



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

## **Ending Corporal Punishment of Children: Africa E-Newsletter**

FRENCH VERSION ALSO AVAILABLE

Issue 12: July 2013

### **In this issue**

The highlights of this issue are the announcement that the Children's Protection and Welfare Act 2012 of Swaziland has come into force, prohibiting corporal punishment as a sentence of the courts, and that the first draft of the Child Protection Code of Burkina Faso includes prohibition of corporal punishment of children in all settings. Read on for details, too, of the various activities for the Day of the African Child 2013, which advocated for the elimination of harmful social and cultural practices, including corporal punishment of children.

1. [Who we are](#)
2. [Recent developments in Africa](#)
3. [Campaigns and other moves towards prohibition](#)
4. [Human rights monitoring](#)
5. [Resources: Research/Reports/Publications](#)
6. [Media watch](#)
7. [Can you help?](#)

## 1. Who we are

The Global Initiative to End All Corporal Punishment of Children is a non-governmental organisation (NGO) which aims to act as a catalyst to encourage more action and progress towards ending all corporal punishment in all continents. We support national campaigns with relevant information and assistance ([www.endcorporalpunishment.org](http://www.endcorporalpunishment.org)). The Africa project of the Global Initiative aims specifically to increase the number of states in Africa committed to and actively pursuing the prohibition and elimination of all corporal punishment of children in the family, schools and all other settings. For more information, please contact Sonia Vohito at: [vohito@endcorporalpunishment.org](mailto:vohito@endcorporalpunishment.org).

Through this newsletter we aim to keep civil society organisations and other stakeholders informed and to encourage networking around the issue of corporal punishment of children. We encourage readers to forward the newsletter to whoever might be interested and we encourage organisations **to sign up to the aims of the Global Initiative** at: [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org).

[Back to contents](#)

## 2. Recent developments in Africa

### Prohibition achieved

*Swaziland:* The Children's Protection and Welfare Act 2012 came into force on 1<sup>st</sup> July 2013. It prohibits corporal punishment as a sentence of the courts. (Note: In Swaziland, corporal punishment is still legal in the home, in schools, in alternative care settings.)

### Moves towards reform

*Burkina Faso:* The first draft of the Burkinabe Child Protection Code includes prohibition of corporal punishment of children in all settings. Article 220 states that physical punishment at home, at school, in the street or in other institutions is prohibited with respect to the child. Corporal punishment is defined as any physical punishment inflicted on children by parents, teachers or others, by means of blows or injuries, mutilation, imprisonment, marking, shaving hair or other violent, humiliating and degrading ways. The draft Code is still under discussion.

[Back to contents](#)

## 3. Campaigns and other moves towards prohibition

### Regional developments

The **Day of the African Child (DAC)** is commemorated annually on 16 June by member states of the African Union. The theme for 2013 was "[eliminating harmful social and cultural practices affecting children: our collective responsibility](#)". The Global Initiative produced a [briefing](#) highlighting the centrality of prohibiting and eliminating all corporal punishment in addressing harmful social and cultural practices. It urged organisations to use the opportunities presented by the Day of the African Child to include the issue in their work and to highlight to African governments their obligation to prohibit and eliminate all corporal punishment. On 14 June 2013, in Addis Ababa, Ethiopia, the African Union Department of Social Affairs and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), together with a group of African children, representatives of AU Member States, UN agencies, NGOs and INGOs, commemorated the DAC 2013, in order to draw attention to harmful social and cultural practices against children and to highlight the roles and responsibilities of various

stakeholders. Several other organisations across the continent issued statements and carried out various activities calling for the elimination of harmful social and cultural practices including the obligation to prohibit corporal punishment, including [ANPPCAN Regional Office](#), [Ditshwanelo](#) (Botswana) and the [Zambia Civic Education Association](#). In Niger, The Coalition of Child Rights Organisations (CONIDE), Save the Children and the Regional Departments for Women Protection and Promotion, organised a week of awareness raising on harmful traditional practices, focusing particularly on ending corporal punishment of children. Sensitisation activities, including children's participation, were carried out in Niamey, Zinder, Diffa and Maradi. Save the Children and World Vision in Niger also organised a day of discussion and awareness raising on corporal punishment of children. For more information email: [Jerome.Conilleau@savethechildren.org](mailto:Jerome.Conilleau@savethechildren.org).

### **National campaigns and calls for prohibition**

**Algeria:** The Algerian Network for the Protection of Child's Rights (NADA) in partnership with EQUITAS (Canada) has launched a campaign against violence in schools ("*On ne joue pas avec les droits de l'enfant*"). The 1-year campaign aims to promote child rights and non-violent and positive relationships, and to assess the impact of violence on the emotional development of children. The project will be rolled out in 15 schools and will reach out to 500 children. In September 2013, NADA will provide training of trainers on child protection and positive education methods. For more information email: [coordinatrice2projet\\_nada@yahoo.fr](mailto:coordinatrice2projet_nada@yahoo.fr); [a\\_arar2002@yahoo.fr](mailto:a_arar2002@yahoo.fr).

**Burkina Faso:** In Burkina Faso, June 2013 was the "Month of the Family and the Child" (*Mois de la famille et de l'enfant*) with a special focus on ending corporal punishment of children. On 17 June, in Koudougou, a workshop on the theme of "protecting family members against all forms of violence: a collective responsibility", gathered together officials from the Social Action and National Solidarity Ministry, the health sector, traditional and religious leaders, as well as teachers and parents. Participants advocated for full prohibition of corporal punishment of children and called for the use of non-violent forms of discipline.

**The Gambia:** As part of their efforts to eradicate corporal punishment in schools, the Brikama College Family Association made a presentation on the harmfulness of corporal punishment at the New Yundum Lower Basic School, in partnership with funder Rita Van Den of the Netherlands. The forum discussed ways of eliminating corporal punishment and introduced participants to alternative non-violent methods of disciplining students. The President of the Association, Samsidine Jeng, assured the audience of its commitment to the elimination of corporal punishment and pledged to reach out to more schools in the future. (*The Point*, 5 July 2013)

The women's wing of the Gambia Teachers' Union (GTU) organised a day's training for 20 lower basic schoolteachers on alternatives to corporal punishment in schools. The training is part of a series to be organised by the GTU in its bid to discourage corporal punishment in schools and promote the agenda for the attainment of quality education. Essa Sowe, Deputy Secretary General of GTU and co-founder of the Child Protection Alliance, stressed the need for children to be treated with respect, and to be free from corporal punishment or any form of humiliation. (*The Daily Observer*, 23 May 2013). (Note: The Gambian Education Regulations prohibit "all degrading and injurious punishments" but at the same time provide for corporal punishment to be administered by or in the presence of the head, to female pupils only in exceptional circumstances and by a female teacher, and logged in a designated book (art. 15).)

**Ghana:** As part of the Ghana Stop Violence Against Girls in School (SVAGS) Project, [ActionAid Ghana](#), in collaboration with the Ghana National Education Campaign Coalition, has developed a positive

discipline pack and a flyer to promote alternative, non-violent forms of discipline and advocate for the elimination of corporal punishment in schools. Through the SVAGS project, radio discussions around the issues took place at district and national levels. For more information email: [henrietta.lampsey@actionaid.org](mailto:henrietta.lampsey@actionaid.org).

*Nigeria:* In a statement against corporal punishment of children in schools, Bayo Olupohunda from the Nigeria Coalition of Educators Against Corporal Punishment in Nigerian Schools called for legal prohibition of corporal punishment as well as sensitisation of education stakeholders — in particular, parents and teachers, school administrators — to the negative impact of physical violence. Bayo Olupohunda stressed that these are key aspects of developing non-violent schools. (*Punch*, 16 May 2013)

*Senegal:* A women's group from Guédiawaye in the suburb of Dakar, is calling for a review of the Senegalese Family Code, which authorises corporal punishment of children. During a workshop in May 2013, the *Mouvements des femmes de Guédiawaye* highlighted the negative effects of corporal punishment and the violation of children's human dignity. Ms Gnagna Fall, spokesperson of the women's group, called on the state to impose stronger sanctions against perpetrators of corporal punishment of children. The group aims to work closely with child rights organisations, engage in educative measures against corporal punishment and sensitise the public on the use of positive, alternative forms of discipline. (*Walfajiri*, 7 May 2013)

*South Africa:* The [South African Human Rights Commission](#) (SAHRC) expressed concern at the rise in incidents of corporal punishment in schools across South Africa, despite its prohibition. On 4<sup>th</sup> July 2013, the SAHRC convened a meeting on the issue, which included representatives from the South African Principal's Association, South African Democratic Teacher's Union, National Alliance of School Governing Bodies, the South African Council of Educators, the Department of Basic Education, UNICEF South Africa, the Centre for Child Law, and the University of Stellenbosch. All participants highlighted the importance of enforcing the law and the necessity of working together to eliminate corporal punishment in schools. (Note: Corporal punishment is prohibited in schools and other education institutions under the South African Schools Act 1996 (art. 10) the National Education Policy Act 1996 (art. 3) and the Further Education and Training Colleges Act 2006 (art. 16).)

Following the recent National School Violence Study undertaken by the Centre for Justice and Crime Prevention, which revealed the continued use of physical punishment in South African schools (see issue no. 11), the [Institute for Security Studies](#) called for an end to corporal punishment of children in all settings. The organisation recommends “the development of parenting interventions, which draw on the evidence of what works to build strong, positive bonds between parents and children from an early age to, among other things, prevent parents having to rely on harsh, violent discipline”.

In response to an individual request for her opinion regarding corporal punishment of children in the family, Moira Simpson, director of the organisation [Kids Haven](#), called for a total ban on corporal punishment of children in all settings including in the home. She stated: “Children are meant to be nurtured and cared for in the family in a safe environment, where they will learn values and morals and the principles of good behaviour... Physical punishment is not effective in changing behaviour. Parents take out their anger and frustration on the child, but it does not teach the child the right way.”

*Uganda:* While launching a “Child Participation in Child Protection” programme in Tororo District in June 2013, Emmanuel Osuna, the Tororo District chairperson, issued a warning to all teachers inflicting corporal punishment on children. “Corporal punishment accounts for a big percentage of school drop outs in Tororo. Teachers who, instead of teaching and sustaining pupils at school beat

and emotionally harass them, will be dealt with accordingly”, said Mr Osuna. According to Augustine Enyipu, programme manager, the project aims to strengthen and protect children from all violence that stops them from achieving their full potential and to enable children to voice their concerns without fear. (*Uganda Picks*, 24 June 2013)

*Zambia*: Gender and Child Development Deputy Minister Josephine Limata cautioned teachers and parents against using corporal punishment or making their children engage in child labour. The Deputy Minister warned that the law would deal with any teacher or parent found perpetrating such acts. (*Lusaka Voice.com*, 5 July 2013)

[Back to contents](#)

## 4. Human rights monitoring

### Key decisions and recommendations, etc

At its 63rd session (27th May – 14 Jun), the **Committee on the Rights of the Child** examined states on their progress towards, and implementation of, prohibition of corporal punishment of children. Specifically to Guinea-Bissau, the Committee recommended prohibition of corporal punishment in all settings, including the home and alternative care settings; during the session, the Government of Guinea-Bissau stated its intention to submit a bill to parliament prohibiting corporal punishment. To Rwanda, the Committee recommended that the “right of correction” in the Civil Code be repealed, the draft ministerial order prohibiting corporal punishment in schools be adopted and that corporal punishment be explicitly prohibited in alternative care settings. For further details see the Global Initiative’s individual country reports for [Guinea-Bissau](#) and [Rwanda](#).

The **Committee Against Torture** published its concluding observations on states examined at its 50th session (6 – 31 May 2013). To Mauritania, the Committee expressed concern that corporal punishment is increasingly regarded as appropriate and effective in educating children; the Committee recommended that Ordinance 2005-015 on the judicial protection of the child and other legislation be amended to explicitly prohibit corporal punishment in all settings, including the family. For further details see the Global Initiative’s individual country report for [Mauritania](#).

The latest concluding observations of the **Committee on Economic, Social and Cultural Rights** – following examination of states at its 50th session (Apr/May 2013) – include the following recommendation to Rwanda: “The Committee notes that the Law No. 54/2011 of 14 December 2011 relating to the rights and the protection of children has abolished corporal punishment in all settings, but it remains concerned that the ‘right of correction’ set out in the Civil Code may be misinterpreted and allow for corporal punishment. (art. 10). The Committee recommends that the State party ensure that the Law No. 54/2011 of 14 December 2011 and the Civil Code fully abolish corporal punishment of any kind in all settings without exception.” For further information see the Global Initiative’s individual country report for [Rwanda](#).

### Briefing the human rights bodies

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 particularly trying to identify “key” NGOs and human rights institutions in each state with whom we can work more closely in briefing the treaty bodies: if you/your organisation is interested please contact [vohito@endcorporalpunishment.org](mailto:vohito@endcorporalpunishment.org).

The following deadlines for briefing the treaty bodies are based on information available at the time of writing: please note that information is subject to change at short notice. We are always willing to advise NGOs and human rights institutions on the practical details of how to submit briefings (email [vohito@endcorporalpunishment.org](mailto:vohito@endcorporalpunishment.org)).

#### *African Committee on the Rights and Welfare of the Child*

- (1) The Committee will be meeting at its 22<sup>nd</sup> session in November 2013. Eritrea will be examined in the pre-session. For information on the exact dates of African Committee's session and the **deadline for submitting briefings to the Committee**, please check the [Committee's website](#).

#### *African Commission on Human and People's Rights*

- (1) The Commission will be meeting at its 54th ordinary session from 22 October to 5<sup>th</sup> November to consider the state party reports of Cameroon, the Sahrawi Arab Democratic Republic and Mozambique. For more information about the African Commission's session and the **deadline for submitting briefings to the Commission**, please email: [au-banjul@africa-union.org](mailto:au-banjul@africa-union.org)

#### *Committee on the Rights of the Child:*

- (1) Session 64 (16 Sept – 4 Oct 2013). The Committee will examine Sao Tome and Principe: **the deadline for submitting briefings is not yet published.**
- (2) Session 65 (13-31 Jan 2014). The Committee will examine the Republic of Congo: **the deadline for submitting briefings is not yet published.**
- (3) Session 67 Pre-Sessional Working Group (Feb 2014). The PSWG will adopt Lists of Issues for Central African Republic, Gambia and Morocco: **the deadline for submitting briefings is 1 November 2013 (to be confirmed).**

#### *Committee Against Torture:*

- (1) Session 51 (28 Oct – 22 Nov 2013). The Committee will examine Burkina Faso, and Mozambique: **the deadline for submitting briefings is 11 October 2013.**

Information is not yet available for sessions beyond the 51<sup>st</sup> session.

#### *Committee on Economic, Social and Cultural Rights:*

- (1) Session 51 (4 – 29 Nov 2013). The Committee will examine Djibouti, Egypt and Gabon: **the deadline for submitting briefings is not yet published.**

#### *Committee on the Elimination of Discrimination against Women:*

- (1) Session 56 (30 Sep – 18 Oct 2013). The Committee will examine Benin and Seychelles: **the deadline for submitting briefings is not yet published.**
- (2) Session 58 Pre-sessional Working Group (Oct 2013). The PSWG will adopt Lists of Issues for Central African Republic and Mauritania: **the deadline for submitting briefings is not yet published.**

### *Human Rights Committee:*

- (1) Session 109 (14 Oct – 1 Nov 2013). The Committee will examine Djibouti, Mauritania and Mozambique: **the deadline for submitting briefings is 13 September 2013.**
- (2) Session 109 (14 Oct – 1 Nov 2013). The Country Report Task Forces will adopt Lists of Issues for Burundi and Sudan: **the deadline for submitting briefings by email is 9 August 2013; hard copies must be submitted by 13 September 2013.**

### **The Universal Periodic Review**

The obligation to prohibit and eliminate corporal punishment of children continues to be raised with states in the Universal Periodic Review of their overall human rights records. The Global Initiative submits briefings on every state being reviewed which has not yet achieved prohibition in all settings, sharing advance draft briefings with relevant organisations to encourage submissions at national level. We also conduct a follow up programme, pursuing the issue with states that accept recommendations to prohibit corporal punishment by writing to key NGOs, NHRIs and Government ministers, and undertake ongoing analysis of coverage of the issue in all aspects of the UPR process (for further information email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)).

The 16<sup>th</sup> session of the UPR took place in April/May 2013. States which received recommendations to prohibit all corporal punishment of children include Burkina Faso (recommendation to implement existing law accepted; recommendation to prohibit in all settings rejected), Cameroon (response due in September 2013) and Cape Verde (recommendations accepted). For further details, see the Global Initiative's country reports for [Burkina Faso](#), [Cameroon](#) and [Cape Verde](#).

Opportunities for submitting briefings for session 17 of the UPR (Oct/Nov 2013) and session 18 (Jan/Feb 2014) have now passed. The deadline for submitting briefings for session 19 (May/Jun 2014) is **1 September 2013**: Cote d'Ivoire, DR Congo, Equatorial Guinea, Ethiopia.

[Back to contents](#)

## **5. Resources: Research/Reports/Publications**

### **International and regional reports**

The French version of the publication: "[Advancing children's rights - A Guide for civil society organisations on how to engage with the African Committee of Expert on the Rights and Welfare of the Child](#)" is now available (*Faire progresser les droits de l'enfant - Guide pour les organisations de la société civile sur comment collaborer avec le Comité africain d'experts sur les droits et le bien-être de l'enfant*). This is a translation of the second edition of the Guide published in 2010, and was slightly updated in 2012. The Guide is intended as a resource for civil society organisations interested in finding out more about the African Committee of Expert on the Rights and Welfare of the Child, the AU body in charge of interpreting the African Charter on Rights and Welfare of the Child and monitoring how it is put into practice. It contains practical advice and information on how civil society organisations can engage with the Committee to advance children's rights in Africa.

### **National resources**

*South Africa:* In the context of a high incidence of violence and crime against children in South Africa, a submission from the Southern African Bishops' Conference parliamentary liaison office advocates for the protection of the physical integrity of the child, in accordance with international and regional human rights instruments as well as the social teaching of the Catholic Church. It calls for a positive discipline approach, which entails tolerance and a sense of human dignity, justice, and bodily integrity, and builds self-esteem and confidence. Positive discipline is therefore considered as an investment in the future. The submission also highlights the need for collective action that nurtures children in such a way that they grow up with a strong sense of their physical integrity and dignity and the capacity to engage in relationships of equality and reciprocity. ([Submission by the Southern African Bishops' Conference parliamentary liaison office on the use of corporal punishment in the home, 25 June 2013.](#))

*Uganda:* In a 2013 survey which involved interviews with nearly 400 5-17 year olds, 35.2% of the children had been hit or "spanked" with an object by a teacher in the past year and 32.9% had experienced this from parents or step-parents. More than a quarter of children (27.1%) had been hit or spanked with a hand in the past year by a parent or step-parent and 19.1% by a teacher. Nearly a third of children (32.3%) had been pinched, had their ears twisted or their hair pulled in the past year by a teacher and 22.9% by a parent or step-parent. About 45% of children expressed disapproval of physical punishment, emphasizing its negative effects including physical pain, emotional distress and damaging consequences for child-parent relationships. (ANPCCAN & Makerere University, 2013, *Baseline Survey on Community Child Protection Systems in Uganda*, ANPCCAN & Makerere University)

[Back to contents](#)

## 6. Media watch

*Nigeria:* The President of the National Association of Proprietors of Private Schools (NAPPS), Chief Abayomi Otubela, urged the Federal Government to introduce stronger penalties for Nigerians who abuse the fundamental rights of children, including the use of corporal punishment. Chief Abayomi Otubela stated: "I am strongly against corporal punishment for children, the attitude should be stopped entirely because there are other ways to instill discipline without using the cane, child abuse is illicit, wicked and absurd" (*Daily Independent*, 2 June 2013).

*South Africa:* In a column against the defence of corporal punishment of children as a form of "discipline", child rights expert Lorenzo Wakefield challenged an article recently published in the South African media which attempted to justify the use of corporal punishment as "a manner in which black parents discipline their children". He pointed to the fact that corporal punishment has adverse effects on children's physical, emotional and cognitive development, and called for the protection of child rights and the state's provision of information on sustainable forms of positive discipline. (*Thoughtleader*, 17 July 2013)

A mother in Katsiwha, in the province of Gauteng, reported to the police that her grade one son was hit on the back with a pipe, and that he had a bruise. The woman said that when she went to the school, the teacher concerned said she had hit the student in a "fit of anger" (*Zeenews.com*, 6 June 2013)

In Durban, a group of a high school parents whose children were allegedly caned by a teacher earlier this year, have laid a criminal charge against the teacher, saying the education department's internal disciplinary process was taking too long. The students were allegedly given the choice of accepting a

caning – with what they described as a solid, plastic cane – or detention. The police confirmed a case had been opened and was under investigation. (*IOL News*, 13 May 2013)

*Swaziland*: A teacher at Mhlatane High School has been reported to the police for allegedly giving a pupil, 19 strokes – four strokes on the hand and 15 on the buttocks. Senelile Khumalo from Save the Children stated that teachers have the necessary training to shift from corporal punishment to positive discipline, and to know the different policies and instruments that promote positive discipline. (*The Times of Swaziland*, 27 June 2013)

*Zambia*: A 17-year-old student in Ndola collapsed after being beaten by her teacher as she reported late to school. The teacher reportedly beat her with a hosepipe. (*Zambian Watchdog*, 11 June 2013)

[Back to contents](#)

## 7. Can you help?

### Promoting positive, non-violent discipline

We are collecting resources for the promotion of positive discipline in homes, schools and other settings in Africa for listing on the website. Contact [elinor@endcorporalpunishment.org](mailto:elinor@endcorporalpunishment.org) to suggest resources for inclusion. Resources which promote positive discipline as part of a campaign for law reform or which are clearly linked to prohibition that has already been achieved are especially welcome.

### Research on corporal punishment of children

Evidence of the nature and prevalence of corporal punishment gathered through national studies is important to keep the issue visible and to assess the effectiveness of implementation of prohibiting laws and of measures to change attitudes and practice. Please send us any recent research findings relevant to corporal punishment of children in Africa at the following address: [vohito@endcorporalpunishment.org](mailto:vohito@endcorporalpunishment.org).

### And ...

Other ways to contribute to the work of the Global Initiative include:

- sending us information on laws prohibiting or authorising corporal punishment
- letting us know about opportunities for promoting law reform (e.g. if draft legislation is being considered) and when new laws are passed which prohibit corporal punishment
- providing contact details for organisations actively working to promote the prohibition and elimination of corporal punishment of children.

If you can help with any of the above, please email [vohito@endcorporalpunishment.org](mailto:vohito@endcorporalpunishment.org).

We hope you find this newsletter informative and useful and welcome your comments: please email [vohito@endcorporalpunishment.org](mailto:vohito@endcorporalpunishment.org). We are sending the newsletter to supporters of the aims of the Global Initiative and others who we think will be interested. If you do not want to receive future editions, please tell us at [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org). If your organisation is not listed as supporting the aims of the Initiative, please consider signing up (online at [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org) or email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)).

[Back to contents](#)