

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



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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 November 2022 eleven states have achieved prohibition in all settings, twelve states have prohibited in the home; governments of at least seven others have expressed a commitment to enacting full prohibition. Fourteen states have prohibited corporal punishment in all alternative care settings, 13 in day care, 20 in schools, 25 in penal institutions and 29 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.

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
Argentina	YES <sup>1</sup>	YES	YES	YES	YES	YES
Bolivia	YES <sup>2</sup>	YES	YES	YES	YES	YES
Brazil	YES <sup>3</sup>	YES	YES	YES	YES	YES
Colombia	YES <sup>4</sup>	YES	YES	YES	YES	YES
Costa Rica	YES <sup>5</sup>	YES	YES	YES	YES	YES
Honduras	YES <sup>6</sup>	YES	YES	YES	YES	YES
Nicaragua	YES <sup>7</sup>	YES	YES	YES	YES	YES
Paraguay	YES <sup>8</sup>	YES	YES	YES	YES	YES
Peru	YES <sup>9</sup>	YES	YES	YES	YES	YES
Uruguay	YES <sup>10</sup>	YES	YES	YES	YES	YES
Venezuela	YES <sup>11</sup>	YES	YES	YES	YES	YES

<sup>1</sup> Prohibited in Civil and Commercial Code 2014, in force 2016

<sup>2</sup> Prohibited in Children and Adolescents Code 2014

<sup>3</sup> Prohibited in 2014 amendments to Children and Adolescents Code 1990

<sup>4</sup> Prohibited in the 2021 Law Prohibiting the use of physical punishment, cruel, humiliating, or degrading treatment and any type of violence against children and adolescents as a method of correction against children and adolescents (Law 2089 of 14 May 2021).

<sup>5</sup> Prohibited in 2008 amendments to Code on Children and Adolescents and Family Code

<sup>6</sup> Prohibited in 2013 amendments to Family Code and Civil Code

<sup>7</sup> Prohibited in Family Code 2014, in force April 2015

<sup>8</sup> 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

<sup>9</sup> Prohibited in Law prohibiting physical and other humiliating punishment against children and adolescents 2015

<sup>10</sup> Prohibited in 2007 amendments to Civil Code and Children and Adolescents Code 2004

<sup>11</sup> 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/>.

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
Chile <sup>12</sup>	NO	NO	NO	YES	YES	YES
Cuba <sup>13</sup>	YES <sup>14</sup>	YES <sup>15</sup>	[SOME] <sup>16</sup>	NO	YES	YES
Dominican Republic <sup>17</sup>	NO	NO	NO	YES	YES	YES
Ecuador <sup>18</sup>	NO	NO	SOME <sup>19</sup>	YES	YES	SOME <sup>20</sup>
Jamaica <sup>21</sup>	NO	YES	SOME <sup>22</sup>	NO <sup>23</sup>	YES	YES
Mexico <sup>24</sup>	SOME <sup>25</sup>	SOME <sup>26</sup>	SOME <sup>27</sup>	YES	YES	YES
Panama <sup>28</sup>	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.

<sup>12</sup> Government accepted UPR recommendations to prohibit in all settings (2014); prohibiting legislation under discussion (2016)

<sup>13</sup> Government committed to prohibition with the adoption of the Central American Regional Roadmap on Violence against Children (2011) which recommends full prohibition. Prohibited in the home in 2022.

<sup>14</sup> Prohibited in the Family Code 2022

<sup>15</sup> Prohibited in the Family Code 2022

<sup>16</sup> Possibly prohibited in preschool institutions

<sup>17</sup> 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)

<sup>18</sup> Government accepted UPR recommendation to prohibit in all settings (2012)

<sup>19</sup> Prohibited in preschool provision

<sup>20</sup> Lawful in indigenous communities

<sup>21</sup> The Government of Jamaica expressed its commitment to prohibiting corporal punishment in all settings through several public statements, including a statement made by the Prime Minister before the House of Representatives in July 2021.

<sup>22</sup> Prohibited in early childhood centres ("basic schools")

<sup>23</sup> Prohibition under discussion (2015); see also note on day care

<sup>24</sup> 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

<sup>25</sup> Prohibited in the state of Guanajuato

<sup>26</sup> Prohibited in institutions

<sup>27</sup> Prohibited in institutions

<sup>28</sup> Government accepted UPR recommendations to prohibit (2010, 2015)

<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
Antigua and Barbuda	NO	NO	NO	NO	NO	YES
Bahamas	NO	SOME <sup>29</sup>	SOME <sup>30</sup>	NO	[YES] <sup>31</sup>	[NO] <sup>32</sup>
Barbados	NO	NO	SOME <sup>33</sup>	NO	NO	NO
Belize <sup>34</sup>	NO	SOME <sup>35</sup>	SOME <sup>36</sup>	YES	SOME <sup>37</sup>	YES
Dominica	NO	NO	SOME <sup>38</sup>	NO	NO	NO
El Salvador <sup>39</sup>	NO	NO	SOME <sup>40</sup>	YES	YES	YES
Grenada	NO	SOME <sup>41</sup>	NO	NO	NO	YES <sup>42</sup>
Guatemala <sup>43</sup>	NO	NO	NO	NO	YES	YES
Guyana	NO	SOME <sup>44</sup>	SOME <sup>45</sup>	NO	[YES]	YES
Haiti	NO <sup>46</sup>	[YES] <sup>47</sup>	[YES] <sup>48</sup>	YES	YES	YES
St Kitts and Nevis	NO	NO	NO	NO	NO	[YES] <sup>49</sup>
St Lucia <sup>50</sup>	NO	NO	NO	NO	NO	YES
St Vincent and the Grenadines	NO	NO	NO	NO	NO	YES
Suriname	NO	NO	NO	NO <sup>51</sup>	YES	YES
Trinidad and Tobago	NO	YES	YES	YES	YES	YES

## 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](mailto:vohitos@who.int). For further details on all states see the individual state reports at [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org).

<sup>29</sup> Prohibited in residential institutions

<sup>30</sup> Prohibited in preschools and day care centres under the Early Childhood Care (National Standards) Regulations 2015

<sup>31</sup> But some legislation possibly still to be repealed

<sup>32</sup> Prohibited in 1984 but reintroduced in 1991

<sup>33</sup> Prohibited in day nurseries

<sup>34</sup> 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

<sup>35</sup> Prohibited in residential care facilities

<sup>36</sup> Prohibited in day care centres

<sup>37</sup> Prohibited in "Youth Hostel" detention centre

<sup>38</sup> Prohibited in early childhood education facilities

<sup>39</sup> Had initially committed to prohibition by accepting UPR recommendation in 2010; but Bills to prohibit were archived in 2017

<sup>40</sup> Prohibited in preschool provision

<sup>41</sup> Prohibited in child care services

<sup>42</sup> Some provisions still to be formally repealed

<sup>43</sup> Government accepted UPR recommendation to prohibit in the home (2008) and in all settings (2012) but has also said existing law prohibits

<sup>44</sup> Prohibited in some but not all settings in Child Care and Services Development Act 2011

<sup>45</sup> Prohibited in some but not all settings in Child Care and Services Development Act 2011

<sup>46</sup> Bill which would prohibit under discussion (2015)

<sup>47</sup> Prohibition in foster care unconfirmed

<sup>48</sup> Prohibition in crèches and childminding unconfirmed

<sup>49</sup> But some legislation still to be formally repealed

<sup>50</sup> Government accepted some but not all UPR recommendations to prohibit (2015)

<sup>51</sup> Government accepted UPR recommendation to prohibit in schools (2011)