Progress towards prohibiting all corporal punishment in Latin America and the Caribbean

LAST UPDATED January 2020
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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 Latin America and the Caribbean. As at January 2020, ten states have achieved prohibition in all settings, including the home; governments of at least six others have expressed a commitment to enacting full prohibition. Thirteen states have prohibited corporal punishment in all alternative care settings, 12 in day care, 20 in schools, 25 in penal institutions and 26 as a sentence for crime.

States with full prohibition in legislation
The following ten states have prohibited corporal punishment in all settings, including the home.

<table>
<thead>
<tr>
<th>State</th>
<th>Prohibited in the home</th>
<th>Prohibited in alternative care settings</th>
<th>Prohibited in day care</th>
<th>Prohibited in schools</th>
<th>Prohibited in penal institutions</th>
<th>Prohibited as sentence for crime</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>YES¹</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Bolivia</td>
<td>YES²</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Brazil</td>
<td>YES³</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>YES⁴</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Honduras</td>
<td>YES⁴</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>YES⁵</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Paraguay</td>
<td>YES⁶</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
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<td>YES</td>
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<tr>
<td>Peru</td>
<td>YES⁷</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
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</tr>
<tr>
<td>Uruguay</td>
<td>YES⁸</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Venezuela</td>
<td>YES¹⁰</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
</tbody>
</table>

² Prohibited in Children and Adolescents Code 2014
³ Prohibited in 2014 amendments to Children and Adolescents Code 1990
⁴ Prohibited in 2008 amendments to Code on Children and Adolescents and Family Code
⁵ Prohibited in 2013 amendments to Family Code and Civil Code
⁶ Prohibited in Family Code 2014, in force April 2015
⁷ Prohibited in 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 2016
⁸ Prohibited in Law prohibiting physical and other humiliating punishment against children and adolescents 2015
⁹ Prohibited in 2007 amendments to Civil Code and Children and Adolescents Code 2004
¹⁰ Prohibited in 2007 amendments to Law for the Protection of Children and Adolescents 1998
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 the Global Initiative assesses states’ commitment, visit https://endcorporalpunishment.org/committed-states/.

<table>
<thead>
<tr>
<th>State</th>
<th>Prohibited in the home</th>
<th>Prohibited in alternative care settings</th>
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<th>Prohibited in penal institutions</th>
<th>Prohibited as sentence for crime</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chile</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Colombia</td>
<td>NO</td>
<td>[SOME](^{13})</td>
<td>NO</td>
<td>[YES](^{14})</td>
<td>[YES](^{15})</td>
<td>SOME(^{16})</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Ecuador</td>
<td>NO</td>
<td>NO</td>
<td>SOME(^{19})</td>
<td>YES</td>
<td>YES</td>
<td>SOME(^{20})</td>
</tr>
<tr>
<td>Mexico</td>
<td>SOME(^{22})</td>
<td>SOME(^{23})</td>
<td>SOME(^{24})</td>
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<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Panama</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
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</tr>
</tbody>
</table>

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 the Global Initiative. 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.

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11 Government accepted UPR recommendations to prohibit in all settings (2014); prohibiting legislation under discussion (2016)
12 Government expressed commitment to prohibition in its National Development Plan 2018-2022
13 Possibly unlawful in care institutions
14 Prohibition in indigenous communities unconfirmed
15 Prohibition in indigenous communities unconfirmed
16 Lawful in indigenous communities
17 Government accepted UPR recommendation to prohibit in all settings (2009) and adopted Central American Regional Roadmap on Violence against Children (2011) which recommends full prohibition; prohibiting legislation being drafted (2015)
18 Government accepted UPR recommendation to prohibit in all settings (2012)
19 Prohibited in preschool provision
20 Lawful in indigenous communities
21 Government adopted Central American Regional Roadmap on Violence against Children (2011) and End Violence National Action Plan 2017-2018, which both recommend full prohibition, and accepted UPR recommendations to prohibit (2018); prohibition included in General Law on the Rights of Children and Adolescents 2014 but further reform needed
22 Prohibited in the state of Guanajuato
23 Prohibited in institutions
24 Prohibited in institutions
25 Government accepted UPR recommendations to prohibit (2010, 2015)
<table>
<thead>
<tr>
<th>State</th>
<th>Prohibited in the home</th>
<th>Prohibited in alternative care settings</th>
<th>Prohibited in day care</th>
<th>Prohibited in schools</th>
<th>Prohibited in penal institutions</th>
<th>Prohibited as sentence for crime</th>
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</thead>
<tbody>
<tr>
<td>Antigua and Barbuda</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
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<td>SOME&lt;sup&gt;27&lt;/sup&gt;</td>
<td>NO</td>
<td>[YES]&lt;sup&gt;128&lt;/sup&gt;</td>
<td>[NO]&lt;sup&gt;39&lt;/sup&gt;</td>
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<tr>
<td>Barbados</td>
<td>NO</td>
<td>NO</td>
<td>SOME&lt;sup&gt;30&lt;/sup&gt;</td>
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<td>Belize&lt;sup&gt;31&lt;/sup&gt;</td>
<td>NO</td>
<td>SOME&lt;sup&gt;32&lt;/sup&gt;</td>
<td>SOME&lt;sup&gt;33&lt;/sup&gt;</td>
<td>YES</td>
<td>SOME&lt;sup&gt;34&lt;/sup&gt;</td>
<td>YES</td>
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<tr>
<td>Cuba&lt;sup&gt;35&lt;/sup&gt;</td>
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<td>[SOME]&lt;sup&gt;36&lt;/sup&gt;</td>
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<td>Dominica</td>
<td>NO</td>
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<td>SOME&lt;sup&gt;38&lt;/sup&gt;</td>
<td>NO</td>
<td>NO</td>
<td>NO&lt;sup&gt;40&lt;/sup&gt;</td>
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<tr>
<td>Grenada</td>
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<td>SOME&lt;sup&gt;31&lt;/sup&gt;</td>
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<td>NO</td>
<td>NO&lt;sup&gt;42&lt;/sup&gt;</td>
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<td>SOME&lt;sup&gt;45&lt;/sup&gt;</td>
<td>NO</td>
<td>[YES]</td>
<td>YES</td>
</tr>
<tr>
<td>Haiti</td>
<td>NO&lt;sup&gt;46&lt;/sup&gt;</td>
<td>[YES]&lt;sup&gt;47&lt;/sup&gt;</td>
<td>[YES]&lt;sup&gt;48&lt;/sup&gt;</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Jamaica</td>
<td>NO</td>
<td>YES</td>
<td>SOME&lt;sup&gt;49&lt;/sup&gt;</td>
<td>NO&lt;sup&gt;50&lt;/sup&gt;</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>St Kitts and Nevis</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>[YES]&lt;sup&gt;51&lt;/sup&gt;</td>
</tr>
<tr>
<td>St Lucia&lt;sup&gt;52&lt;/sup&gt;</td>
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<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>St Vincent and the Grenadines</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>Suriname</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO&lt;sup&gt;53&lt;/sup&gt;</td>
<td>YES</td>
</tr>
</tbody>
</table>

26 Prohibited in residential institutions  
27 Prohibited in preschools and day care centres under the Early Childhood Care (National Standards) Regulations 2015  
28 But some legislation possibly still to be repealed  
29 Prohibited in 1984 but reintroduced in 1991  
30 Prohibited in day nurseries  
31 Had initially committed to prohibition in all settings by accepting UPR recommendation to prohibit in 2009, but noted subsequent recommendations in 2013 and 2018 and no progress since  
32 Prohibited in residential care facilities  
33 Prohibited in day care centres  
34 Prohibited in “Youth Hostel” detention centre  
35 Had initially committed to prohibition with the adoption of the Central American Regional Roadmap on Violence against Children (2011) which recommends full prohibition, but no progress since  
36 Possibly prohibited in care institutions  
37 Possibly prohibited in preschool institutions  
38 Prohibited in early childhood education facilities  
39 Had initially committed to prohibition by accepting UPR recommendation in 2010; but Bills to prohibit were archived in 2017  
40 Prohibited in preschool provision  
41 Prohibited in childcare homes  
42 Prohibited in Juvenile Justice Act 2012, not yet in force  
43 Government accepted UPR recommendation to prohibit in the home (2008) and in all settings (2012) but has also said existing law prohibits  
44 Prohibited in some but not all settings in Child Care and Services Development Act 2011  
45 Prohibited in some but not all settings in Child Care and Services Development Act 2011  
46 Bill which would prohibit under discussion (2015)  
47 Prohibition in foster care unconfirmed  
48 Prohibition in crèches and childminding unconfirmed  
49 Prohibited in early childhood centres (“basic schools”)  
50 Prohibition under discussion (2015); see also note on day care  
51 But some legislation still to be formally repealed  
52 Government accepted some but not all UPR recommendations to prohibit (2015)  
53 Government accepted UPR recommendation to prohibit in schools (2011)
### States without a clear commitment to law reform …

<table>
<thead>
<tr>
<th>State</th>
<th>Prohibited in the home</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Trinidad and Tobago</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
</tbody>
</table>

**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 info@endcorporalpunishment.org. For further details on all states see the individual state reports at www.endcorporalpunishment.org.