and respond to violence against children. The "I" in INSPIRE stands for "Implementation and enforcement of laws". Certainly, we cannot address these epidemic levels of violence without laws that prohibit all of its forms. Perpetrators must be held accountable for their actions.



A message from

## Professor Paulo Sérgio Pinheiro

Independent Expert who led the UN Secretary General's Study on Violence against Children; Chair, UN Independent International Commission of Inquiry on the Syrian Arab Republic

Over ten years since the World Report on Violence against Children identified violent punishment as the most common form of violence experienced by children in all regions, two major reports published this year – by UNICEF and Know Violence in Childhood – highlight its ongoing prevalence and legality, and call for laws banning corporal punishment in all settings. Of course progress has been made – monitoring by the Global Initiative shows 53 states now prohibit all corporal – but children today are still lawfully assaulted by parents, carers and teachers in the majority of states worldwide. We know that prohibition of corporal punishment in law provides the essential foundation for eliminating its use. We must reform the law and ensure its effective implementation in the best interests of children – and we must do it now!



A message from

## **Marta Santos Pais**

Special Representative of the UN Secretary General on Violence against Children

Over the past years we have witnessed significant progress in children's protection from violence. But, as this global reports highlights, countless millions of children continue to lack legal protection from neglect, abuse, exploitation or violent punishment. In the 2017 UN General Assembly resolution on the Rights of the Child, States recommitted to adopt all necessary measures to prevent and respond to violence in all its forms, in line with the Convention on the Rights of the Child and the 2030 Agenda for Sustainable Development. To translate this commitment into reality and achieve SDG target 16.2, it is critical to invest in positive parenting and early childhood development initiatives, and enact and enforce a comprehensive legal ban on all forms of violence against children, including corporal punishment in all settings.



A message from

## **Benyam Dawit Mezmur**

Chair, African Committee of Experts on the Rights and Welfare of the Child;  
Member and former Chair, Committee on the Rights of the Child

Monitoring by the Global Initiative shows more than half of all UN member states have now either prohibited all corporal punishment of children (53 states) or clearly committed to doing so (55 states). But despite significant progress, children in the majority of states worldwide can still be lawfully hit and hurt by those closest to them – in clear violation of their right to human dignity. Targets in the 2030 Agenda for Sustainable Development and Africa's Agenda for Children 2040 provide additional opportunities to push for progress. The Committee on the Rights of the Child and the African Committee of Experts on the Rights and Welfare of the Child continue to highlight states' obligation to prohibit and eliminate corporal punishment of children in all settings, including where they should be safest – in their home.

# Progress in numbers

**53**

STATES HAVE PROHIBITED ALL CORPORAL PUNISHMENT OF CHILDREN

**56**

STATES HAVE COMMITTED TO PROHIBITING ALL CORPORAL PUNISHMENT

**130**

STATES HAVE PROHIBITED CORPORAL PUNISHMENT IN ALL SCHOOLS

**443**

RECOMMENDATIONS HAVE BEEN MADE BY THE UN COMMITTEE ON THE RIGHTS OF THE CHILD...

**190**

STATES HAVE RECEIVED THESE RECOMMENDATIONS TO END CORPORAL PUNISHMENT

**62**

STATES HAVE ACCEPTED UPR RECOMMENDATIONS TO PROHIBIT CORPORAL PUNISHMENT

## But...

ONLY

**10%**

OF THE WORLD'S CHILDREN LIVE IN STATES WHERE THE LAW RECOGNISES THEIR RIGHT TO EQUAL PROTECTION FROM ASSAULT

IN

**34**

STATES, CHILDREN CONVICTED OF AN OFFENCE MAY BE SENTENCED TO CORPORAL PUNISHMENT UNDER CRIMINAL, RELIGIOUS AND/OR TRADITIONAL LAW

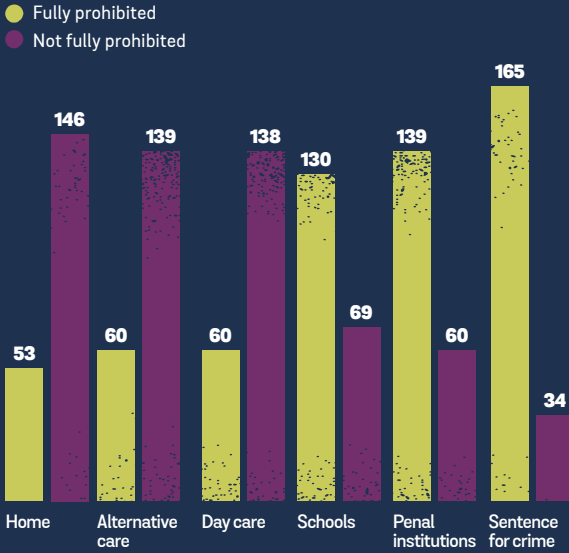
IN

**19**

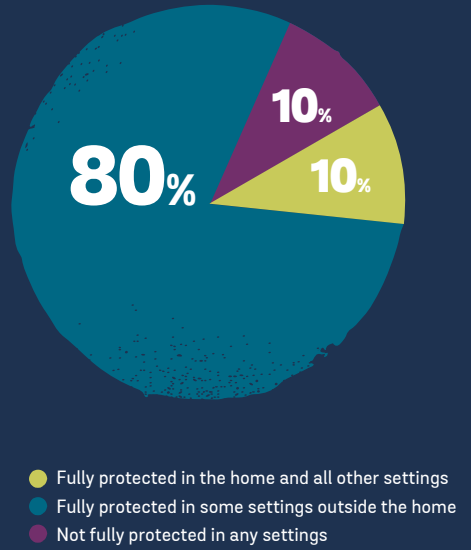
STATES, CORPORAL PUNISHMENT IS NOT FULLY PROHIBITED IN ANY SETTING, INCLUDING AS A SENTENCE FOR CRIME



### Number of states worldwide prohibiting corporal punishment of children in law

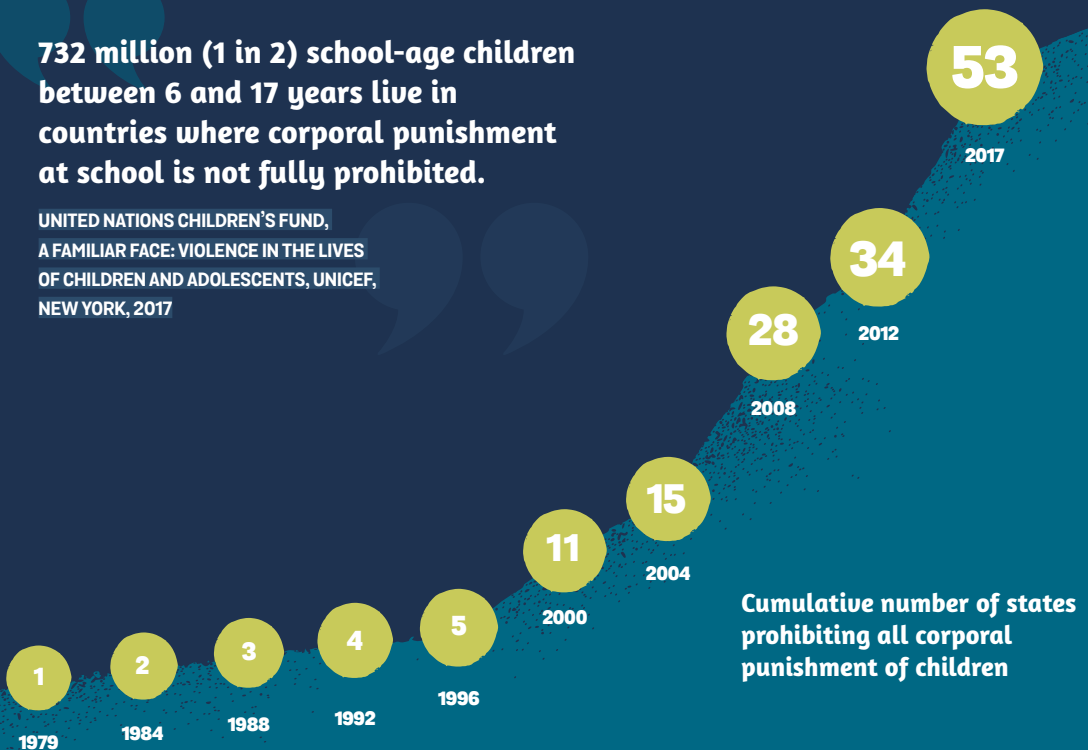


### Percentage of global child population fully protected in law from corporal punishment



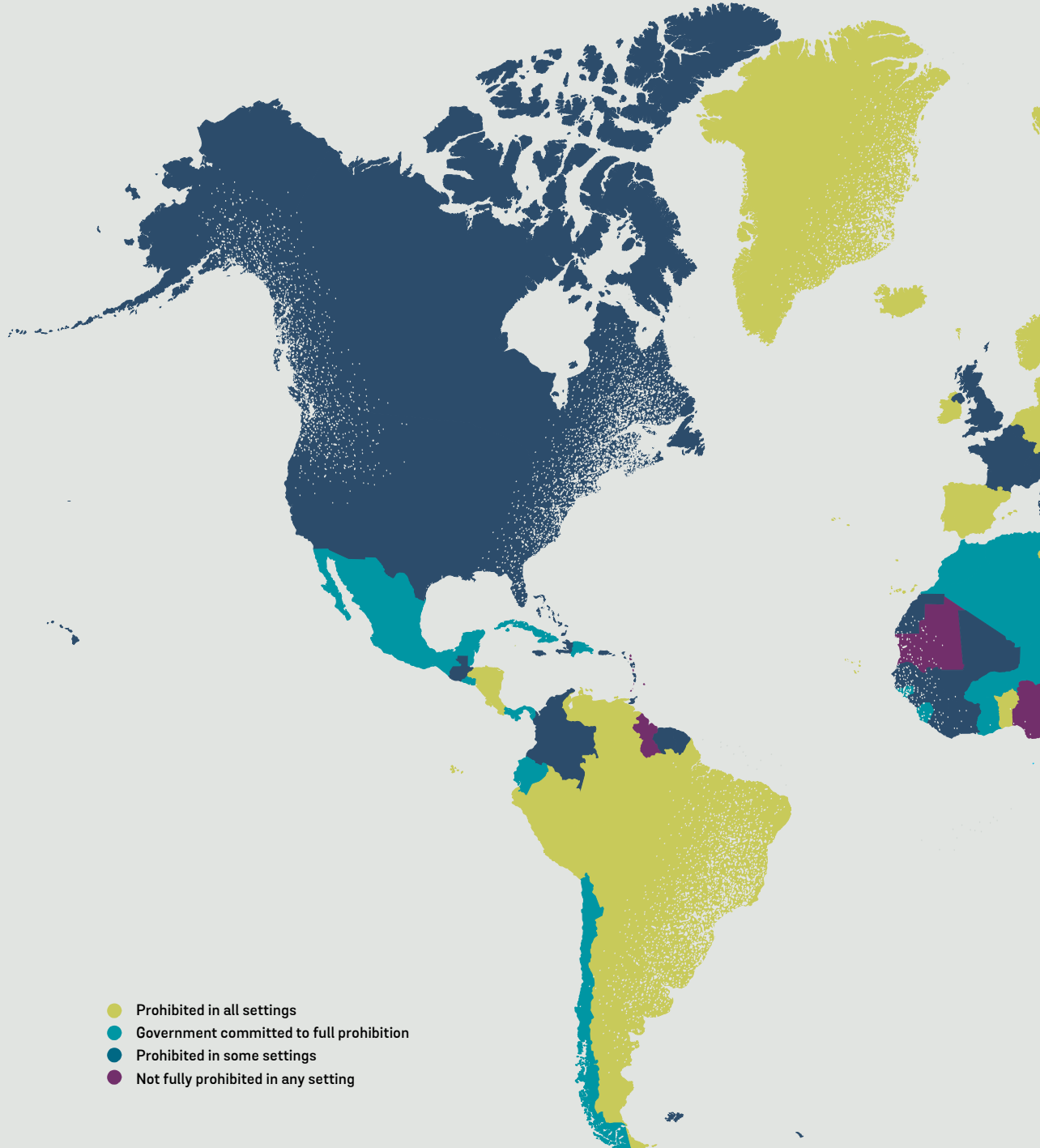
**732 million (1 in 2) school-age children between 6 and 17 years live in countries where corporal punishment at school is not fully prohibited.**

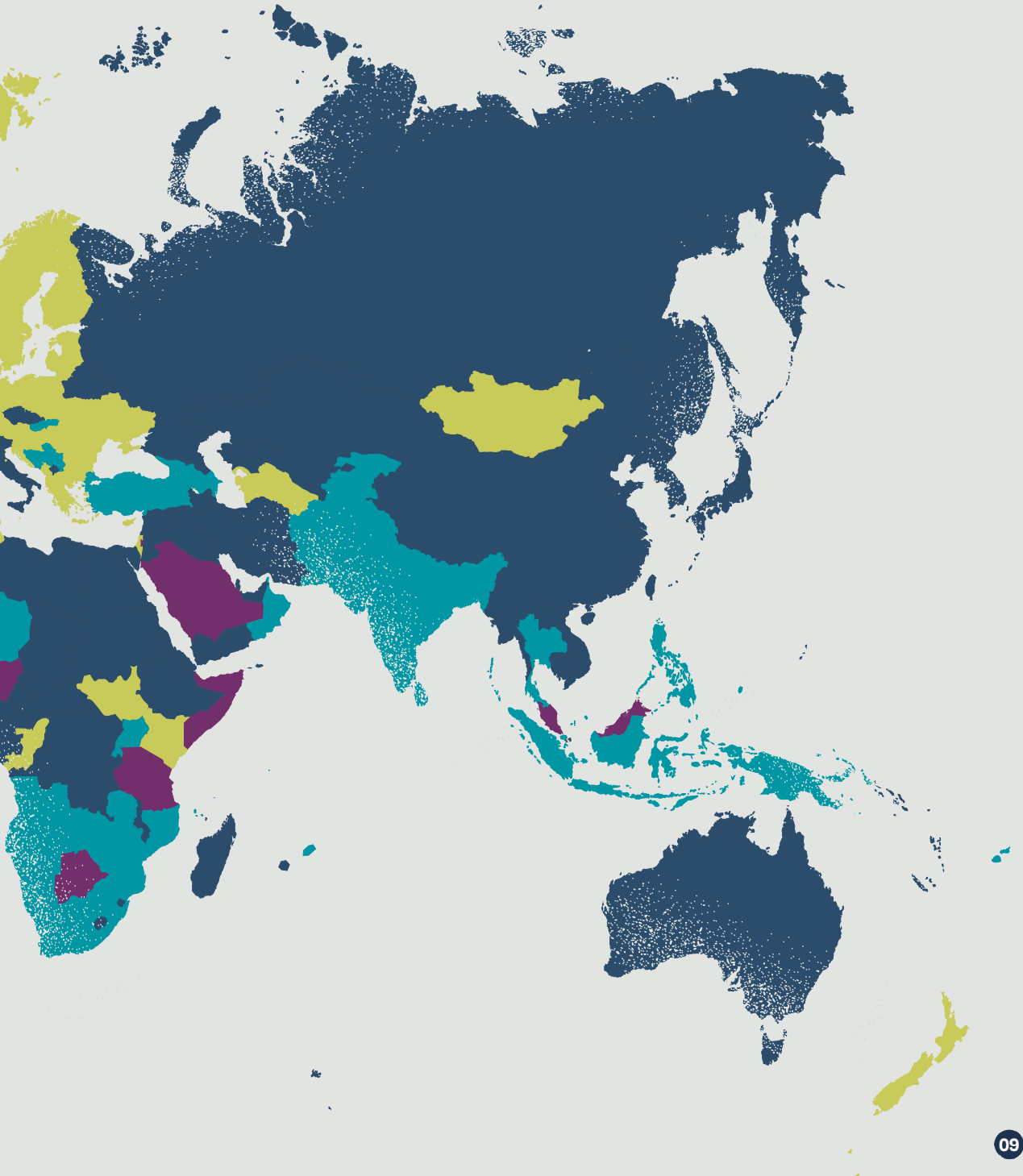
UNITED NATIONS CHILDREN'S FUND,  
A FAMILIAR FACE: VIOLENCE IN THE LIVES  
OF CHILDREN AND ADOLESCENTS, UNICEF,  
NEW YORK, 2017



**Cumulative number of states prohibiting all corporal punishment of children**

# Legality of corporal punishment

- 
- Prohibited in all settings
  - Government committed to full prohibition
  - Prohibited in some settings
  - Not fully prohibited in any setting



# Looking back at 2017

## Progress towards prohibition

**Lithuania** prohibited all corporal punishment of children in February. Amendments to the law in **Montenegro** and **Aruba** in 2016 were confirmed to have achieved prohibition. This means 53 states and 7 territories have now prohibited all corporal punishment.

The Governments of **Bahrain, Indonesia** and **Ghana** clearly committed to prohibiting all corporal punishment of children by supporting recommendations to do so made at the 27th and 28th sessions of the Universal Periodic Review.

In October, the High Court of **South Africa** declared the common law defence of “reasonable or moderate chastisement” unconstitutional, effectively giving children the same protection from assault as adults. This positive step should be confirmed in legislation, in line with the Government’s international obligations and its previous commitment to enacting full prohibition.

In February, the High Court of **Zimbabwe** declared corporal punishment of children in homes and schools unconstitutional – but in Zimbabwe, all decisions of unconstitutionality must be confirmed by the Constitutional Court and this ruling has, as yet, not been referred.

At provisional level in **Pakistan**: in January, corporal punishment was prohibited in work places, all educational institutions (including madressas), childcare institutions (including foster care and rehabilitation centres) and in the juvenile justice system in Sindh;

in February, it was prohibited in childcare institutions, all educational settings, and the juvenile justice system in Islamabad Capital Territory.

## Calls for prohibition

As part of the **Universal Periodic Review** process, **28** states made recommendations to prohibit and/or eliminate all corporal punishment to **21** states throughout the year.

The UN **Committee on the Rights of the Child**, monitoring implementation of the Convention on the Rights of the Child, made recommendations to prohibit and/or eliminate corporal punishment to every state it examined this year – a total of 21 states. Similar recommendations were also made by the Human Rights Committee, the Committee Against Torture, the Committee on the Rights of Persons with Disabilities, the Committee on the Elimination of Discrimination Against Women and the African Committee of Experts on the Rights and Welfare of the Child.

**Violence is not a private matter that should be left to families to resolve, but a matter of human rights that states have a duty to uphold.**

KNOW VIOLENCE IN CHILDHOOD:  
A GLOBAL LEARNING INITIATIVE,  
ENDING VIOLENCE IN CHILDHOOD:  
GLOBAL REPORT 2017

A new **UNICEF** report, *A Familiar Face: Violence in the lives of children and adolescents*, was published in November. Using the most current data, the report reconfirms violent discipline at home is the **most common form of violence** experienced by children; it highlights its negative impact on children and how its persisting legality shows violent discipline is not acknowledged as a form of violence against children.

In September, **Know Violence in Childhood** – an independent global learning initiative – launched its flagship report *Ending Violence in Childhood: Global Report 2017*

examining the causes and consequences of childhood violence and identifying evidence-based strategies to prevent it. The report highlights the prevalence of corporal punishment across regions and calls for laws banning all corporal punishment of children.



**But...**

In January, the Constitutional Council of **France** annulled several provisions of the Equality and Citizenship Law, passed in December 2016, including article 222 prohibiting the use of “corporal violence” against children. The provisions were challenged on the basis that they had no link with the original text of the Bill and were therefore unconstitutional. It was, in any case, unclear what impact the amendments would have had, as the term “corporal violence” was not clearly defined.

In **Russia**, a new law decriminalising a first offense of family violence was passed and signed into law in February. The new law applies to violence against any family member, including children; only violence that leads to serious injuries – like broken bones or concussion – remains criminalised.

Bills aiming to prohibit corporal punishment in public schools were defeated in a number of states in **USA**, including in Colorado, Maine and Louisiana. In Oklahoma, a new law was passed after it was amended to prohibit corporal punishment only against students “identified with the most significant cognitive disabilities”; the new law also allows a parent or legal guardian of a child to provide a waiver or agree to its use within the frame of an “annual individualized education programme”.

# How we spent 2017

2017 was an exciting year for the Global Initiative, as we welcomed our new Chair, Denise Stuckenbruck (see Denise's message on p.3) and our new Director, Anna Henry. As part of this renewal process, we have embarked on a review of our work, including the development of a five-year strategy to be launched in April 2018.

Throughout the year, as always, we have dedicated ourselves to maintaining our knowledge base, conducting legal research and maintaining detailed reports on every state and territory worldwide – in fact, **233** country reports were updated **573** times during 2017. Using this information, we continued briefing UN and regional human rights mechanisms, sending **150** briefings to treaty monitoring bodies and the Universal Periodic Review, and following up with states that received recommendations to prohibit and eliminate corporal punishment.

We also continued supporting national partners and campaigns working to end all corporal punishment with information and technical assistance, including drafting and commenting on bills to prohibit corporal punishment and facilitating national workshops to develop strategies to achieve law reform – in Myanmar, Viet Nam, Kosovo and The Gambia – and effectively implement prohibition – in Togo.

**Physical and humiliating punishment breaches the fundamental rights of children, completely disregards their entitlement to respect, dignity and integrity, undermines their development, damages their self-esteem, and perpetuates the thinking that it is alright to hit and hurt others.**

**CLAUDIANA COLE, MINISTER OF BASIC AND SECONDARY EDUCATION, DELIVERING THE KEYNOTE ADDRESS AT A NATIONAL WORKSHOP ON LAW REFORM TO PROHIBIT PHYSICAL AND HUMILIATING PUNISHMENT IN BANJUL, THE GAMBIA, 12–13 OCTOBER 2017**



In July, the Global Initiative and Save the Children Sweden published a series of three booklets answering the most frequently asked questions and dispelling common misperceptions about the reasons for prohibition of corporal punishment and its impact on families. The first booklet addresses the purpose of a legal ban and what prohibition will mean for parents and family life; the second booklet answers questions in a way that is accessible to children and young people, and the third booklet addresses specific questions about prohibition in schools.

The booklets are available now in Albanian, English, French, Portuguese, Russian and Spanish, and will soon be available in Arabic, Bengali, Mandarin and Thai. Publication is planned for Hungarian, Japanese, Lithuanian and Serbian in 2018.



**Nearly half of one-year-old children in 29 countries experience shouting, yelling or screaming as a form of discipline; 3 in 10 are subjected to spanking.**

**UNITED NATIONS CHILDREN'S FUND, A FAMILIAR FACE: VIOLENCE IN THE LIVES OF CHILDREN AND ADOLESCENTS, UNICEF, NEW YORK, 2017**

**If your organisation is actively working towards prohibition or elimination of corporal punishment of children, or you would like to, contact us at [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org) to find out how we can help.**

# Making prohibition a reality

The ultimate goal of prohibiting corporal punishment is to ensure that no child ever experiences it, by eliminating its use completely. Legal prohibition sends a clear message that hitting and hurting a child, for whatever reason, is wrong, just as hitting and hurting adults is wrong. But implementing the law is not only

about responding to adults who violently punish children – it is primarily about transforming attitudes and practice so that physical punishment is no longer seen as acceptable, enabling a shift in social norms towards positive, non-violent childrearing methods.

## Implementing prohibition in Togo

In January 2017, Plan International Togo and the Togolese National Coalition on Education For All (CNT/EPT) held a workshop to adopt a national strategy for moving from prohibition to elimination of corporal punishment of children in Togo. In collaboration with the Global Initiative and supported by Plan International Sweden, the workshop involved sharing best practices that successfully contributed to eliminating corporal punishment in other similar contexts, developing an innovative national strategy towards elimination, and defining key messages to be used in an upcoming national awareness-raising campaign.



**Governments that have not already done so should be encouraged to enact and enforce legislation to protect children from all forms of violence, including corporal punishment in all settings, even in the home, and by all perpetrators, including teachers and other school personnel.**

UNITED NATIONS CHILDREN'S FUND, A FAMILIAR  
FACE: VIOLENCE IN THE LIVES OF CHILDREN AND  
ADOLESCENTS, UNICEF, NEW YORK, 2017

### **Non-violent Childhoods: Moving on from corporal punishment in the Baltic Sea Region**

The Council of the Baltic Sea States, in cooperation with the Global Initiative, is implementing a two-year project, Non-violent Childhoods, supported by the European Union. The initiative aims to promote effective implementation of legal bans on corporal punishment through collaborative, multi-stakeholder planning and action, drawing on the experience of states in the Baltic Sea Region where ten out of 11 states have prohibited all corporal punishment – ranging from those with over 30 years' experience implementing the ban to those that have just recently embarked on this journey.

The project includes national consultations in Sweden (May 2017), Finland (June 2017), Latvia (October 2017), Estonia (November 2017) and Poland (November/December 2017); a series of thematic expert consultations in the first half of 2018, and the development of five guidance materials to convey key messages and best practices for bringing national laws into practice. The outcomes of the initiative will be presented at a conference in Stockholm, Sweden, in late 2018.

Visit the project website to read more about the initiative, national partners and activities:  
[www.childrenatrisk.eu/nonviolence](http://www.childrenatrisk.eu/nonviolence)

# Coming up in 2018

## **New year, new look, new website!**

### **In the coming months...**

The Global Initiative is getting ready to launch our new logo and website – sign up to our newsletters and alerts at [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org) to be informed when our new look and website go live!

## **End Violence Solutions Summit**

### **February 2018**

The Swedish Government – as a pathfinder under the Global Partnership to End Violence Against Children – will host a Solutions Summit, bringing together governments and a range of other actors to design and share bold solutions for preventing and responding to violence against children, including corporal punishment.

## **Intergovernmental conference: Childhoods free from corporal punishment**

### **June 2018**

The Maltese Government will host the third high-level intergovernmental conference to support and facilitate collaboration and learning between governments working towards prohibition and elimination of all corporal punishment of children. Previous conferences were held in Austria (2016) and Sweden (2014).

## **European conference: Non-violent childhoods**

### **November 2018**

Outcomes from the Non-violent Childhoods project – implemented by the Council of the Baltic Sea States and the Global Initiative, with support from the European Union – including guidance materials on effective implementation of legal prohibition of corporal punishment, will be launched at a conference in Stockholm, Sweden.

## **Parliament of the World's Religions**

### **November 2018**

The Global Interfaith Movement will hold a Parliament of the World's Religions in Ontario, Canada, promoting inter-religious harmony and providing a framework for expressing many visions of a just, peaceful and sustainable future. The last Parliament was held in Utah, USA, in 2015.

**Universal prohibition and elimination of all corporal punishment of children is supported by UNICEF, UNESCO and many international and national organisations, including...**

ActionAid International  
Amnesty International  
Association for Childhood Education International  
Association for the Prevention of Torture  
Better Care Network  
Child Helpline International  
Child Rights Connect  
Child Rights International Network (CRIN)  
ChildFund International  
Consortium for Street Children  
Defence for Children International  
Disabled Peoples' International  
ECPAT International  
EveryChild  
Franciscans International  
Global Campaign for Education  
Harm Reduction International  
HealthRight International  
Home-Start Worldwide  
Human Rights Watch  
Inclusion International  
International Council of Nurses  
International Disability Alliance (IDA)  
International Federation of Social Workers (IFSW)  
International Federation Terre des Hommes  
International Foster Care Organisation  
International Pediatric Association  
International Society for the Prevention of Child Abuse and Neglect (ISPCAN)  
OMCT – World Organisation Against Torture  
Plan International  
Rehabilitation International  
Right to Education Project  
Save the Children  
Sightsavers  
SOS Children's Villages International



The **Global Initiative to End All Corporal Punishment of Children** works with governments and non-governmental actors towards universal prohibition and elimination of corporal punishment of children.

[www.endcorporalpunishment.org](http://www.endcorporalpunishment.org)



**Save the Children Sweden** is committed to ending all forms of violence against children including physical and humiliating punishment, and works for its universal prohibition and elimination.

[www.raddabarnen.se](http://www.raddabarnen.se)  
[resourcecentre.savethechildren.net](http://resourcecentre.savethechildren.net)