

Prohibition of violent punishment of children: a critical step towards fulfilling the 2030 Agenda for Sustainable Development

Briefing prepared by the Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org) for the High Level Political Forum on Sustainable Development in July 2016

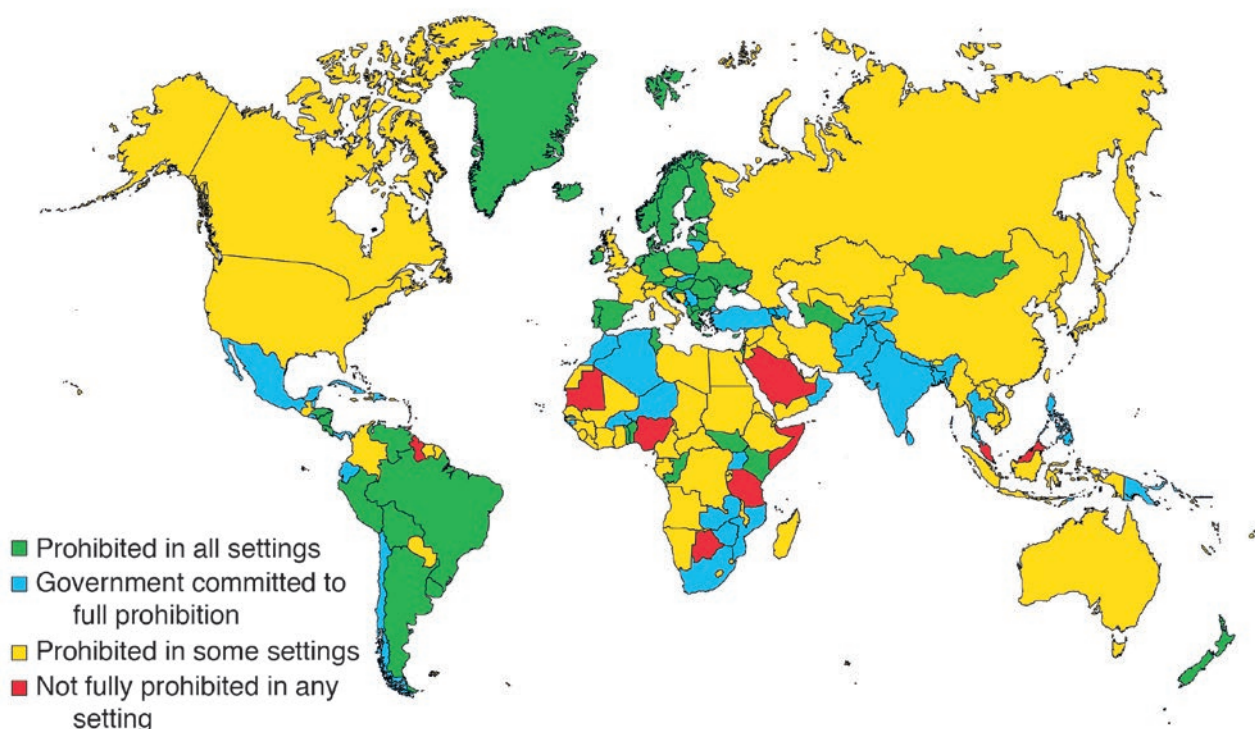


Global Initiative to
End All Corporal Punishment
of Children

Ending violent punishment – the most common form of violence against children – is fundamental to creating the “world free of fear and violence ... of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination” envisaged by the 2030 Agenda for Sustainable Development. Prohibition of all violent punishment, including in the family home, is required by international human rights law. As a key strategy in reducing and preventing violence in societies, it is a critical step towards the achievement of target 16.2 on ending all forms of violence against children and is highly relevant to other targets, including those related to health and wellbeing and to quality education.

Since prohibition of corporal punishment was recommended as a matter of urgency in the UN Study on Violence against Children in 2006, the number of states prohibiting all corporal punishment of children has tripled, from 16 to 49. At this rate, universal prohibition by 2030 is an entirely realistic target. As at July 2016, governments in more than 50 states are openly committed to reforming their laws to prohibit all corporal punishment, and draft laws and bills which would achieve prohibition are actively under discussion in many. At the High Level Global Conference, “Towards Childhoods free from Corporal Punishment”, hosted by the Austrian Government in Vienna in June 2016, participants signed the Resolution of the Conference in which they committed “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”.

This briefing sets out the legality and prevalence of violent punishment in the 22 states undergoing voluntary review during the July 2016 High Level Political Forum and urges all states which have not yet prohibited violent punishment of children to speedily move to do so, as a critical step towards fulfilment of the 2030 Agenda.



Progress towards prohibition of all corporal punishment in states undergoing voluntary national reviews at the High Level Political Forum in July 2016

The following table sets out, for each of the 22 states to be reviewed at the HLPF on Sustainable Development in July 2016, the law reform that is necessary in order to achieve prohibition of corporal punishment in all settings and the latest information on prevalence of corporal punishment as documented through UNICEF's Multiple Indicator Cluster Surveys and other studies. An asterisk indicates that the state is committed to prohibiting all corporal punishment but this has not yet been achieved. Further detail on progress towards prohibition is available at www.endcorporalpunishment.org. Full references for MICS data can be found at <http://mics.unicef.org> and for other research at www.endcorporalpunishment.org, where a detailed review of research on the impact of prohibition on prevalence and attitudes is also available.

State	Prohibition	Prevalence
China	Not yet prohibited: home, alternative care, day care	MICS: no data. Other: 53.7% of mothers of 3-15 year olds and 48.3% of fathers had physically punished their child in the past year (Wang & Liu, 2014); 48% of 7-10 year old girls and 60% of boys had experienced "mild" corporal punishment, 10% of girls and 15% of boys severe corporal punishment, in the past month (Lansford et al, 2010).
Colombia	Not yet prohibited: home, alternative care, day care, ?schools, ?penal system	MICS: no data. Other: 68% of 7-10 year old girls and 63% of boys had experienced "mild" corporal punishment, 15% of girls and 4% of boys severe corporal punishment, in the past month (Lansford et al, 2010).
Egypt	Not yet prohibited: home, alternative care, day care, ?schools	DHS 2005: 92% of 3-17 year olds were shouted, yelled or screamed at, hit or slapped on the body with a hand or hard object or hit or slapped on the face, head or ears in the past month. Family Conditions Survey 2009: 91% of 2-14 year olds violently disciplined in the past month, 82% physically punished, 42% severely physically punished. DHS 2014: 93% of 1-14 year olds violently disciplined in the past month, 78% physically punished, 43% severely physically punished. MICS5 2013-14: no data.
Estonia	Full prohibition achieved: 2014	MICS: no data.
Finland	Full prohibition achieved: 1983	MICS: no data. Other: 72% experienced "mild" violent punishment in 1988 cf 32% in 2008, 8% severe physical punishment in 1988 cf 4% in 2008 (Ellonen et al, 2008); proportion of 15-80 year olds slapped and beaten with an object during childhood decreased after 1983 (Österman et al, 2014).
France	Not yet prohibited: home, alternative care, day care	MICS: no data. Other: 96% of children were smacked, 30% punished with a "martinet" (small whip) (Union of Families in Europe, 2007).
Georgia*	Not yet prohibited: home, alternative care, day care	MICS3 2005: 67% of 2-14 year olds violently disciplined in the past month, 50% physically punished, 20% severely physically punished.
Germany	Full prohibition achieved: 2000	MICS: no data. Other: 58% of 16-40 year olds in 1992 had experienced "light" violence in childhood cf 36% in 2011; in 1992 26% had not been physically punished cf 52% in 2011 (Pfeiffer, 2012).
Madagascar	Not yet prohibited: home, alternative care, day care, penal institutions	MICS4 2012: 84% of 2-14 year olds violently disciplined in the past month, 64% physically punished, 20% severely physically punished (subnational data from four southern regions).

State	Prohibition	Prevalence
Mexico*	Not yet prohibited: home, alternative care, day care	MICS: no data.
Monaco	Not yet prohibited: home, alternative care, day care	MICS: no data.
Montenegro*	Not yet prohibited: home, alternative care, day care	MICS3 2005-06: 63% of 2-14 year olds violently disciplined in the past month, 45% physically punished, 6% severely physically punished. MICS5 2013: 69% of 1-14 year olds violently disciplined in the past month, 31% physically punished, 2% severely physically punished; in Roma settlements, 64% of 1-14 year olds violently disciplined, 35% physically punished, 5% severely physically punished.
Norway	Full prohibition achieved: 1987	MICS: no data. Other: Research among adults found a decline in experience of corporal punishment and witnessing violence in the home since the 1970s, reported by 33% of 65-79 year olds cf 16% of 17-24 year olds (Holter et al, 2009).
Philippines*	Not yet prohibited: home	MICS: no data. Other: 71% of 7-10 year old girls and 77% of boys had experienced "mild" corporal punishment, 9% of girls and 8% of boys severe corporal punishment in the past month (Lansford et al, 2010); 61% of 12 year olds were physically punished at home (Sanapo & Nakamura, 2010).
Republic of Korea	Not yet prohibited: home, alternative care, day care, schools	MICS: no data.
Samoa*	Not yet prohibited: home, alternative care, day care, schools	MICS: no data. Other: 61% of adults said they "hit, smack, kick, pinch or dong children's heads or pull their ears" to "discipline and educate" the child (UNICEF & Ausaid, 2013).
Sierra Leone	Not yet prohibited: home, alternative care, day care, schools	MICS3 2005-06: 92% of 2-14 year olds violently disciplined in the past month, 79% physically punished, 24% severely physically punished. MICS4 2010: 82% of 2-14 year olds violently disciplined in the past month, 65% physically punished, 19% severely physically punished.
Switzerland	Not yet prohibited: home, alternative care	MICS: no data.
Togo	Full prohibition achieved: 2007	MICS3 2006: 91% of 2-14 year olds violently disciplined in the past month, 76% physically punished, 26% severely physically punished. MICS4 2010: 93% of 2-14 year olds violently disciplined in the past month, 77% physically punished, 17% severely physically punished. DHS 2013-14: 81% of 1-14 year olds violently disciplined in the past month, 56% physically punished, 11% severely physically punished
Turkey*	Not yet prohibited: home, alternative care, day care	MICS: no data.
Uganda*	Not yet prohibited: home, alternative care, day care	MICS: no data. Other: 33% of 5-17 year olds had been hit/spanked with an object in the past year, 27% hit/spanked with a hand, 22% pinched, had ears twisted or hair pulled (ANPCCAN & Makerere University, 2013).
Venezuela	Full prohibition achieved: 2007	MICS: no data.

Violent punishment of children in the 2030 Agenda for Sustainable Development

In adopting the 2030 Agenda, states have committed to work to **“End abuse, exploitation, trafficking and all forms of violence against and torture of children”** (target 16.2). The three indicators which will be used to monitor progress towards this target, adopted by the UN Statistical Commission in March 2016, include indicator 16.2.1: **“Percentage of children aged 1-17 who experienced any physical punishment and/or psychological aggression by caregivers in the past month.”**

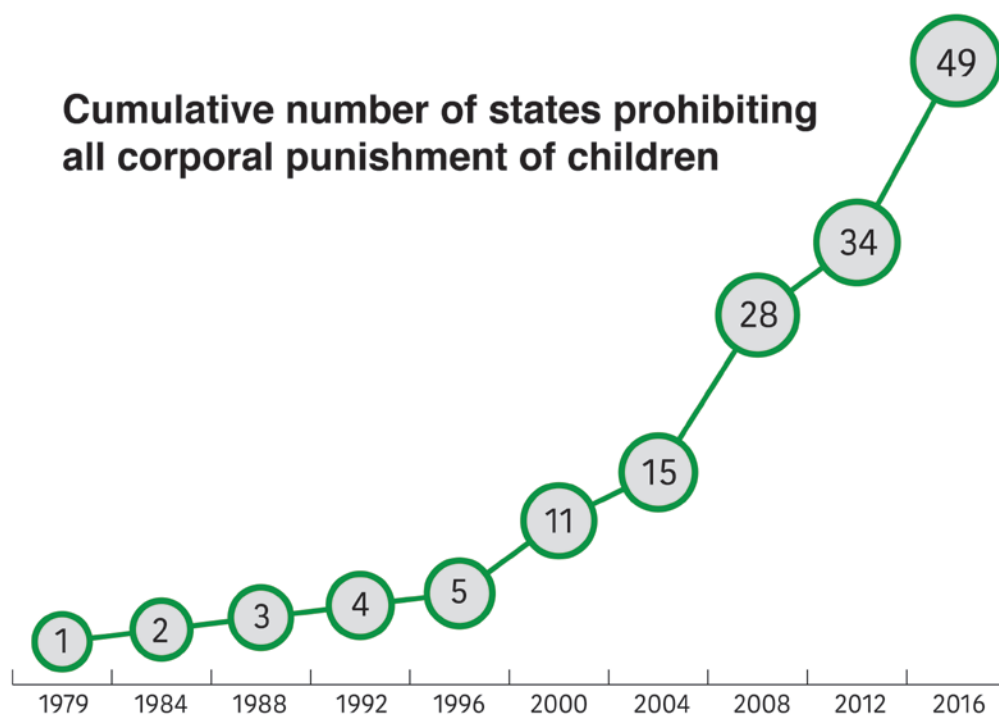
The adoption of this indicator recognises the centrality of prohibiting and eliminating corporal punishment for ending all violence against children and achieving other Sustainable Development Goals, including those on health, education, violence against women and girls and equality.

Prohibition of violent punishment in law is the essential foundation for reducing its use. Once law reform has been achieved, states must move to implement the prohibition, including through society-wide measures to raise awareness of the new law and children’s right to protection. The process of transforming society’s view of children, to seeing them as full holders of human rights and ensuring they cannot be hit and hurt in the guise of “discipline”, will take time. **Speedy reform of national legislation to prohibit all corporal punishment of children is critical – if states are to achieve substantial reductions in the prevalence of violent punishment as measured by the indicator by 2030, they must begin the process NOW!**

“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, The Independent Expert who led the UN Study on Violence against Children and 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

Cumulative number of states prohibiting all corporal punishment of children



The human rights imperative to prohibit violent punishment

Prohibition of violent punishment is a well-established human rights imperative. In its General Comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the UN Committee on the Rights of the Child highlights that the UN Convention on the Rights of the Child requires states to prohibit and eliminate all violent punishment of children, in the family home and all other settings of their lives. The Committee consistently recommends prohibition and elimination of violent punishment to states it examines. The Human Rights Committee, the Committee Against Torture, the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of Persons with Disabilities and the Committee on the Elimination of Discrimination Against Women have all recommended prohibition of all corporal punishment of children. The issue is frequently raised in the Universal Periodic Review of states’ overall human rights records. UNICEF, UNESCO and major international human rights NGOs, as well as many national NGOs and prominent individuals, support prohibition.¹

¹ A full list of supporters of prohibition is available at www.endcorporalpunishment.org