

Progress towards prohibiting all corporal punishment in West and Central Africa



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Also available online at www.endcorporalpunishment.org

The following table summarises the legal status of corporal punishment of children – and progress towards achieving prohibition – in all settings in all states in West and Central Africa. Governments are increasingly enacting laws to prohibit this form of violence against children. As at February 2024, five states have achieved prohibition in all settings, including the home; governments of three others have expressed a commitment to enacting full prohibition. Six states have prohibited corporal punishment in all alternative care settings and five in day care, 13 in all schools, 16 in penal institutions and 22 as a sentence for crime.

States with full prohibition in legislation

The following five states have prohibited corporal punishment in all settings, including the home.

State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Benin	YES ¹	YES	YES	YES	YES	YES
Cabo Verde	YES ²	YES	YES	YES	YES	YES
Congo, Republic of	YES ³	YES	YES	YES	YES	YES
Guinea	YES ⁴	YES	YES	YES	YES	YES
Togo	YES ⁵	YES	YES	YES	YES	YES

States expressing commitment to law reform in UPR and other contexts

Governments in the following states have expressed a commitment to prohibition of all corporal punishment of children through unequivocally accepting recommendations to prohibit made during the Universal Periodic Review (UPR) of the state concerned and/or in another official context. For more information on how End Corporal Punishment assesses states' commitment, visit <https://endcorporalpunishment.org/committed-states/>.

<i>States committed to law reform ...</i>						
State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Ghana ⁶	NO	NO	NO	NO ⁷	SOME ⁸	YES

¹ Prohibited in Children's Code 2015

² Prohibited in Law on Children and Adolescents 2013

³ Prohibited in Law on the Protection of the Child 2010

⁴ Prohibited in Children's Code 2019

⁵ Prohibited in Children's Code 2007

⁶ Government accepted UPR recommendations to prohibit in all settings (2008, 2012, 2017) and reportedly made a commitment to prohibit by 2019 to the Committee on the Rights of the Child (2015)

⁷ Ministerial directive possibly advises against corporal punishment but no prohibition in law

⁸ Prohibited in prisons

<i>States committed to law reform ...</i>						
State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Niger ⁹	NO	NO	NO	NO ¹⁰	NO	YES
Sierra Leone ¹¹	NO	NO	NO	YES	YES	YES

States without a clear commitment to law reform

The following states are not currently committed to prohibiting all corporal punishment. Some have yet to make a clear commitment to law reform. Some have accepted UPR recommendations to prohibit but have also indicated that they consider existing legislation adequately protects children from corporal punishment, in conflict with information collected by End Corporal Punishment. Some have accepted some UPR recommendations to prohibit corporal punishment but rejected other similar recommendations. Others had previously committed but have since either backtracked on that commitment or have failed to take action on it.

<i>States without a clear commitment to law reform ...</i>						
State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Burkina Faso ¹²	NO	NO	SOME ¹³	SOME ¹⁴	[YES]	YES
Cameroon	NO	NO	[SOME] ¹⁵	YES	[YES]	YES
Central African Republic	NO	NO	NO	NO	NO	YES
Chad ¹⁶	NO	[SOME] ¹⁷	[SOME] ¹⁸	YES	[YES]	YES
Cote d'Ivoire	NO	NO	NO	NO ¹⁹	YES	YES
DR Congo	NO	NO	NO	YES	NO	YES
Equatorial Guinea	NO	NO	NO	NO	NO	YES
Gabon	NO	NO	SOME ²⁰	YES	YES	YES
Gambia	NO	NO ²¹	NO	NO ²²	NO	YES
Guinea-Bissau ²³	NO	YES	[NO]	YES	YES	YES
Liberia	NO	SOME ²⁴	SOME ²⁵	NO	YES	YES
Mali	NO	NO	SOME ²⁶	YES	YES	YES
Mauritania	NO	NO	NO	NO ²⁷	[SOME] ²⁸	NO

⁹ Draft legislation which would prohibit under discussion (2014)

¹⁰ Ministerial Order states corporal punishment should not be used but no prohibition in law

¹¹ Government accepted UPR recommendation to prohibit in all circumstances (2016)

¹² Draft legislation which would prohibit under discussion (2014); Government noted a UPR recommendation to prohibit in 2018

¹³ Prohibited in preschool settings

¹⁴ Prohibited in primary schools

¹⁵ Possibly prohibited in nursery education

¹⁶ Government accepted UPR recommendation to prohibit in 2009 but rejected recommendation to prohibit in 2013

¹⁷ Possibly prohibited in institutional care settings

¹⁸ Possibly prohibited in institutions

¹⁹ Ministerial circular states corporal punishment should not be used but no prohibition in law

²⁰ Prohibited in preschool provision

²¹ Minimum standards for residential childcare institutions state corporal punishment should not be used but no prohibition in law

²² Ministerial directive advises against corporal punishment but no prohibition in law

²³ Had initially committed to prohibition by accepting UPR recommendation in 2015; but no progress since

²⁴ Corporal punishment by child protection practitioners prohibited

²⁵ Corporal punishment by child protection practitioners prohibited

²⁶ Prohibited in preschools and kindergartens

²⁷ Ministerial Order states corporal punishment should not be used but no prohibition in law

²⁸ Child Protection Code prohibits corporal punishment of children in the penitentiary system but possibly not all institutions, and we have been unable to confirm whether the Code has been gazetted

<i>States without a clear commitment to law reform ...</i>						
State	Prohibited in the home	Prohibited in alternative care settings	Prohibited in day care	Prohibited in schools	Prohibited in penal institutions	Prohibited as sentence for crime
Nigeria	NO	NO	NO	NO ²⁹	SOME ³⁰	SOME ³¹
Sao Tome and Principe ³²	NO	NO	NO	[YES]	[YES]	[YES]
Senegal ³³	NO	NO	NO	SOME ³⁴	[YES]	YES

Note

The above information is based wherever possible on examination of national legislation; additional information is gathered from many sources, including reports to and by the United Nations human rights treaty bodies. Information in square brackets is unconfirmed. We are very grateful to government officials, UNICEF and other UN agencies, NGOs and human rights institutions, and many individuals who have assisted us in our research. We welcome corrections and updates: email vohitos@who.int. For further details on all states see the individual state reports at www.endcorporalpunishment.org.

²⁹ But possibly prohibited in Lagos State

³⁰ Prohibited in Child Rights Act 2003, not enacted in all states

³¹ Prohibited in Child Rights Act 2003, not enacted in all states; lawful in some states under Shari'a law

³² Had initially committed to prohibition by accepting UPR recommendation to prohibit in all settings (2011, 2015); but no progress since

³³ Draft legislation to prohibit under discussion (2016)

³⁴ Prohibited for 6-14 year olds