



Ending corporal punishment in the child justice system: legal and human rights approaches

May 2024



End Corporal
Punishment





Introduction

Corporal punishment is the most common and widely accepted form of violence against children, with a very large number regularly experiencing it in various settings of their lives, including the penal systems. An ever-growing body of research establishes links between children's experience of corporal punishment and a wide range of negative health and behavioural outcomes which can last into adulthood and lead to intergenerational cycles of violence.¹

As of May 2024, 66 states worldwide have banned corporal punishment of children in all settings of their lives, including in the home. Moreover, at least 27 other states have expressed a commitment to enacting full prohibition.²

Despite this progress, many children around the world have been left behind. This briefing highlights the human rights imperative to prohibit – and eliminate - all violent punishment of children in the child justice systems. It documents that 30 states have not fully prohibited the sentencing of children to corporal punishment by their courts, and 52 states have not prohibited violent punishment of children in penal institutions and summarises progress so far towards universal abolition of corporal punishment in each state. Aiming to promote national action for prohibition, this briefing emphasises the need to undertake appropriate law reform – and effective implementation of law reform - to fulfil children's right to protection from all corporal punishment in all settings.



¹ <https://endcorporalpunishment.org/resources/research/>

² <https://endcorporalpunishment.org/countdown/>





Human rights standards for juvenile justice

Abolition of corporal punishment in systems of juvenile justice – both as a sentence for crime and as a disciplinary measure in penal institutions – is a fundamental human rights obligation. The UN Convention on the Rights of the Child states in article 37 that **“no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment”** and that **“every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person”**. Article 40 confirms the right of **“every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child’s sense of dignity and worth”**. The Committee on the Rights of the Child has confirmed that corporal punishment is a violation of these articles and since the beginning of its work has recommended abolition of corporal punishment in penal systems as in all other settings.

Other treaties and their monitoring bodies similarly require abolition of corporal punishment in penal systems, including the Committee Against Torture, the Human Rights Committee, and the Committee on Economic, Social and Cultural Rights. In its visits to places where people are deprived of their liberty under the Optional Protocol to the Convention Against Torture, the Subcommittee on Prevention of Torture has several times documented corporal punishment of children in conflict with the law and has recommended its prohibition. The issue is raised in the Universal Periodic Review of states which have not yet achieved abolition.

The UN Standard Minimum Rules for the Administration of Juvenile Justice (the “Beijing Rules”), the UN Rules for the Protection of Juveniles Deprived of their Liberty and the UN Guidelines for the Prevention of Juvenile Delinquency (the “Riyadh Guidelines”) all condemn corporal punishment. The Guidelines for Action on Children in the Criminal Justice System, adopted in 1997 to ensure implementation of the Convention on the Rights of the Child in relation to juvenile justice and the UN standards for juvenile justice, state clearly that **“corporal punishment in the child justice and welfare systems should be prohibited”** (para. 18). Furthermore, ending corporal punishment of children in all settings - including in the penal system - represents a critical step towards achieving the UN Sustainable Development Goals (SDGs) for 2030 and other regional development goals including Africa’s Agenda for Children 2040 and the ASEAN Regional Plan of Action for the Elimination of Violence Against Children 2016-2025.

“Any disciplinary measure is to be consistent with upholding the inherent dignity of the child and the fundamental objectives of institutional care. Disciplinary measures in violation of article 37 of the Convention must be strictly forbidden, including corporal punishment...”

UN Committee on the Rights of the Child, General comment No. 24 (2019) on children’s rights in the child justice system, para. 95 (g)

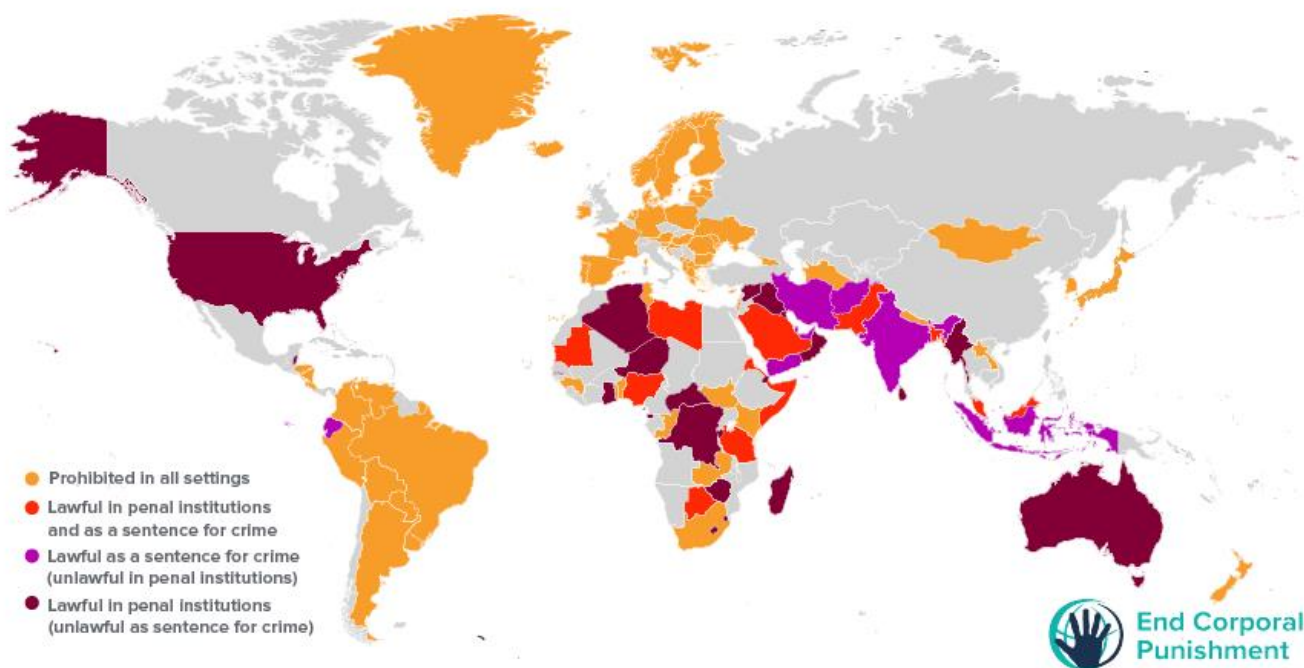




Progress towards universal abolition

The abolition of corporal punishment in penal systems across the world leads progress towards universal prohibition of all violent punishment of children. As at May 2024, more states have prohibited corporal punishment as a sentence of the courts for juvenile offenders than have prohibited this form of violence against children in any other setting – 169 have now abolished judicial corporal punishment (whipping, flogging, caning) compared with 147 prohibiting physical punishment as a disciplinary measure in penal institutions, 136 in schools, 76 in alternative care, 73 day care settings and just 67² in the home.³

The drive to end penal corporal punishment of children is to be celebrated. But at a time when nearly all states have ratified the UN Convention on the Rights of the Child and when human rights treaty bodies are in agreement that all corporal punishment of children – wherever they are – should be prohibited and eliminated, why is it that there are still 52 states where children detained in penal institutions can lawfully be subjected to corporal punishment for breaches of discipline and 30 where juvenile offenders can be sentenced to be whipped, flogged or caned? To meet the SDGs deadline of 2030 - especially SDG Target 16.2 (ending violence against children), accelerated efforts towards full prohibition of corporal punishment will be needed.



States where juvenile offenders may be sentenced to corporal punishment

Afghanistan, Bahamas, Bangladesh, Barbados, Botswana, Brunei Darussalam, Dominica, Ecuador, Eritrea, India, Indonesia, Iran, Kiribati, Libya, Malaysia, Maldives, Mauritania, Nigeria, Pakistan, Qatar, Saudi Arabia, Singapore, Somalia, State of Palestine, Tonga, Tuvalu, United Arab Emirates, UR Tanzania, Vanuatu, Yemen

States where juvenile offenders in detention may be subjected to corporal punishment as a “disciplinary” measure

Algeria, Angola, Antigua and Barbuda, Australia, Bahrain, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, Burundi, Central African Republic, Comoros, Cook Islands, Djibouti, Dominica, DR Congo, Equatorial Guinea, Eritrea, Eswatini, Gambia, Ghana, Grenada, Iraq, Kiribati, Libya, Madagascar, Malaysia, Maldives, Mauritania, Micronesia, Myanmar, Nauru, Niger, Nigeria, Oman, Pakistan, Palau, Papua New Guinea, Saudi Arabia, Singapore, Somalia, Sri Lanka, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, State of Palestine, Syrian Arab Republic, Tuvalu, UR Tanzania, USA, Zimbabwe

³ Includes Cuba which achieved prohibition in the home but not yet in other settings (i.e. day care and schools)



Law reform to achieve abolition

In many states, efforts are under way to develop juvenile justice systems aimed at fulfilling the range of obligations under human rights law which require sensitive and respectful treatment of children in conflict with the law. It is imperative that the legislation underpinning such systems includes prohibition of corporal punishment, both as a sentence of the courts and as a disciplinary measure in penal institutions.

Prohibiting corporal punishment of children in penal systems – as in other settings – is an immediate human rights obligation; it does not depend on the enactment of a comprehensive juvenile justice law but can be fulfilled whenever relevant laws are under review or being drafted, including constitutions, criminal codes and general laws relating to child protection or child rights.

Prohibiting corporal punishment of children in the penal system means ensuring legal clarity that persons convicted of crimes as juveniles cannot be sentenced to corporal punishment, whether under secular, religious or customary law, and that all institutions accommodating children in conflict with the law must not include corporal punishment among “disciplinary” measures. The following table sets out what this law reform entails.

What prohibiting corporal punishment of children in the penal system means

... as a sentence for crime

- Repeal of all laws authorising courts to impose sentences of corporal punishment on persons found guilty of an offence committed when under age 18*.
- Repeal of all laws regulating how judicial corporal punishment is to be administered.
- Prohibition of corporal punishment as a sentence for crime, including under religious and customary/traditional justice systems.

* The prohibition should be applicable in cases where the offences were committed by persons below the age of 18, regardless of age at the time of trial and regardless of the minimum age of criminal responsibility in the particular state.

... as a “disciplinary” measure in penal institutions

- Repeal of all laws regulating how corporal punishment is to be inflicted.
- Repeal of legal defences for physical punishment of children*.
- Prohibition of corporal punishment in all penal institutions, including prisons, detention centres, education/correction institutions, pre-trial detention settings, etc.
- Repeal of all laws providing for corporal punishment as a permitted measure of discipline/punishment.

* Laws which provide a defence for parents and other adults to physically punish children (“reasonable chastisement”, “right of correction”, “use of force by way of correction”, etc) may be applicable in penal institutions explicitly or implicitly. Reform requires that no legal loopholes remain which would allow punitive assaults on children in these settings.





Corporal punishment may be lawful under different laws, especially in states with a plural legal system. In some states, there are legislations which make no provision for corporal punishment as a sentence of the courts and juveniles convicted of an offence may therefore not be sentenced to corporal punishment – but in these same states, other legislations (customary and/or religious) may recognise a “right of correction” or allow corporal punishment to be used as a sentence for children convicted of crime. It is therefore crucial that prohibition of corporal punishment as a sentence for crime applies to secular, religious and traditional/customary justice systems.

For instance, some states have inherited legislation from the time of British colonialism which provides for judicial whipping of child offenders. These laws not infrequently sit alongside systems of Islamic or customary systems of justice which condone cruel punishments. Reform of these old colonial laws must be undertaken as a matter of priority.

Multiple roots of judicial corporal punishment in Nigeria

The legal system in Nigeria is a mix of Islamic law, English common law and customary/native law. In the southern states, criminal laws dating from before Independence in 1960 remain in force; in the northern states, criminal laws enacted during the settlement of 1960 are still in force, together with Shari’a laws enacted following the adoption of the 1999 Constitution.

Law reform has not fully prohibited judicial corporal punishment of children. Article 221 of the Child Rights Act 2003 states that “no child shall be ordered to be subjected to corporal punishment”. In states which have adopted the Act without modification, it would be unlawful to sentence a person under 18 to corporal punishment. But at least two states have modified the definition of the child: in southern Akwa-Ibom, a child is defined as 16 and under, and older children are sentenced as adults, including to corporal punishment under the Criminal Code 1916 and the Criminal Procedure Act 1945. In northern Jigawa, a child is defined with reference to puberty, so a Muslim child from the age of puberty may be sentenced to corporal punishment under the Shari’a Penal Code 2000 and the Shari’a Criminal Procedure Code Law 2001.

Similarly, among states which base their criminal law on Islamic Shari’a, some point to the strict evidential requirements for conviction of *hudud* crimes or report that Shari’a punishments (whether *had* or *Tazir*) are rarely imposed on children in practice. But from a human rights perspective there can be no justification for the existence of laws – whether codified or not – that contemplate the possibility of girls and boys from the onset of puberty facing the prospect of flogging, amputation and stoning.





Corporal punishment and Shari'a law in the United Arab Emirates

In the United Arab Emirates, the legal system is based on civil law and Shari'a law – which is applicable in criminal matters. Until it was revised in 2021, the Penal Code 1987 made provisions for Islamic Shari'a sentences such as hadd (i.e. mandatory punishments such as flogging, stoning and amputation) and qisas (retaliation).

The Federal Decree Law No. (15) of 2020 amended the Penal Code in 2021. Article 1 of the Penal Code 2021 no longer includes hadd in its list of punishments. However, child offenders may still be subjected to corporal punishment under Shari'a law. The Sharia Courts Act 1996 provides for Shari'a courts to try cases concerning crimes allegedly committed by juveniles, and states that Shari'a punishments shall apply (arts. 1 and 2). Moreover, the Penal Code still provides for Qisas (retaliation) - which includes flogging and amputation.

“Some raise faith-based justifications for corporal punishment, suggesting that certain interpretations of religious texts not only justify its use, but provide a duty to use it. Freedom of religious belief is upheld for everyone in the International Covenant on Civil and Political Rights (art. 18), but practice of a religion or belief must be consistent with respect for others’ human dignity and physical integrity. Freedom to practise one’s religion or belief may be legitimately limited in order to protect the fundamental rights and freedoms of others. In certain States, the Committee has found that children, in some cases from a very young age, in other cases from the time that they are judged to have reached puberty, may be sentenced to punishments of extreme violence, including stoning and amputation, prescribed under certain interpretations of religious law. Such punishments plainly violate the Convention and other international human rights standards, as has been highlighted also by the Human Rights Committee and the Committee against Torture, and must be prohibited.”

(Committee on the Rights of the Child, 2006, General Comment No. 8, The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, para. 2; and 37, inter alia), para. 29)





Examples of legal actions to achieve prohibition in the child penal systems

Where states fail to meet their human rights obligations, it is possible to encourage them to prohibit all corporal punishment through legal actions. Recent examples of regional or national high level court rulings declaring corporal punishment in penal systems unconstitutional and /or non-compliant with international or regional human rights instruments include:

Zimbabwe in 2014, the Harare High Court stated that judicial corporal punishment violated the provisions of section 53 of the 2013 Constitution prohibiting physical or psychological torture and cruel, inhuman or degrading treatment or punishment. The judgment followed an appeal by a 14-year-old boy who was sentenced to judicial corporal punishment under Section 353(1) of the Criminal Procedure and Evidence Act. (*The State v. C (a Juvenile)*, HH 718-14 / CRB R 87/14)

In 2019, the Constitutional Court confirmed the 2014 judgment. The Constitutional Court subsequently struck down section 353 of the Criminal Procedure and Evidence Act as unconstitutional and further ruled that no male juvenile convicted of any offence could be sentenced to receive corporal punishment. The prohibition was extended to apply to sentences of corporal punishment which had already been imposed but were awaiting execution. (*The State v. Willard Chokuramba*, CCZ 10/19, *Constitutional Application No. CCZ 29/15*)

Tanzania in 2023, in a case concerning a man sentenced to ‘twelve strokes of the cane’, the African Court on Human and Peoples’ Rights condemned the existence of legislations allowing the use of corporal punishment in the country and ordered their abrogation. The Court found that the sentence violated the complainant’s right to dignity as provided under Article 5 of the African Charter on Human and Peoples’ Rights. (*Yassin Rashid Maige v. United Republic of Tanzania- Application NO. 018/2017*).

In 2020, **Sudan** enacted the Miscellaneous Amendments Law 2020 to repeal whipping and flogging by way of discipline and as a sentence for crime. The new law replaces whipping with probation and community service (article 47(b)). The law reform followed a 2003 decision of the African Commission on Human and Peoples’ Rights which found that legislation permitting flogging in Sudan violated article 5 of the African Charter on Human and Peoples’ Rights prohibiting torture and cruel, inhuman or degrading punishment and treatment for all people.



Legality of corporal punishment of children in penal systems

May 2024



Corporal punishment prohibited in the penal system and all other settings

In the following 66 states, corporal punishment of children is prohibited in all settings: Albania, Andorra, Argentina, Austria, Benin, Bolivia, Brazil, Bulgaria, Cabo Verde, Colombia, Congo (Republic of), Costa Rica, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Georgia, Greece, Guinea, Honduras, Hungary, Iceland, Ireland, Israel, Japan, Kenya, Korea (Republic of), Kosovo (Republic of), Lao PDR, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Mongolia, Montenegro, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, San Marino, Seychelles, Slovenia, South Africa, South Sudan, Spain, Sweden, TFYR Macedonia, Togo, Tunisia, Turkmenistan, Ukraine, Uruguay, Venezuela, Zambia.

State	Corporal punishment lawful in penal institutions and as sentence for crime
Bangladesh	<i>Penal institutions:</i> Lawful under Children Rules 1976 <i>Sentence:</i> Lawful under Code of Criminal Procedure 1898, Whipping Act 1909, Cantonments Pure Food Act 1966, Suppression of Immoral Traffic Act 1933, Railways Act 1890; also used in traditional justice systems
Barbados	<i>Penal institutions:</i> Lawful under Reformatory and Industrial Schools Act 1926 <i>Sentence:</i> Lawful under Magistrate's Courts Act 2001, Juvenile Offenders Act 1932, Corporal Punishment Act 1899 * A Juvenile Justice Bill under discussion would prohibit as a sentence for crime (March 2024)
Botswana	<i>Penal institutions:</i> Lawful under Prisons Act 1890, Prisons Regulations 1965, Children's Act 2009 <i>Sentence:</i> Lawful under Penal Code 1964, Magistrates' Courts Act 1974, Customary Courts Act 1961, Criminal Procedure and Evidence Act 1939, Criminal Procedure (Corporal Punishment) Regulations 1969, Corporal Punishment (Designation of Places for Administering) Order 1982, Customary Courts (Corporal Punishment) Rules 1972, Children's Act 2009
Brunei Darussalam	<i>Penal institutions:</i> Lawful under Youthful Offenders (Places of Detention) Rules 2001, Children and Young Persons Act 2006, Intoxicating Substances Act 1992 <i>Sentence:</i> Lawful under Penal Code 1951, Criminal Procedure Code 1951, Children and Young Persons Act 2006, Women and Girls Protection Act 1973, Misuse of Drugs Act 1978, Arms and Explosives Act 1927 and Rules 1928, Public Order Act 1983, Kidnapping Act 1992, Unlawful Carnal Knowledge Act 1938, Common Gaming Houses Act 1920, Sharia Penal Code 2013
Dominica	<i>Penal institutions:</i> No explicit prohibition in law <i>Sentence:</i> Lawful under Juvenile Offenders Punishment Act 1881, Corporal Punishment Act 1987, Magistrate's Code of Procedure Act 1961, Offences Against the Person Act 1873 *A Child Justice Bill under discussion would prohibit as a sentence for crime (March 2024)
Eritrea	<i>Penal institutions:</i> No explicit prohibition in law <i>Sentence:</i> Lawful under Penal Code 1957





State	Corporal punishment lawful in penal institutions and as sentence for crime
Libya	<p><i>Penal institutions:</i> No prohibition in law</p> <p><i>Sentence:</i> Lawful under Law No. 70 of 1973 on the Establishment of the <i>Had of Zina</i> and the Amendment of several articles of the Penal Code 1953, Law No. 13 of 1995 on Theft and <i>haraba</i>, Law No. 52 of 1974</p>
Malaysia	<p><i>Penal institutions:</i> Lawful under Prison Act 1995</p> <p><i>Sentence:</i> Lawful under Child Act 2001, Criminal Procedure Code 1976, Penal Code 1936, Sharia Courts (Criminal Jurisdiction) Act 1965, Sharia Criminal Offences (Federal Territories) Act 1997, Sharia Criminal Procedure (Federal Territories) Act 1997, Kota Baru Hudud Syariah Criminal Code</p>
Maldives	<p><i>Penal institutions:</i> Prohibition of ‘severe’ corporal punishment under the Juvenile Justice Act 2019</p> <p><i>Sentence:</i> Lawful under Shari’a law, Regulation on Conducting Trials, Investigations and Sentencing Fairly for Offences Committed by Minors 2006, Disobedience Law</p>
Mauritania	<p><i>Penal institutions:</i> No explicit prohibition in law</p> <p><i>Sentence:</i> Lawful under Criminal Code</p>
Nigeria	<p><i>Penal institutions:</i> Prohibited in Child Rights Act 2003 but this not enacted in all states</p> <p><i>Sentence:</i> Prohibited in Child Rights Act 2003 but this not enacted in all states; lawful under Criminal Code 1916, Criminal Procedure Code 1945, Shari’a Penal Code 2000, Shari’a Criminal Procedure Code Law 2001, Children and Young Persons Law, Shari’a Penal Codes in northern states, Penal Code 1960, Criminal Procedure Code 1960</p>
Pakistan	<p><i>Penal institutions:</i> Prohibited in Juvenile Justice System Act 2018 but this not applicable in all areas; lawful under Prisons Act 1894, Punjab Borstal Act 1926</p> <p><i>Sentence:</i> Prohibited in Juvenile Justice System Act 2018 but this may not be applicable in all areas; lawful under Offence of Qazf (Enforcement of Hadd) Ordinance 1979, Offence of Zina (Enforcement of Huhood) Ordinance 1979, Prohibition (Enforcement of Hadd) Ordinance 1979, Offences Against Property (Enforcement of Hudood) Ordinance 1979, Penal Code 1860, Criminal Procedure Code 1898</p>
Saudi Arabia	<p><i>Penal institutions:</i> Lawful under Detention and Imprisonment Regulations 1977, Imprisonment and Detention Law 1978, Ministerial Decree 1354 of 1395 (1975), Ministerial Decree 2083 of 1396 (1976)</p> <p><i>Sentence:</i> Lawful under Shari’a law, Juvenile Justice Act 1975, Law of Criminal Procedure 2001</p>
Singapore	<p><i>Penal institutions:</i> Lawful under Children and Young Persons Act 1993, Children and Young Persons (Remand Home) Regulations 1993, Prisons Act 1939, Criminal Procedure Code (Corrective Training and Preventive Detention) Regulations 2010, Intoxicating Substances (Discipline in Approved Centres) Regulations 1987, Misuse of Drugs (Approved Institutions) (Discipline) Regulations 1979</p> <p><i>Sentence:</i> Lawful under Children and Young Persons Act 1993, Criminal Procedure Code 2010, Penal Code 1872, Misuse of Drugs Act 1973, Piracy Act 1993, Arms Offences Act 1973, Explosive Substances Act 1924, Corrosive and Explosive Substances and Offensive Weapons Act 1973, Vandalism Act 1966, Immigration Act 1989, Dangerous Fireworks Act 1988, Kidnapping Act 1961, Women’s Charter 1961, Public Order (Preservation) Act 1958, Railways Act 1905, Road Traffic Act 1993</p>
Somalia	<p><i>Penal institutions:</i> No explicit prohibition in law (except in Somaliland)</p> <p><i>Sentence:</i> Lawful under Shari’a law (except possibly in Somaliland)</p>





State	Corporal punishment lawful in penal institutions and as sentence for crime
State of Palestine	<i>Penal institutions:</i> No explicit prohibition in law <i>Sentence:</i> No explicit prohibition in law
Tuvalu	<i>Penal institutions:</i> Prohibited in police custody but otherwise lawful under Penal Code 1965 <i>Sentence:</i> Lawful under Island Courts Act 1965
UR Tanzania	<i>Penal institutions:</i> No explicit prohibition in law in mainland Tanzania; prohibited in Zanzibar the Children's Act 2011 <i>Sentence:</i> Lawful in mainland Tanzania under Corporal Punishment Ordinance 1930, Minimum Sentences Act 1963, Sexual Offences (Special Provisions) Act 1998, Penal Code 1981, Criminal Procedure Code 1985; prohibited in Zanzibar under the Criminal Procedure (Amendment) Act 2004

State	Corporal punishment lawful in penal institutions <i>(explicitly authorized or no clear prohibition)</i>
Algeria	No explicit prohibition in law
Antigua and Barbuda	No explicit prohibition in law
Australia	Prohibited in all states/territories except Australian Capital Territory and Western Australia
Bahrain	No explicit prohibition in law
Belize	Prison Rules 2000, Certified Institutions (Children's Reformation) Rules 1990, Juvenile Offenders Act 1936
Burundi	No explicit prohibition in law
Central Africa Republic	No explicit prohibition in law
Comoros	No explicit prohibition in law
Cook Islands	No explicit prohibition in law
Djibouti	No explicit prohibition in law
DR Congo	No explicit prohibition in law
Equatorial Guinea	No explicit prohibition in law
Eswatini	Lawful under the Prisons Act 1964, the Constitution 2005
Gambia	No explicit prohibition in law
Ghana	Prohibited in prisons only
Iraq	Not explicitly prohibited in all institutions
Kiribati	No explicit prohibition in law
Kuwait	Lawful under the Prison Regulation Act No. 26 of 1962
Lesotho	Lawful under Prison Proclamation 1957 and the Penal Code
Madagascar	No explicit prohibition in law
Micronesia	No explicit prohibition in law
Myanmar	Lawful under the Prisons Act
Niger	No explicit prohibition in law
Oman	No explicit prohibition in law
Palau	No explicit prohibition in law
Sri Lanka	No explicit prohibition in law
St Lucia	Lawful under Statutory Rules and Orders No. 23 1976 (Boys Training Centre)
St Vincent and the Grenadines	No explicit prohibition in law





State	Corporal punishment lawful in penal institutions (<i>explicitly authorized or no clear prohibition</i>)
Syrian Arab Republic	No explicit prohibition in law
USA	Prohibited in some states
Zimbabwe	Lawful under Criminal Law (Codification and Reform) Act 2004, Children's Act 1972 *A Child Justice Bill which would prohibit is yet to be signed into law (March 2024)

State	Corporal punishment lawful as sentence for crime
Afghanistan	Lawful under Shari'a law
Bahamas	Prohibited in 1984 but reintroduced in 1991 for certain offences
Ecuador	Possibly lawful in indigenous communities
India	Permitted in traditional justice systems
Indonesia	Lawful under Shari'a law
Iran	Lawful under the Islamic Penal Code
Qatar	Lawful under Shari'a law
Tonga	Lawful under the Criminal Offences Act, Chapter 10.09
United Arab Emirates	Lawful under Shari'a law
Vanuatu	Permitted in rural areas under customary justice systems
Yemen	Lawful under article 38 of the Criminal Code 1994





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