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# Ending Corporal Punishment of Children: Africa E-newsletter

Issue 27: January 2018

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

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## In this issue:

We wish all our readers a Happy New Year. We hope that during 2018 African states will strengthen implementation of their laws prohibiting corporal punishment and that more states will enact prohibition in all settings, including the home. We look forward to working with supporters and activists across the continent to prohibit and eliminate corporal punishment of children in all settings.

Read on for further details of positive moves towards ending corporal punishment including the news that **corporal punishment has been prohibited in all schools in Seychelles in December 2017**.

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## 1. Recent developments in Africa

### Regional news

Organised by the [World Future Council](#), an International Child Rights Conference was held in Zanzibar in November 2017 to share best practice and policy on child protection, justice and participation in Africa and beyond. Participants from 12 countries committed to take action to eradicate all forms of violence against

children, through raising awareness and sensitization about violence against girls and boys, harmful practices and corporal punishment in all settings.

### **National news**

**Ghana:** During the 28th session of the Universal Periodic Review (UPR) in November 2017, Ghana accepted recommendations to prohibit corporal punishment in all settings, making a clear commitment to enacting law reform. This brings the number of states committed to full prohibition of all corporal punishment to 56. Also in November, the Ghana Education Service started implementing the Positive Disciplinary Tools, which aims to ban the use of corporal punishment in all basic and senior high schools of the country. (*JoyOnline*, 9 November 2017)

**Note:** Prohibition in law is still to be achieved in the home, alternative care settings, day care, schools and some penal institutions.

**Seychelles:** Corporal punishment has been prohibited in all schools in Seychelles. Article 68(3) of the Education (Amendment) Bill, passed by the National Assembly on 19 December 2017, states “A teacher or headteacher or a person employed, whether on a part-time or full-time basis by a school shall not administer corporal punishment as a disciplinary measure”. In January 2018, the Government reported to the Committee on the Rights of the Child that the Department of Social Affairs “continues to push” to prohibit corporal punishment in all settings and that “discussions have been set for early next year with the new Attorney General.”

**Sierra Leone:** Sierra Leone Government representatives announced that the upcoming review of the country’s Child Rights Act 2007 would be an opportunity to repeal the legal defence for the use of corporal punishment of children. The statement was made during the 30th ordinary session of the African Committee of Experts on the Rights and Welfare of the Child, which took place in Khartoum, Sudan, in December 2017.

### **From Prohibition to Elimination**

**Uganda:** In November 2017, the NGO Raising Voices rewarded 20 primary school teachers for creating a conducive learning environment for children at school under the Good School Programme. (*The Observer*, 6 November 2017).

**Note:** Uganda prohibited corporal punishment in all schools in 2016. Designed by Raising Voices, the “Good School Toolkit” is used in primary schools as an

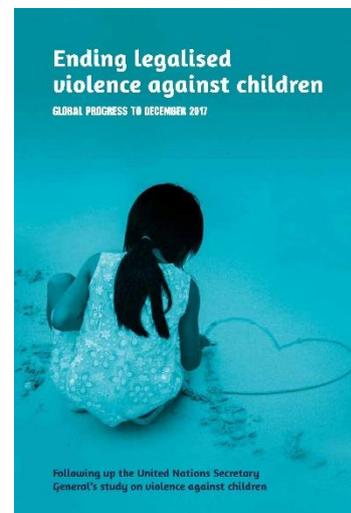
alternative to corporal punishment and a successful tool for implementing positive discipline in schools. It aims to create safe environments for students, improve school governance, and give students a voice in child protection policies.

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## 2. Resources: Research/Reports/Publications

**\*NEW publications from the Global Initiative\***

**Global Report 2017:** In collaboration with Save the Children Sweden, the Global Initiative launched its annual global report tracking progress towards universal prohibition and elimination of corporal punishment. The report, [Ending legalised violence against children: Global progress to December 2017](#), highlights the major achievements of 2017 – most notably, 53 states worldwide including seven African states now prohibit all corporal punishment of children; another 56 states globally, including 19 African states, have clearly committed to doing so.



[Progress towards prohibiting all corporal punishment of children in North Africa:](#) This briefing summarises progress so far and what remains to be done to achieve prohibition in each North African state. Designed to promote national action, it highlights immediate opportunities to fulfil children's right to equal protection in the many North African states where legislation related to children and families is currently being reformed. Also available in [Arabic](#) and [French](#).



[Progress towards prohibiting all corporal punishment of children in West and Central Africa:](#)

This briefing summarises progress in each West and Central African state and what remains to be done to achieve prohibition, and identifies immediate opportunities for introducing prohibiting legislation. It highlights commitments to end all violence against children, including corporal punishment, in Africa's Agenda for Children 2040 and the global 2030 Agenda for Sustainable Development. Also available in [French](#).



**Global resource**

[Violence Against Children: Making Human Rights Real, edited by Gertrud Lenzer, Routledge, 2018:](#) This book examines the prevalence and prevention of violence against children in a number of regions worldwide. It includes chapters on the global movement to end all corporal punishment of children, and on violence against children in Africa, which specifically raises the issue of corporal punishment of children in Africa, giving specific examples of prevalence in Africa and the various actions taken on the continent to eradicate this widespread phenomenon.

**Regional resource**

[Violence Against Children and Care in Africa: A Discussion Paper, Better Care Network. \(2017\).](#) This publication finds violence against children in the family in Africa is a key contributing factor to family separation and placement of children in alternative care. It highlights that more progress needs to be made to ensure children are fully protected under the law against corporal punishment in all care settings, noting that 47 African states have yet to outlaw corporal punishment in alternative care. It calls for strengthened regulatory systems that monitor children's wellbeing in alternative care and for "policies that do not outlaw corporal punishment in all care settings" to be challenged.

**National resource**

[Zanzibar. Positive Discipline in Everyday Parenting Manual: A Guide for Parents in Zanzibar \(2017\),](#) is the outcome of a joint project between the Government of Zanzibar, UNICEF, Save the Children, civil society organisations, religious leaders, local communities, parents and carers. With graphic illustrations, the manual aims

to introduce families to a non-violent problem-solving approach in order to cope with parenting challenges encountered at various key stages of early and middle childhood and adolescence. Based on Dr. Joan Durrant's publication on Positive Discipline in Everyday Parenting, the manual includes the views of 108 parents and 36 children who provided comments and suggestions on the islands of Pemba and Unguja. For more information, please contact:

[resourcecentre.savethechildren.net](http://resourcecentre.savethechildren.net)

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### 3. Human rights monitoring

**Key decisions and recommendations, etc.**

The **African Committee of Experts on the Rights and Welfare of the Child** held its 30th session in December 2017 in Khartoum and raised the issue of corporal punishment of children during the examinations of **Angola** and **Sierra Leone**. The Sierra Leonean delegation said the upcoming review of the Child Rights Act would provide an opportunity to repeal the legal defence for the use of corporal punishment (see above). Concluding observations are yet to be published.

The **Human Rights Committee**, at its 121st session in October/November 2017, expressed concern to **Mauritius** that corporal punishment is still lawful in homes, care settings and penal institutions, and recommended prohibition in all settings.

The **Committee Against Torture**, at its 62nd session in November/December 2017, expressed concern to **Rwanda** at the reports of frequent beatings suffered by detainees in penal institutions. It recommended that the Government monitor disciplinary practices inside prisons and ensure that corporal punishment is strictly prohibited.

The final reports of the 27th **Universal Periodic Review**, which had taken place in May 2017, were adopted by the Human Rights Council in September 2017:

- **Morocco** had already supported recommendations to prohibit corporal punishment in all settings, adding that they were considered as fully implemented – but in Moroccan legislation, corporal punishment of children is only prohibited in the penal system.

- **Algeria** partially supported a recommendation to “explicitly prohibit corporal punishment of children in all settings” ‘noting’ the phrase “in all settings”.
- **South Africa** ‘noted’ recommendations to prohibit corporal punishment in the home, as a recommendation “South Africa is in the process of considering and cannot commit to at this stage”.

We are seeking to establish whether the South African and Algerian Governments are still committed to prohibition in all settings, particularly in light of the October 2017 South African High Court ruling which found the common law defence of “reasonable or moderate chastisement” unconstitutional.

At the 28th session of the **Universal Periodic Review** in November 2017, **Ghana** accepted recommendations to prohibit corporal punishment in all settings, making a clear commitment to enacting law reform (see section on national news). **Gabon** also supported recommendations to prohibit corporal punishment – we are seeking official confirmation from the Government that it is committed to enacting prohibition of all corporal punishment of children, in all settings.

#### **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: if you/your organisation is interested please contact [vohito@endcorporalpunishment.org](mailto: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](#).

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

- (1) Session 79 Pre-Sessional Working Group (Feb 2018). The PSWG will adopt Lists of Issues for [Angola](#) and [Lesotho](#)
- (2) Session 78 (May/June 2018). The Committee will examine [Mauritania](#) and [Niger](#)

#### *Committee Against Torture:*

- (1) Session 63 (Apr/May 2018). The Committee will examine [Senegal](#)

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

- (1) Session 71 Pre-Sessional Working Group (Mar 2018). The PSWG will adopt the List of Issues for [Republic of Congo](#)

*Committee on the Rights of Persons with Disabilities:*

- (1) Session 19 (Feb/Mar 2018). The Committee will examine [Seychelles](#) and [Sudan](#)
- (2) Session 9 Pre-Sessional Working Group (Mar 2018). The PSWG will adopt Lists of Issues for [Algeria](#) and [South Africa](#)

*Committee on Economic, Social and Cultural Rights:*

- (1) Session 63 (Mar 2018). The Committee will examine [Central African Republic](#) and [Niger](#)
- (3) Session 62 Pre-Sessional Working Group (Apr 2018). The Committee will adopt Lists of Issues for [Cameroon](#) and [Mauritius](#)

*Human Rights Committee:*

- (1) Session 122 (Mar/Apr 2018). The Committee will examine [Liberia](#); the Country Report Task Forces will adopt Lists of Issues for [Guinea](#) and [Sudan](#), Lists of Issues Prior to Reporting for [Botswana](#) and [Tunisia](#), and the List of Issues in the absence of a report for [Niger](#)

### **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](mailto:vohito@endcorporalpunishment.org)).

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

- (1) Session 30 (May 2018) – [Burkina Faso](#), [Cabo Verde](#), [Cameroon](#), [Djibouti](#)
- (2) Session 31 (Oct/Nov 2018) – [Central African Republic](#), [Chad](#), [Mauritius](#), [Nigeria](#), [Republic of Congo](#), [Senegal](#)

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## **4. 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 our website: contact [triona@endcorporalpunishment.org](mailto:triona@endcorporalpunishment.org).

### **Research on corporal punishment of children**

We also collect evidence of the nature and prevalence of corporal punishment. Please send any recent research findings relevant to corporal punishment of children in Africa to: [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).

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*The Global Initiative aims to act as a catalyst to encourage more action and progress towards ending all corporal punishment in all continents. The Africa project aims 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.*

*We hope you find this newsletter informative and useful and welcome your comments: please email [vohito@endcorporalpunishment.org](mailto: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](mailto:info@endcorporalpunishment.org)).*

