

Progress towards prohibiting all corporal punishment in East Asia and the Pacific



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The following table summarises the legal status of corporal punishment of children – and progress towards achieving prohibition – in all settings in all states in East Asia and the Pacific. As at June 2024, five states have achieved prohibition in all settings, including the home; governments of at least five others have expressed a commitment to enacting full prohibition. Six states have prohibited corporal punishment in all alternative care settings, six in day care, 19 in schools, 23 in penal institutions and 25 as a sentence for crime.

States with full prohibition in legislation

The following states have prohibited corporal punishment in all settings, including the home.

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Japan	YES ¹	YES	YES	YES	YES	YES
Mongolia	YES ²	YES	YES	YES	YES	YES
New Zealand	YES ³	YES	YES	YES	YES	YES
Republic of Korea	YES ⁴	YES	YES	YES	YES	YES
Lao PDR	YES ⁵	YES	YES	YES	YES	YES

States expressing commitment to law reform in UPR and other contexts

Governments in the following states have expressed a commitment to prohibition of all corporal punishment of children through unequivocally accepting recommendations to prohibit made during the Universal Periodic Review (UPR) of the state concerned and/or in another official context. For more information on how End Corporal Punishment assesses states' commitment, visit <https://endcorporalpunishment.org/committed-states/>.

¹ Prohibited in 2019 amendments to the Child Abuse Prevention Law 2000 and assorted guidelines

² Prohibited in Law on the Rights of Children 2016 and Law on Child Protection 2016

³ Prohibited in Crimes (Substituted Section 59) Amendment Act 2007

⁴ Prohibited in March 2021 with the repeal of article 915 of the Civil Act and de facto application of article 5(2) of the Child Welfare Act

⁵ Prohibited in Law on the Protection of the Rights and Interests of Children 2006 (Amended 2023)

<i>States committed to law reform ...</i>						
State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Cambodia ⁶	NO	NO	NO	YES	YES	YES
China ⁷	NO ⁸	[NO]	SOME ⁹	YES	YES	YES
Indonesia ¹⁰	NO	NO ¹¹	NO	NO	YES	SOME ¹²
Myanmar ¹³	NO	NO	NO	NO ¹⁴	NO	YES ¹⁵
Philippines ¹⁶	NO	YES	YES	YES	YES	YES
Timor-Leste ¹⁷	NO	NO	NO	NO	YES	YES

States without a clear commitment to law reform

The following states are not currently committed to prohibiting all corporal punishment. Some have yet to make a clear commitment to law reform. Some have accepted UPR recommendations to prohibit but have also indicated that they consider existing legislation adequately protects children from corporal punishment, in conflict with information collected by End Corporal Punishment. Some have accepted some UPR recommendations to prohibit corporal punishment but rejected other similar recommendations. Others had previously committed but have since either backtracked on that commitment or have failed to take action on it.

<i>States without a clear commitment to law reform ...</i>						
State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Australia	NO	SOME ¹⁸	SOME ¹⁹	SOME ²⁰	SOME ²¹	YES
Brunei Darussalam ²²	NO	NO	SOME ²³	NO	NO	NO
Cook Islands	NO	NO	SOME ²⁴	YES	NO	YES
DPR Korea ²⁵	NO	NO	NO	[NO] ²⁶	[YES]	[YES]
Fiji ²⁷	NO	NO	NO	YES ²⁸	YES	YES

⁶ Government representative confirmed in 2019 that prohibition of all corporal punishment was a priority; law reform included in Action Plan to Prevent and Respond to Violence Against Children 2017-2021

⁷ Government accepted UPR recommendations to prohibit in all settings (2018)

⁸ But corporal punishment of girls prohibited in Shenzhen Special Economic Zone

⁹ Prohibited in nurseries and kindergartens

¹⁰ Government accepted UPR recommendations to prohibit in all settings (2017)

¹¹ National Standards of Care for Child Welfare Institutions state corporal punishment should not be used but no prohibition in law

¹² Lawful under Shari'a law

¹³ Child Rights Law 2019 included provisions that were reportedly intended to prohibit all corporal punishment of children (full analysis ongoing)

¹⁴ Government directive advises against corporal punishment but no prohibition in law

¹⁵ But some legislation still to be repealed

¹⁶ Government accepted UPR recommendation to prohibit in the home and other settings (2012)

¹⁷ Government accepted UPR recommendation to prohibit (2011)

¹⁸ Prohibited in all residential centres and foster care in all states/territories except Northern Territory, Tasmania, Victoria and Western Australia

¹⁹ Prohibited in all states/territories except in Northern Territory and Tasmania; prohibition in childminding unconfirmed

²⁰ Prohibited in all states/territories except Queensland

²¹ Prohibited in all states/territories except Australian Capital Territory and Western Australia

²² Government accepted some UPR recommendations to prohibit but rejected others (2009)

²³ Prohibited in childcare centres

²⁴ Prohibited in institutions providing early childhood education

²⁵ Government accepted UPR recommendation to prohibit in all settings (2014)

²⁶ Policy states corporal punishment should not be used but possibly no prohibition in law

²⁷ Had initially committed to prohibition by accepting UPR recommendation in 2014; but no progress since

²⁸ Unlawful under 2002 High Court ruling, not yet confirmed in legislation

<i>States without a clear commitment to law reform ...</i>						
State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Kiribati ²⁹	NO	NO	SOME ³⁰	YES	NO	SOME ³¹
Malaysia	NO	NO	NO	NO	NO	NO ³²
Marshall Islands ³³	NO	NO	NO	[YES] ³⁴	YES	YES
Micronesia ³⁵	NO	NO	NO	[YES]	NO	YES
Myanmar ³⁶	NO	NO	NO	NO ³⁷	NO	YES ³⁸
Nauru	NO	NO	[SOME] ³⁹	YES	YES	[YES]
Niue	NO	NO	NO	NO	[YES]	YES
Palau ⁴⁰	NO	NO	NO	NO	NO	YES
Papua New Guinea ⁴¹	NO	SOME ⁴²	NO	NO	YES	YES
Samoa ⁴³	NO	NO	SOME ⁴⁴	SOME ⁴⁵	YES	YES
Singapore	NO	NO	SOME ⁴⁶	NO	NO	NO
Solomon Islands ⁴⁷	NO	NO	NO	NO	YES	YES ⁴⁸
Taiwan	NO	NO	SOME ⁴⁹	YES	YES	YES
Thailand ⁵⁰	NO	NO	NO	YES	YES	YES
Tonga	NO	NO	SOME ⁵¹	YES	[YES]	NO ⁵²
Tuvalu ⁵³	NO	SOME ⁵⁴	NO	NO	SOME ⁵⁵	SOME ⁵⁶
Vanuatu	NO	NO	NO	YES	YES	SOME ⁵⁷
Viet Nam	NO	NO	NO	YES	YES	YES

²⁹ Had initially committed to prohibition by accepting UPR recommendations to prohibit in all settings and repeal “reasonable punishment” defence (2015); but later implied corporal punishment was already prohibited (2018)

³⁰ Prohibited in early childhood care and education for children between 3 and 6 years old

³¹ But used in traditional justice

³² Government committed to prohibition (2007); bill which would prohibit (but not under Islamic law) under discussion (2015)

³³ Had initially committed to prohibition by accepting UPR recommendations to prohibit (2015); but no progress since

³⁴ But some legislation still to be formally repealed

³⁵ Had initially committed to prohibition by accepting UPR recommendations to prohibit in all settings (2015); but no progress since

³⁶ Child Rights Law 2019 included provisions that were reportedly intended to prohibit all corporal punishment of children. Development of the Child Rights Law 2019 Implementing Rules (which would provide clarification) was suspended in 2021

³⁷ Government directive advises against corporal punishment but no prohibition in law

³⁸ But some legislation still to be repealed

³⁹ Possibly prohibited in preschool education settings

⁴⁰ Had initially committed to prohibition by accepting UPR recommendations to prohibit (2011, 2016); but Penal Code 2013 authorised the use of force in disciplining children

⁴¹ Had initially committed to prohibition by accepting UPR recommendation to prohibit in all settings (2011); but later claimed prohibition was already achieved (2016)

⁴² Corporal punishment of children “in the care of the Director” prohibited

⁴³ Had initially committed to prohibition by accepting UPR recommendation to prohibit in the home (2011); but in 2019 reintroduced “reasonable force” against students in government secondary schools

⁴⁴ Prohibited in early childhood centres

⁴⁵ Prohibited in government primary schools

⁴⁶ Early Childhood Development Centres Regulations 2018 prohibit corporal punishment in early childhood development centres

⁴⁷ Government accepted UPR recommendation to prohibit in all settings (2011) but stated review of Penal Code included assessing need for clarification on lawful corporal punishment

⁴⁸ But used in traditional justice

⁴⁹ Prohibited in preschools and community, tribal and workplace cooperative early childhood care institutions for children between two and six

⁵⁰ Had initially committed to prohibition by accepting UPR recommendations to prohibit in all settings (2012, 2016); but no progress since

⁵¹ Prohibited in preschool institutions

⁵² 2010 Court of Appeal ruling stated “it might be argued” whipping is unconstitutional but did not declare it such

⁵³ Government accepted 2008 UPR recommendation to prohibit but in 2013 accepted some UPR recommendations to prohibit and rejected others

⁵⁴ Prohibited in hospital mental health wing

⁵⁵ Corporal punishment by police officers prohibited

⁵⁶ Island courts may order corporal punishment

⁵⁷ Permitted in rural areas under customary justice systems

Note

The above information is based wherever possible on examination of national legislation; additional information is gathered from many sources, including reports to and by the United Nations human rights treaty bodies. Information in square brackets is unconfirmed. We are very grateful to government officials, UNICEF and other UN agencies, NGOs and human rights institutions, and many individuals who have assisted us in our research. We welcome corrections and updates: email vohitos@who.int. For further details on all states see the individual state reports at www.endcorporalpunishment.org.