



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

Ending Corporal Punishment of Children: Africa E-Newsletter

FRENCH VERSION ALSO AVAILABLE

Issue 13: November 2013

In this issue

Highlights of this issue include news that the current draft of the Children's Code in Niger includes prohibition of corporal punishment of children in all settings (article 256), and in Kenya, the Basic Education Act 2013 has come into force, explicitly confirming prohibition of corporal punishment in schools. Read on for details of regional and national research findings and campaigns towards ending corporal punishment of children across the continent.

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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). 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.

Through this newsletter we aim to keep civil society organisations and other stakeholders informed and 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.

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2 Recent developments in Africa

Prohibition confirmed

Kenya: The Basic Education Act 2013 is now in force. Article 4 explicitly prohibits corporal punishment in schools, confirming the full prohibition achieved in the Constitution in 2010.

Moves towards prohibition

Mauritius: In the context of the Universal Periodic Review of Mauritius on 23 October 2013, the Government confirmed its decision to include corporal punishment as an offence in the Children's Bill: we are seeking further details. Corporal punishment in Mauritius is currently unlawful as a sentence for crime, in schools and possibly in preschool provision, but it is lawful in the home, alternative care settings and penal institutions.

Niger: The current draft Children's Code includes prohibition of corporal punishment of children in all settings, including the home. Article 256 protects children against all forms of violence, especially harmful traditional practices, including corporal punishment; article 453 confirms that the prohibition applies in the family; article 470 explicitly prohibits corporal punishment in schools and other institutions. The draft is currently being reviewed by a technical team before being submitted to the Parliament. Currently, corporal punishment of children in Niger is unlawful as a sentence for crime, but is lawful in all other settings. There is a ministerial order against the use of corporal punishment in schools but no prohibition in law.

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3 Campaigns and other moves towards prohibition

National campaigns and calls for prohibition

South Africa: The NGO [Sonke Gender Justice](#), in partnership with child rights activist Carol Bower, are carrying out ongoing advocacy work for prohibition of corporal punishment in the next amendment to the Children's Act, including awareness-raising and media campaigns on the necessity of prohibiting corporal punishment of children. Sonke Gender Justice has developed a

series of factsheets covering the issue. The organisation is tackling corporal punishment as a form of violence in the home in its training and awareness-raising work around men as partners in non-violent and equitable relationships. Sonke Gender Justice has also endorsed the [discussion document on corporal punishment and discipline in the home](#), which was submitted to the Department of Social Development by the Working Group on Positive Discipline (WGPD), in June 2013. For more information on the factsheets, please contact Sonke Gender Justice (info@genderjustice.org.za) or Carol Bower: crlbwr4@gmail.com.

Zimbabwe: In line with this year's theme for the day of the African Child which is "Eliminating harmful social and cultural practices affecting children: Our collective responsibility", the [Zimbabwe Youth Council](#) and its partners handed over mobile phones to Junior MPs to enable them to report issues that generally affect children. A quasi-government institution, the Zimbabwe Youth Council works with the Government in the prevention of all forms of violence against children and encourages all stakeholders involved with children "to prohibit all forms of violence against children in all settings including all corporal punishment and harmful traditional practices". (Reported by the [Zimbabwe Youth Council](#), 9 September 2013)

Also...

Ethiopia: In partnership with Save the Children, [ANPPCAN Ethiopia](#) is running a 3-year (2013 – 2015) project called "Reduction of Physical and Humiliating Punishment of Children through the Promotion of Positive Child Disciplining Methods". The project aims to establish/strengthen structures and mechanisms that promote the elimination of physical and other humiliating punishment of children in two districts of Addis Ababa, by the year 2015.

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4 Human rights monitoring

Prior to its 22nd session in November 2013, [The African Committee of Experts on the Rights and Welfare of the Child \(ACERWC\)](#) organised a 2-Day Workshop to adopt the State Party Reporting Guidelines on the implementation of the Charter (ACRWC). The workshop brought together state representatives, civil society organisations and INGOs, as well as UN agencies. In December 2012, the ACERWC had already issued a "*Civil Society Organizations (CSOs) Complementary Report, Conduct and Participation of CSOs in ACERWC Pre-session Guidelines*". The new guidelines aim to improve and enhance the format and content of the CSOs complementary reports, and their participation in pre-sessions. For more information, please contact the Committee's Secretariat: PhilippeS@africa-union.org or Mainac@africa-union.org.

The **African Committee of Experts on the Rights and Welfare of the Child** met at its 22nd session on 4- 8 November 2013. Eritrea and Liberia were examined in the pre-session. The next Committee's session is scheduled for April 2014. For information on the exact dates of the session and the **deadline for submitting briefings to the Committee**, please check the [Committee's website](#).

Key decisions and recommendations, etc

The 64th session of the **Committee on the Rights of the Child** was held from 16 September to 4 October and again the Committee pressed states on their progress towards prohibiting corporal punishment, recommending prohibition in all settings to all states. Specifically, the Committee urged Sao Tome and

Principe to amend its current legislation to explicitly prohibit corporal punishment in all settings, including in the family, in schools and other childcare settings. It also urged the State party to carry out public education campaigns about the negative consequences of ill-treatment of children and promote positive, non-violent forms of discipline as an alternative to corporal punishment, in light of article 28(2) of the Convention. For more details, see the Global Initiative's country report for [Sao Tome and Principe](#).

Following a 12-day mission in Benin, **UN Special Rapporteur on the sale of children, child prostitution and child pornography**, Najat Maalla M'jid urged the Government of Benin to make the protection of children a priority in its political agenda. The Special Rapporteur was alarmed by the high number of child victims of multiple forms of violence and abuse, including female genital mutilations, forced marriages, corporal punishment and rapes. The Special Rapporteur's visit revealed that violence and exploitation of children is tolerated, even justified in many instances, and perpetrators largely enjoy impunity. Note: A draft Children's Code is under discussion (2013). The version seen by the Global Initiative (dated October 2011) explicitly prohibits corporal punishment in the family, schools, private and public institutions, and foster care (articles 52 and 115).

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.

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).

Committee on the Rights of the Child:

- (1) Session 65 (13-31 Jan 2014). The Committee will examine Congo (Republic of): **the deadline for submitting briefings has passed.**
- (2) Session 67 Pre-Sessional Working Group (3-7 Feb 2014). The PSWG will adopt the List of Issues for Morocco: **the deadline for submitting briefings has passed.**
- (3) Session 68 Pre-Sessional Working Group (16-20 Jun 2014). The PSWG will adopt Lists of Issues for Gambia, Mauritius and Tanzania: **the deadline for submitting briefings is 1 March 2014.**
- (4) Session 69 Pre-Sessional Working Group (6-12 Oct 2014). The PSWG will adopt Lists of Issues for Central African Republic, Eritrea, Ethiopia and Ghana: **the deadline for submitting briefings is 1 July 2014.**

Committee Against Torture:

- (1) Session 52 (5-30 May 2014). The Committee will examine Sierra Leone and Guinea: **the deadline for submitting briefings is 18 April 2014.**

Information is not yet available for sessions beyond the 52nd session.

Committee on Economic, Social and Cultural Rights:

(1) Session 53 Pre-sessional Working Group (26-30 May 2014). The PSWG will adopt the List of Issues for Gambia: **the deadline for submitting briefings has not yet been published.**

Committee on the Elimination of Discrimination against Women:

(1) Session 57 (10-28 Feb 2014). The Committee will examine Cameroon and Sierra Leone: **the deadline for submitting briefings is 27 January 2014 (unconfirmed).**

(2) Session 59 Pre-sessional Working Group (3-7 Mar 2014). The PSWG will adopt Lists of Issues for Ghana and Guinea: **the deadline for submitting briefings is 17 February 2014 (unconfirmed).**

(3) Session 58 (30 Jun – 18 Jul 2014). The Committee will examine Central African Republic, Mauritania and Swaziland: **the deadline for submitting briefings is 16 June 2014 (unconfirmed).**

(4) Session 60 Pre-Sessional Working Group (21-25 Jul 2014). The PSWG will adopt Lists of Issues for Eritrea and Gabon: **the deadline for submitting briefings is 16 June 2014 (unconfirmed).**

Human Rights Committee:

(1) Session 110 (10-28 Mar 2014). The Committee will examine Chad and Sierra Leone: **the deadline for submitting briefings is 14 February 2014.**

(2) Session 111 (7-25 Jul 2014). The Committee will examine Malawi and Sudan: **the deadline for submitting briefings is not yet published.**

(3) Session 111 (7-25 Jul 2014). The Country Report Task Forces will adopt the List of Issues for Cote d'Ivoire: **the deadline for submitting briefings is not yet published.**

Committee on the Rights of Persons with Disabilities:

The Committee will not examine any African States during its Session 11 and Session 12.

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, 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).

The 17th session of the UPR was held 21 October to 1 November. Recommendations to prohibit all corporal punishment of children were made to Chad, Mauritius and Senegal. The respective Governments are due to respond to these recommendations no later than March 2014. During the review, the Government of Mauritius confirmed that it had decided to include corporal punishment as an offence in the Children's Bill.

Opportunities for submitting briefings for the 18th session (Jan/Feb 2014) and the 19th session (Apr/May 2014) have now passed. **The deadline for submitting briefings for the 20th session (Oct/Nov 2014) is 1**

February 2014: Angola, Egypt, Gambia and Madagascar.

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5 Resources: Research/Reports/Publications

NEW GLOBAL INITIATIVE RESOURCES TO SUPPORT CAMPAIGNING

New editions of the Africa Progress and Delay leaflet (in [English](#) and [French](#)) and the global Progress and Delay leaflet (in [English](#)) are now available. They aim to support advocacy for law reform to prohibit corporal punishment, graphically providing key information about current progress towards prohibition, identifying states which are making progress and states where there appears to be little or no progress, outcomes from the UPR and other useful information.

Please note that our forthcoming Global Progress Report 2013, will be published in December. For further information and to be alerted when the Global Report will be available, email info@endcorporalpunishment.org or sign up for the latest news feeds at www.endcorporalpunishment.org.

International and regional reports

As a follow up to the UN Study on Violence against Children, the International NGO Council on Violence against Children has prepared a report to support the development of non-violent juvenile justice systems ([Creating a Non-Violent Juvenile Justice System](#)). It includes information on ensuring children in conflict with the law are protected from corporal punishment – both as a sentence for crime and as a disciplinary measure in detention – in law and in practice.

The new flagship report by The African Child Policy Forum (ACPF) – [The African Report on Child Wellbeing 2013: Towards Greater Accountability to Africa's Children](#) – analyses and ranks the performance of 52 African governments in a Child-Friendly Index comparing progress since the first ranking in 2008. The Child Friendliness Index is based on 44 indicators that measure government's commitment to the protection of their children, provision for their children's basic needs and the participation of children in decisions that affect them. The report highlights the legality of corporal punishment of children across Africa and calls for "further effort in terms of integrating and internalizing the important, albeit contested, prohibition of corporal punishment in all settings".

During a Pan-African Stakeholder Dialogue, which was held in Addis Ababa, Ethiopia on 14 November 2013, and to mark its [10th anniversary](#), Child Helpline International launched a publication [The Voices of Children and Young People in Africa](#) – in English and French. The data shows that over 18 million contacts were made with child helplines in Africa. The majority of these contacts were related to abuse and violence. Specifically, physical abuse is noted as the number one reason why children and young people contact child helplines. In 23% of physical abuse cases, a perpetrator was either an immediate or extended family member. Girls (52%) reported more physical abuse incidents than boys. Data collected from child helplines in the African region shows that teachers are indicated as the perpetrator of one in ten (13%) physical abuse cases. More girls (55%) than boys (45%) reported cases of physical abuse by a teacher.

National resources

Central African Republic: A survey of 2,643 children aged 10-17 in 975 households found that nearly half (49.19 %) of them experienced corporal punishment, with fathers (56.5%) and mothers (36.11%)

being the most common perpetrators. (Mande Djapou, F. (2013), Châtiment Corporel des Enfants en République Centrafricaine 2012-2013, Réseau National des ONG de Jeunesse en Droits de l'Homme)

A study involving 765 people aged 10 years and older and who attended schools or higher education institutions found that of the 47.2% of respondents (50.9% of males and 45% of females) who had been smacked, slapped or beaten at school in the past year, 32.9% of males and 34% of females said the perpetrator was a male teacher or other staff member and 2.7% of males and 4.6% of females said the perpetrator was a female teacher or other staff member. (Mimche, H. & Tanang, P. (2013), “Les violences basées sur le genre à l'école en République centrafricaine”, *Recherches & Educations*, 8, 49-63)

Morocco: A study from the National Human Rights Council on alternative care settings found that guardians commonly use corporal punishment as a form of discipline. The study revealed that relationships between adults and children are mainly based on physical and psychological violence. (Conseil national des droits de l'homme (2013), “Enfants dans les centres de sauvegarde: une enfance en danger- Pour une politique de protection intégrée de l'enfant”, Conseil national des droits de l'homme)

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6 Events in the region

Upcoming events

Meeting of CSOs to validate the African Report on Violence against Children and explore follow-up actions, 2-3 December 2013, Addis Ababa, Ethiopia (by invitation only)

During its 15th session in 2010, the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) emphasised the need for a comprehensive pan-African report on the issue of violence against children. In response, the African Child Policy Forum (ACPF) undertook research between 2011 and 2012 and has produced a final draft of the African Report on Violence against Children in Africa, in 2013. Organised by ACPF, the meeting aims to build ownership of the findings and recommendations of the African Report on Violence against Children among African CSOs. It will gather national and regional CSOs, officials from the African Union, RECs and international partners. The Report will be published following this consultation and we will give more details in our next newsletter.

Outcomes of past events

The 2nd Parenting in Africa Conference on Parenting, was held in Mangochi, Malawi on the 16-17 October 2013 under the theme “Understanding realities of teenage parenting: A special focus on adolescents (girls and boys) with parenting responsibilities”. The conference, which was organised by [Parenting in Africa Network \(PAN\)](#) gathered child rights activists, government representatives, human rights activists, academics, researchers Civil Society Organisations and the general membership of Parenting in Africa Network (PAN). One of the main objectives of the conference was to collate evidence on efforts and action points to strengthen family relationships in Africa, recognising that it is within the family and community environment that many children experience violence and abuse which has the potential to affect their development. In the Mangochi Declaration – an outcome of the conference – participants recognised the need “to impart positive discipline within our children and adolescents, in addition to problem solving skills, building relationships, assertiveness (self-esteem)...”

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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 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.

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.

We hope you find this newsletter informative and useful and welcome your comments: please email 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. If your organisation is not listed as supporting the aims of the Initiative, please consider signing up (online at www.endcorporalpunishment.org or email info@endcorporalpunishment.org).

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