



Ending Corporal Punishment of Children: Africa E-newsletter

Issue 22: April 2016

FRENCH VERSION ALSO AVAILABLE



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

In this issue:

We are pleased to announce that a new edition of our [Africa Progress and Delay leaflet](#) (in English and French) is now available. The leaflet aims 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 of international and regional treaty bodies' reviews and other useful information.

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. [Can you help?](#)

1. Who we are

The Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org) 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.

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 and [sign up to our e-newsletters](#).

[Back to contents](#)

2. Recent developments in Africa

Eritrea: Corporal punishment as a sentence for crime for juveniles has finally been removed from the statute books, making Eritrea one of the now 48 states in Africa to have outlawed judicial corporal punishment. The Penal Code 2015 makes no provision for corporal punishment among authorised sentences (art. 62) or among measures applicable to child and juvenile offenders (arts. 101-103). Prior to reform, caning of young offenders was lawful under the Transitional Penal Code 1957; reports that it had been abolished by Proclamation No. 4/1991 could not be substantiated.

Sadly, the new Penal Code does not outlaw corporal punishment in any other setting: instead it reiterates the confirmation of a “right of correction or discipline”, meaning that corporal punishment of children continues to be lawful in the home, alternative care settings, day care, schools and penal institutions.

Mozambique: At the 24th session of the Universal Periodic Review (UPR) in January 2016, recommendations to prohibit corporal punishment were made to Mozambique, among other African states (see below). The Government of Mozambique immediately and clearly accepted the recommendation; this is a new public commitment to prohibition by Mozambique, which now joins the list of states openly committed to full prohibition.

South Africa: The National Child Care and Protection Forum (NCCPF) met in March 2016 for a consultation on the National Child Care and Protection Policy. During the meeting, participants adopted a proposed amendment to the Children’s Act which aims to prohibit corporal punishment of children in all settings; the amendment will be included in the National Child Care and Protection Policy before being added to the forthcoming Children Amendment Bill. For more information, see the website of the [South African Working Group on Positive Discipline](#).

Uganda: Uganda has achieved prohibition of corporal punishment in schools. The Children Act has been amended with the insertion of a new article 106A, which states that “a person of authority in institutions of learning shall not subject a child to any form of corporal punishment”. A new article 42B states that prevention and early intervention programmes “must focus on ... (b) developing appropriate parenting skills and the capacity of parents and caregivers to safeguard the wellbeing and best interest of the child, including the promotion of positive, nonviolent forms of discipline”, but further reform is required in order to prohibit all corporal punishment in childrearing.

Zimbabwe: During a meeting with parents and school administrators from 576 primary and secondary schools in the Midlands province in Gweru, the Minister of Primary and Secondary Education, Lazarus Dokora, warned teachers against administering corporal punishment on students, saying they would face prosecution (myzimbabwe.co.zw, 9 March 2016). However, corporal punishment is lawful in schools: law reform is required to ensure it is fully prohibited and thus to provide a firm legal foundation instructing teachers against its use.

[Back to contents](#)

3. Campaigns and other moves towards prohibition

Global campaign

High Time to End Violence against Children: Launched in March 2016 and promoted by the Office of the Special Representative of the United Nations Secretary General on Violence against Children and partners, the High Time initiative aims to stimulate and support positive, visible and concrete initiatives to end violence against children worldwide – to reach violence-related targets in the

Sustainable Development Goals, especially target 16.2 on ending all forms of violence against children, by 2030. Using ICTs, the internet and social media, this initiative also aims to offer a platform for governments, organisations, institutions, children and adults to express commitment to children's freedom from violence and support action to prevent and respond to violence. For more information, see: the [High Time website](#).

National action

Egypt: The [National Council for Childhood and Motherhood](#) launched a campaign to raise awareness against violence at schools. The campaign will include training on modern teaching techniques and enabling teachers to stop using corporal punishment on students. (*Egypt Independent*, 4 March 2016)

Ghana: During a workshop organised by the Ghana Education Service (GES), Mr Jacob Kor, director general of the GES called on teachers to stop using corporal punishment, which accounts for increased cases of school dropouts. The two-day workshop which gathered guidance and counselling co-ordinators from different parts of the country, as well as representatives of teacher unions, human rights advocates, and non-governmental organisations (NGOs), aimed to explore alternative forms of discipline that would be beneficial to students. The GES recommended the development of a tool to help protect the rights of children and guide teachers on how to discipline students. (*Graphic Online*, 23 February 2016)

Nigeria: In February 2016, the Lagos State launched its End Violence Against Children campaign in Lagos. The campaign is the state's version of the National Agenda to End Violence Against Children inaugurated by President Muhammadu Buhari in September 2015, in response to the findings of a comprehensive national survey on violence against children (as reported in our previous issue). (*Punch*, 23 February 2016)

The Gambia: The Child Protection Alliance (CPA) held a three-day training in Sanyang village on the themes of gender-based violence and corporal punishment. The training for children as peer educators was part of the organisation's new project aimed at building the capacity of young people and key stakeholders such as women and district tribunals on child rights protection. (*The Point*, 3 March 2016)

[Back to contents](#)

4. Human rights monitoring

Key decisions and recommendations, etc.

The 71st session of the [Committee on the Rights of the Child](#) was held in January 2016. In its concluding observations, the Committee recommended education and awareness-raising of the law prohibiting all corporal punishment in **Benin**; it expressed concern at the prevalence of corporal punishment in **Kenya** despite its prohibition in the Constitution, and recommended a review of all relevant laws and a range of other measures to ensure effective implementation of the ban. To **Senegal**, the Committee welcomed the National Plan of Action to Criminalise Corporal Punishment and All Forms of Violence Against Children; it recommended the repeal of legislation authorising corporal punishment and the enactment of explicit prohibition in all settings, including the home. The Committee noted that corporal punishment is prohibited in schools and the prison system in **Zambia**, and recommended that it be prohibited in all settings, including the home. To **Zimbabwe**, the Committee expressed concern at the widespread use of corporal punishment and recommended the repeal or amendment of all provisions authorising its use and the enactment of explicit prohibition in all settings, together with appropriate education and awareness-raising. In a number of cases, the Committee referred to the new context of the Sustainable Development Goals, target 16.2 on ending violence against children.

Following examination of **South Africa**'s implementation of the International Covenant on Civil and Political Rights, at its 116th session, the [Human Rights Committee](#) expressed concern at the legality of corporal punishment in the home and its continued use in schools despite prohibition. The Committee urged the Government to put an end to corporal punishment in all settings, including through legislative measures.

At the 31st session of the [Human Rights Council](#), held in February/March 2016, the working group reports of states reviewed in the 23rd session of the Universal Periodic Review (UPR) in November 2015 were adopted and Governments that did not respond at the time to the recommendations made during their reviews gave their formal responses to the Council. No recommendation specifically on corporal punishment was made to **Mauritania**, but general recommendations to bring laws into line with international norms and to improve domestic violence legislation have now been accepted by the Government. **Rwanda** had already accepted recommendations to prohibit all corporal punishment.

The 24th UPR session was held in January 2016. Recommendations to prohibit corporal punishment were made to **Mozambique, Namibia, Seychelles, Sierra Leone** and **Somalia**. The Government of Mozambique immediately and clearly accepted the recommendation; this is a new public commitment to prohibition by Mozambique, which now joins the list of states openly committed to full prohibition. Responses from the remaining states are due no later than June 2016.

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.

Below is a list of African states coming up for examination by the treaty bodies. For deadlines for submitting briefings to the Committees, please see the individual country reports on the [Global Initiative website](#). We are always willing to advise NGOs and human rights institutions on the practical details of how to submit briefings (email vohito@endcorporalpunishment.org).

African Committee of Experts on the Rights and Welfare of the Child:

The 27th Ordinary Session and 11th Pre-Session of the Committee will be held in May 2016, in Addis Ababa, Ethiopia. During the Pre-Session, the Committee will consider CSOs’ alternative reports from [Cameroon](#), [Côte-d'Ivoire](#), [Ghana](#) and [Sierra Leone](#).

Committee on the Rights of the Child:

- (1) Session 72 (May/Jun 2016). The Committee will examine [Gabon](#)
- (2) Session 74 Pre-Sessional Working Group (Jun 2016). The PSWG will adopt the List of Issues for [Central African Republic](#), [DR Congo](#) and [Malawi](#)
- (3) Session 73 (Sep 2016). The Committee will examine [Sierra Leone](#) and [South Africa](#)

Committee Against Torture:

- (1) Session 58 (Jul/Aug 2016). The Committee will examine [Burundi](#) and [Cabo Verde](#)
- (2) Session 59 (Nov/Dec 2016). The Committee will examine [Namibia](#) and will adopt the List of Issues Prior to Reporting for [Côte d'Ivoire](#)

Committee on Economic, Social and Cultural Rights:

- (1) Session 58 (Jun 2016). The Committee will examine [Angola](#) and [Burkina Faso](#)
- (2) Session 59 (Sep/Oct 2016). The Committee will examine [Tunisia](#)

Committee on the Elimination of Discrimination against Women:

- (1) Session 64 (Jul 2016). The Committee will examine [Mali](#)
- (2) Session 66 Pre-Sessional Working Group (Jul 2016). The PSWG will adopt the List of Issues for [Rwanda](#)
- (3) Session 65 (Oct/Nov 2016). The Committee will examine [Burundi](#)

Committee on the Rights of Persons with Disabilities:

- (1) Session 16 (Aug/Sep 2016). The Committee will examine [Ethiopia](#)

Human Rights Committee:

- (1) Session 117 (Jun/Jul 2016). The Committee will examine [Burkina Faso](#) and [Ghana](#)
- (2) Session 118 (Oct/Nov 2016). The Committee will examine [Morocco](#); the Task Force will adopt the List of Issues Prior to Reporting for [Togo](#)

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 (UPR) 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 vohito@endcorporalpunishment.org).

The next African states to be reviewed under the UPR process are as follows:

- (1) Session 25 (May 2016) – [Sudan](#), [Swaziland](#), [UR Tanzania](#)
- (2) Session 26 (Oct/Nov 2016) – [Togo](#), [South Sudan](#), [Uganda](#), [Zimbabwe](#)

The calendar of reviews for the 3rd cycle of the UPR has also been released. African states among those to be reviewed in session 27, the first session of the new cycle, are: [Tunisia](#), [Morocco](#), [Algeria](#), [South Africa](#)

[Back to contents](#)

5. Resources: Research/Reports/Publications

Regional resource

Global Initiative publication: The new edition of the [Africa Progress and Delay leaflet](#) (in English and French) is now available. Graphically providing key information about current progress towards prohibition, it aims to support advocacy for law reform to prohibit corporal punishment. For more information: email vohito@endcorporalpunishment.org.

National resource

Namibia: The Legal Assistance Centre produced a [briefing on alternatives to corporal punishment](#). It includes information on the perception and legality of corporal punishment in Namibia and introduces 20 alternatives to corporal punishment adapted to the Namibian context.

[Back to contents](#)

6. 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 triona@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.

[Back to contents](#)

We hope you find this newsletter informative and useful and welcome your comments: please email vohito@endcorporalpunishment.org. If your organisation is not listed as supporting the aims of the Initiative, please consider signing up ([on our website](#) or email info@endcorporalpunishment.org).



Our mailing address is:

Global Initiative to End All Corporal Punishment of Children
The Foundry
17 Oval Way
London, London SE11 5RR
United Kingdom

[Add us to your address book](#)