



Newsletter 34 June 2016



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

Contents:

- [Global news and developments](#)
- [Advocacy resources](#)
- [Updates from the UN and regional human rights systems](#)

Welcome to the quarterly e-newsletter from the Global Initiative to End All Corporal Punishment of Children. We hope you find this update useful; please share it with your networks and if you have any comments, contributions or feedback, email us at info@endcorporalpunishment.org.

Global news and developments

Mongolia prohibits all corporal punishment!

In February 2016, the Mongolian Parliament – the State Great Hural – passed the Law on Child Protection 2016 and the Law on the Rights of Children 2016, which confirm children’s right to protection from all corporal punishment, explicitly prohibit the use of corporal punishment by parents, carers and others, and put an obligation on parents and other adults caring for and educating children to use non-violent discipline. With this reform, Mongolia becomes the 49th state to prohibit corporal punishment of children in all settings, including the home; it is the first state in Eastern and South Eastern Asia to achieve full prohibition. The new laws come into force on 1 September 2016. [Read more](#).

High Level Global Conference “Towards Childhoods free from Corporal

Punishment”

On 1-2 June 2016, the Austrian Government hosted an intergovernmental conference in Vienna attended by representatives from 70 states marking the 10th anniversary of the presentation of the UN Study on Violence against Children to the General Assembly, celebrating progress towards universal prohibition and elimination of all violent punishment of children and building momentum for further reform. The Global Initiative prepared a [special report](#) ahead of the conference outlining how states can work collaboratively towards universal prohibition of violent punishment (see more below). Participants adopted a Resolution declaring legal prohibition “a critical foundation for changing social norms” and committing “to work collaboratively and individually, at international, regional and national levels, to speed progress towards universal and effective legal prohibition of all violent punishment of children in all settings of their lives.” [Read more.](#)

High Time to End Violence against Children

On 9 March 2016, a new global campaign was launched by the Special Representative of the UN Secretary General on Violence against Children in Geneva alongside the 31st session of the Human Rights Council. “High Time to End Violence against Children” aims to end all forms of violence against children (target 16.2 of the new Sustainable Development Agenda 2030) through the power of commitment and action, engagement and people’s time and talent. The initiative invites governments, organisations, institutions, companies and individuals to sign a pledge and commit to join or create a circle of non-violence. Visit the [campaign website](#) for more information.

Council of Europe strategy on the rights of the child

In March 2016, the Council of Europe adopted its new [Strategy for the Rights of the Child](#) 2016-2021, which identifies “A life free from violence for all children” as one of its five priority areas. In the strategy, the Council commits to continuing its work towards universal prohibition and elimination of all corporal punishment over the next six years, stating “Member States will be supported in legal reform to achieve a full ban and in attaining higher collective awareness about children’s right to equal protection from assault, the dangers of violent punishment, as well as in promoting non-violent discipline and positive upbringing in line with the Recommendation on policy to support positive parenting.” The new strategy was launched at a [High Level Conference in Sofia](#) on 5-6 April 2016.

National workshops support moves towards law reform in South East Asia

In June 2016, the Global Initiative participated in law reform workshops with Save the Children country offices and partners in Thailand and Bangladesh, looking towards prohibition of corporal punishment of children in all settings including the home in both states, as well as implementation of legal bans to achieve elimination of all violent punishment. The Governments of Thailand and Bangladesh have both committed to prohibiting all corporal punishment of children. [Read more.](#)

African newsletter out now!

The latest edition of the African e-newsletter from the Global Initiative, published in April 2016, includes developments from the region, national action and campaigns to end corporal punishment, and news from human rights monitoring bodies in Africa and beyond. Read the newsletter in [English](#) and [French](#) and sign up to [receive future editions](#).

Positive steps

Antigua and Barbuda: The Child Justice Act 2015 which was passed in October last year was published in the Gazette in March 2016. It explicitly prohibits corporal punishment as a sentence for crime for persons under 18 years of age. (Also published were the Children (Care and Adoption) Act 2015, the Status of Children Act 2015 and the Domestic Violence Act 2015, but these do not prohibit corporal punishment of children.)

Belgium: Draft legislation which would prohibit all corporal punishment has been prepared and is under discussion; as at March 2016, it had not yet been introduced into Parliament.

Canada: A bill which would repeal s43 of the Criminal Code and achieve prohibition of all corporal punishment is under discussion. It received its second reading in the Senate in June 2016.

Chile: A draft child rights law which would prohibit all corporal punishment is under discussion (April 2016); the revival of a bill to amend the right of correction to exclude corporal punishment is also being discussed, but the definition of corporal punishment needs revision.

Eritrea: Eritrea has been removed from the list of states that have not achieved prohibition in any setting following the new Penal Code 2015 which makes no provision for judicial corporal punishment. However, the new Code reiterates the "right of correction or discipline" included in the previous Code.

Montenegro: A bill which would prohibit corporal punishment under Family Law is under discussion and was expected to be enacted in 2016; the Global Initiative is seeking further information.

Nepal: The Children's Bill currently under discussion includes prohibition of corporal punishment.

Paraguay: A bill which would prohibit all corporal punishment is under discussion in Parliament; Congress gave general approval on 31 March, but had yet to go through the bill in detail.

Philippines: The drafting of a new bill to prohibit all corporal punishment is underway; it is intended to be tabled in July.

Uganda: The Children (Amendment) Bill No. 2 has been passed and signed by the President; the new law includes prohibition of corporal punishment in all schools. The original Bill tabled by Government also included prohibition in the home and all other settings, but this was later withdrawn: GI is seeking information regarding future intentions for reform.

Other moves towards prohibition

Belize: In his 2015 report, Ombudsman Lionel Arzu called for prohibition of all corporal punishment of children, including in the home, prisons and schools, stating "Domestic laws such as the Criminal Code (See Section 39) and the Prisons Act should be modified to bring them in alignment with the Convention on the Rights of the Child." [Read more.](#)

France: A new Parents' Handbook published by the Ministry for Families, Childhood and Women's Rights advises against hitting children, saying it has "no educational value" and can "generate stress and affect [a child's] development." [Read more.](#)

Scotland: On 25 May 2016, the Church of Scotland's General Assembly voted to support calls on Government to remove the defence of "justifiable assault", which would ban all corporal punishment and give children the same legal protection against violence as adults. [Read more.](#)

Wales: During his first speech to the new Welsh Assembly on 18 May 2016, First Minister Carwyn Jones announced that once the Assembly is in a position to better scrutinise it, legislation to remove the defence of reasonable chastisement will be taken forward on a

cross-party basis. More about the campaign to prohibit corporal punishment in Wales can be found at www.childrenareunbeatablecymru.org.uk.

Sad news

The Global Initiative notes with great sadness the recent deaths of Dr. Murray Straus and Dr. Anne Smith; both made a huge contribution to our understanding of corporal punishment of children and the damage it causes, and to the work of ending it.

[Back to contents](#)

Advocacy resources

New resources from the Global Initiative

[*New interactive global map!*](#) In April, the Global Initiative launched a new interactive map, showing progress towards universal prohibition of all corporal punishment. Hover over a country for information on the legality of corporal punishment, and click on it to go directly to our detailed country report. On touch screens, tap the country for information, and tap again to read the full report.

[*Prohibiting all corporal punishment of children: progress and delay*](#): This revised and updated edition of the popular summary leaflet outlines global progress towards universal prohibition of all corporal punishment of children. Since publication in March, further progress has been achieved: see the news and developments section above.

[*Prohibiting all corporal punishment of children in Africa: progress and delay*](#): Updated April 2016, this leaflet graphically illustrates progress towards prohibition of all corporal punishment in Africa, where seven states have achieved prohibition in all settings. It lists some of the states in which governments are most resistant to reform and highlights immediate opportunities for prohibiting corporal punishment in around 43 African states. The leaflet is available in English and French.

[*Progress towards prohibiting all corporal punishment of children in the Caribbean, issue 2:*](#) This briefing published by the Caribbean Coalition for the Abolition of Corporal Punishment of Children (CCACPC) in April 2016 summarises the progress made towards prohibition in each Caribbean state and territory, and what remains to be done. Aiming to

promote national action, it emphasises the many immediate opportunities for working to fulfil children's right to protection in law from all corporal punishment in the penal system, care settings, schools and the family home.

[Corporal punishment of children: review of research on its impact and associations:](#)

Updated June 2016, this review of research on the impact of corporal punishment includes evidence from a major recent [analysis](#) of five decades of research on the issue, and includes more than 250 studies which show links between corporal punishment and a wide range of negative outcomes that can persist into adulthood, including direct physical harm, negative impacts on physical and mental health, education and family relationships, increased aggression, violence and antisocial behaviour. The review is available in full and summary form.

Other resources to support advocacy

[WHO Global Plan of Action on Violence:](#) On 27 May 2016, the 69th World Health Assembly adopted a historic resolution WHA69.5 endorsing the WHO global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls, and against children. The global plan of action calls on Member States to adopt or reform laws (and enforce existing laws) in line with international human rights standards to prevent violence against children and adolescents, including corporal punishment, in all settings including the home.

[Preventing Child Abuse and Neglect: A Technical Package for Policy, Norm, and Programmatic Activities:](#) This new evidence-based package from the US National Center for Injury Prevention and Control (CDC) presents a group of strategies based on the best available evidence to help prevent child abuse and neglect, including prohibition of all corporal punishment. The package highlights that banning corporal punishment "can help establish norms around safe, more effective discipline strategies to reduce the harms of harsh physical punishment, particularly if paired with engagement and education campaigns".

[National and International Perspectives: Promoting alternatives to corporal punishment:](#) A new briefing from the Legal Assistance Centre (LAC) Namibia describes the legality of corporal punishment in Namibia, its negative effects, and the attitudes of adults and children towards its use. The briefing proposes alternative non-violent ways of disciplining children and responds to frequently asked questions on the issue.

[Spanking and Child Outcomes: Old Controversies and New Meta-Analyses:](#) Published in the

Journal of Family Psychology in April 2016, this analysis of 50 years of research finds no evidence that spanking does any good for children; instead, spanking (often perceived as distinct from physical abuse) is linked with the same negative child outcomes as abuse, just to a slightly lesser degree. This most complete analysis to date of the outcomes associated with spanking finds the more children are spanked, the more likely they are to defy their parents and to experience increased anti-social behaviour, aggression, mental health problems and cognitive difficulties. The findings are included in the Global Initiative's review of research on the impact of corporal punishment (see above).

[*The State of the World's Children 2016: A fair chance for every child*](#): A new global report from UNICEF argues that progress for the most disadvantaged children is not only a moral, but a strategic imperative. At the start of a new development agenda, the report recommends a pathway to help chart the course towards a more equitable world (information, integration, innovation, investment, involvement) and presents the most recent key statistics, including on violent discipline, from the Multiple Indicator Cluster Surveys (MICS) and other sources.

[Back to contents](#)

News from the UN and regional human rights systems

Note: All of these and previous recommendations by treaty bodies are available in full in the relevant [country reports](#) and on the [treaty body pages](#) on our website.

Committee on the Rights of the Child

In its concluding observations on states examined at its 72nd session in May/June 2016, the Committee on the Rights of the Child urged **Bulgaria** to ensure prohibition of corporal punishment is adequately monitored and enforced in all settings, and to promote positive, non-violent and participatory forms of child-rearing and discipline. The Committee recommended prohibition of corporal punishment in all settings including the home and the promotion of positive, non-violent and participatory forms of child-rearing and discipline to **Gabon, Nepal, Samoa** and the **UK**. To **Pakistan**, the Committee recommended prohibition of all corporal punishment, particularly exempting all children below the age of 18 from punishment under Shariah Law for *Hadood* offences, and awareness-raising campaigns on the harmful effect of corporal punishment and the promotion of positive, non-violent and participatory forms of child-rearing and discipline. To **Slovakia**, the Committee expressed deep regret that the 2005 Family Code tolerates

the use of “reasonable physical punishment” in the raising of children in families and urged the Government to explicitly prohibit corporal punishment in the home without further delay. [Read more.](#)

Human Rights Committee

At its 116th session in March, the Human Rights Committee examined states on their implementation of the International Covenant on Civil and Political Rights – including on the obligation to prohibit all corporal punishment of children. In its concluding observations on the review of **Slovenia**, the Committee expressed concern that corporal punishment is not explicitly prohibited and recommended practical steps to end corporal punishment in all settings, including legislative measures and public awareness campaigns on its harmful effects and alternative non-violent forms of discipline. To **South Africa**, the Committee stated its concern that corporal punishment in the home is not prohibited, that it is traditionally accepted and widely practiced, and again recommended practical steps, including legislative measures, to end corporal punishment in all settings. Legislation to prohibit corporal punishment in all settings is currently being drafted in both states. [Read more.](#)

Universal Periodic Review outcomes

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).

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 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. Recommendations to prohibit corporal punishment of children in all settings were accepted by **Georgia, Micronesia, Oman, Rwanda** and **Sao Tome and Principe**; the Government of Oman made a general statement that the recommendations it had accepted were compatible with the teachings of Islamic Sharia. **St Lucia** accepted four of five recommendations to prohibit corporal punishment; **Lebanon** accepted a

recommendation to improve legislation relating to corporal punishment but not a recommendation to prohibit it in all settings; **Myanmar**, **Mauritania**, **Nepal** and **Nauru** accepted general recommendations to improve legislation related to children and domestic violence and/or to harmonise national laws with the Convention on the Rights of the Child; recommendations to prohibit corporal punishment were not accepted by **Australia** or **St Kitts and Nevis**. [Read more](#).

Submitting information to the UN human rights system

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 info@endcorporalpunishment.org.

The following lists show which states are coming up for examination by the treaty bodies and the UPR. For details of deadlines for submitting briefings see the [individual country reports](#).

Committee on the Rights of the Child

(1) Session 73 (Sep 2016). The Committee will examine Estonia, Nauru, New Zealand, Saudi Arabia, Sierra Leone, South Africa, Suriname

(2) Session 75 Pre-Sessional Working Group (Oct 2016). The PSWG will adopt Lists of Issues for Bhutan, Cameroon, Lebanon, Mongolia, Romania

Committee Against Torture

(1) Session 58 (Jul/Aug 2016). The Committee will examine Burundi, Honduras, Kuwait, Mongolia

(2) Session 59 (Nov/Dec 2016). The Committee will examine Armenia, Cabo Verde, Ecuador, Finland, Monaco, Namibia, Sri Lanka, Turkmenistan; the Committee will adopt List of Issues for Australia, Côte d’Ivoire, Croatia, Montenegro, Sweden, Ukraine, USA

Committee on Economic, Social and Cultural Rights

(1) Session 59 (Sep/Oct 2016). The Committee will examine Costa Rica, Cyprus, Dominican Republic, Lebanon, Philippines, Poland, Tunisia

(2) Session 59 Pre-Sessional Working Group (Oct 2016). The PSWG will adopt Lists of

Issues for Australia, Liechtenstein, Netherlands, Pakistan, Sri Lanka, Uruguay

Committee on the Elimination of Discrimination Against Women

(1) Session 64 (Jul 2016). The Committee will examine Albania, France, Mali, Myanmar, Philippines, Trinidad and Tobago, Turkey, Uruguay

(2) Session 66 Pre-Sessional Working Group (Jul 2016). The PSWG will adopt List of Issues for El Salvador, Germany, Jordan, Federated States of Micronesia, Rwanda, Sri Lanka, Ukraine

(3) Session 65 (Oct/Nov 2016). The Committee will examine Antigua and Barbuda, Argentina, Armenia, Bangladesh, Belarus, Bhutan, Burundi, Canada, Estonia, Honduras, Netherlands, Switzerland

(4) Session 67 Pre-Sessional Working Group (Nov 2016). The PSWG will adopt List of Issues for Barbados, Costa Rica, Italy, Niger, Nigeria, Republic of Korea, Thailand

Committee on the Rights of Persons with Disabilities

(1) Session 16 (Aug/Sep 2016). The Committee will examine Bolivia, Colombia, Ethiopia, Guatemala, Italy, United Arab Emirates, Uruguay; the Committee will adopt List of Issues for Canada

(2) Session 6 Pre-Sessional Working Group (Sep 2016). The PSWG will adopt List of Issues for Armenia, Bosnia and Herzegovina, Cyprus, Honduras, Iran, Jordan

Human Rights Committee

(1) Session 118 (Oct/Nov 2016). The Committee will examine Azerbaijan, Colombia, Jamaica, Morocco, Poland, Republic of Moldova, Slovakia; the Country Report Task Forces will adopt Lists of Issues for Honduras, Liechtenstein, Madagascar, Mongolia, Pakistan and Lists of Issues Prior to Reporting for Paraguay, Togo

Universal Periodic Review

(1) Session 26 (Oct/Nov 2016) – Haiti, Iceland, Lithuania, Republic of Moldova, South Sudan, Syrian Arab Republic, Timor-Leste, Togo, Uganda, Venezuela, Zimbabwe

(2) Session 27 (Apr/May 2017) – Bahrain, Ecuador, Tunisia, Morocco, Indonesia, Finland, United Kingdom, India, Brazil, Philippines, Algeria, Poland, Netherlands, South Africa

[Back to contents](#)

"The year 2030 is a long way off ... we cannot in all conscience set 2030 as the goal for prohibiting all corporal punishment of children. We must show more foresight than that. We know that prohibition of corporal punishment in law provides the essential foundation for eliminating it in practice. It is imperative that we reform the law as a matter of urgency if we are to have any hope of ending corporal punishment by 2030."

Paulo Sérgio Pinheiro, Independent Expert who led the UN Study on Violence against Children, Chairperson of the Independent International Commission of Inquiry on Syria, speaking at the High Level Global Conference, "Towards Childhoods free from Corporal Punishment", Vienna, 1-2 June 2016

