



GLOBAL INITIATIVE TO
**End All Corporal
Punishment of Children**



*The Malta Foundation
for the Wellbeing of Society*



**STOP
CORPORAL
PUNISHMENT**

Report

**of the High Level Global Conference
on the Universal Prohibition of Corporal Punishment**

Malta, 30 May–1 June 2018



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Universal Prohibition of Corporal Punishment,
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**The Global Initiative to End All Corporal Punishment
of Children**

Launched in Geneva in 2001, the Global Initiative works with governments and non-governmental actors towards universal prohibition and elimination of corporal punishment of children. Its aims are supported by UNICEF, UNESCO, the Global Partnership End Violence Against Children, human rights institutions, and many international and national organisations.

www.endcorporalpunishment.org

The Malta Foundation for the Wellbeing of Society

Established by Her Excellency Marie-Louise Coleiro Preca (President of Malta, 2014–2019), the Foundation recognises relationships as the fundamental structure nurturing human existence and aims to produce relevant, appropriate and timely research by seeking innovative methodologies to engage with society for the promotion of peace and unity.

   @MFWSmalta

Designed by Alex Valy (alexvalydesign.co.uk)

About the conference

High Level Global Conference on the Universal Prohibition of Corporal Punishment

Malta, 30 May–1 June 2018

The agreement of the 2030 Agenda for Sustainable Development was a watershed moment where world leaders committed to a plan of action for people, planet and prosperity. Target 16.2 explicitly commits to end all forms of violence against children. This global commitment reiterates those enshrined in the UN Convention on the Rights of the Child, whereby State parties bound themselves to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury, abuse or maltreatment.

It also builds on the momentum secured by Sweden's initiative in hosting the first High Level Intergovernmental Conference on the Universal Prohibition of Corporal Punishment in 2014 and the subsequent Global Conference organised by Austria in 2016. This third Global Conference in Malta continued bringing to the fore this issue that impinges on children and violates their rights and dignity across the globe.

The Conference focused specifically on six fundamental components of a comprehensive and effective approach to ending corporal punishment in all settings:

- Enacting comprehensive legislation
- Awareness-raising, information and social mobilisation
- Capacity-building and guidance for professionals working with and for children
- Prioritising prevention
- Reviewing progress and sustaining positive change
- Child participation and influence

The commitments made by world leaders to fulfil the ambitious 2030 Agenda are a reminder of the importance and the urgency of each of these Goals. The full set of Goals cannot be truly fulfilled unless corporal punishment is relegated to history books and all children, everywhere, are free from this threat to their freedom and dignity. Together, we need to build a world free from violence for all children, everywhere and at all times, leaving no one behind. This is an opportunity we cannot miss.



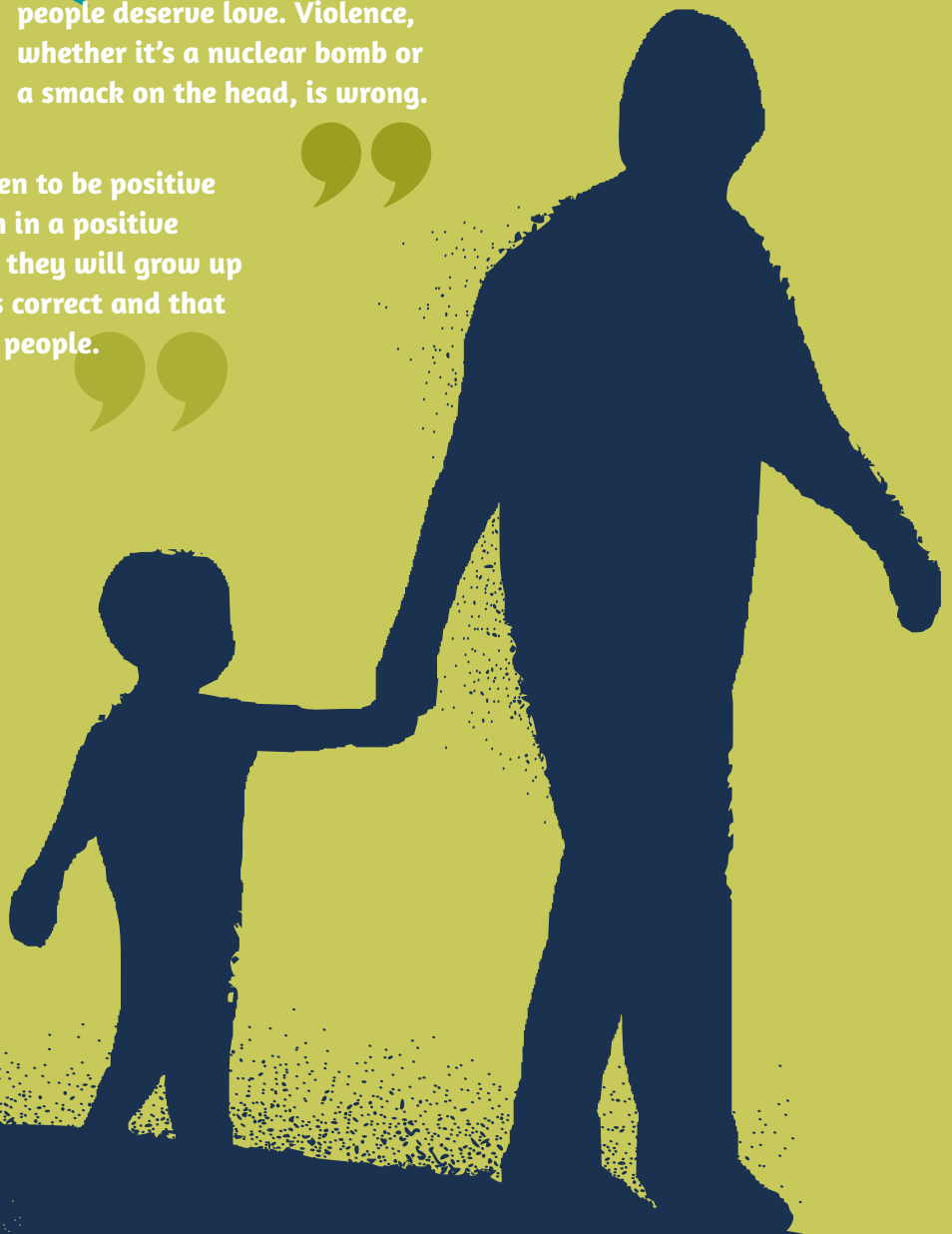
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All children, all humans, all people deserve love. Violence, whether it's a nuclear bomb or a smack on the head, is wrong.

You can't expect children to be positive if you don't teach them in a positive way. If you hit a child, they will grow up thinking that hitting is correct and that it's ok to do it to other people.

**"THE CHILDREN'S MESSAGES:
STOP CORPORAL PUNISHMENT"***



* See pp.10–11 for more.



A message from

Anna Henry

Director, Global Initiative to End All Corporal Punishment of Children

The Global Initiative to End All Corporal Punishment of Children has been a partner in the biennial High Level Conference on corporal punishment since the first conference was hosted by the Swedish Government in 2014. We were delighted to take part in, and to publish this report on, the High Level Conference in Malta in 2018, which certainly marked a milestone worthy of documenting. We saw representatives from many countries in the world, committed to tackling corporal punishment and willing to come together to share their experiences, learn from each other and consolidate national plans to ensure children can grow up free from corporal punishment. Participants acknowledged the growing commitments made by Governments to end violence against children, particularly through the Sustainable Development Agenda, and stressed the need to turn those commitments into action in order to make them a reality for children.

The declaration of support for the enactment and implementation of laws providing children with equal protection from assault, adopted at the Conference, was signed by representatives from 14 states (see pages 12–13). In the time that has since passed, many of these states have gone on to demonstrate this commitment through concrete actions. The Republic of Kosovo enacted full prohibition of corporal punishment earlier this year. In 2018, a law reform workshop was held in Mexico, and a follow-up event is taking place in October 2019 with the Swedish Embassy to share learning from their long experience of prohibition. This partnership between the Governments of Sweden and Mexico is a positive example of Pathfinding countries under the Global Partnership to End Violence Against Children working together to realise this crucial and urgent goal – and it is a partnership that can and should be replicated by other Governments, Pathfinding or not!

The Global Initiative co-hosted the law reform workshop in Mexico and a similar workshop in Kosovo in 2017, and we continue to provide ongoing technical assistance to Governments and non-governmental partners seeking to enact and implement laws to protect children from corporal punishment, anywhere in the world. Working together, we can achieve real and lasting change for children, families and communities. We are all responsible for building the safe, peaceful and rights-respecting world envisioned by the Sustainable Development Agenda. So roll up your sleeves, visit our website and join the movement to learn what you can do to #EndCorporalPunishment.

endcorporalpunishment.org/get-involved



Her Excellency

Marie-Louise Coleiro Preca

President of Malta (2014–2019)

Extract from Closing Remarks, 1 June 2018

I am truly proud of what we have achieved, by working together to create a space for dialogue; a space for sharing; and a space for us to move forward and take practical action. We are not only highlighting the universal prohibition of corporal punishment. Most importantly, we are promoting the intrinsic dignity of each and every child.

Malta's decision to host this third edition of the Conference reflects our country's aspirations to promote, to protect, and to prioritise children's rights. In this context, let me reiterate our commitment to support the next edition of this Conference, which will take place in another Mediterranean country, in Tunisia, in 2020. I would like to hereby declare that we are ready to make our expertise and our experiences available to our Tunisian friends, sharing best practices to organise the next conference, in the best interests of children and their rights.

The presence of so many delegates from countries all over the world, during these global conferences, is sending a powerful message. We are giving further visibility to the importance of a zero-tolerance approach, when it comes to all forms of violence against children, whether that violence is physical, psychological, sexual, or emotional. Let me also take this opportunity to commend the National Statements, expressed by the various delegations, on behalf of their countries. These statements express our united desire to improve the ways in which our countries protect and safeguard children.

Let me also celebrate the contribution made by Maltese and Gozitan children. Through the work of my Foundation for the Wellbeing of Society, we have ensured that the participation of children was kept high on the agenda. Furthermore, the fact that so many national delegations have signed the Declaration of Support, to prohibit corporal punishment in all its settings, is sending an even stronger and more powerful message, about our united commitment to keep this issue on the global agenda.

Finally, we must continue to raise awareness about the rights of each and every child, first and foremost, amongst our children themselves. All our children must feel empowered to access and enjoy their rights, and to know that they have the space and the opportunity to share their experiences. Children are the experts on childhood, and their voices must be heard by our politicians, legislators, policy-makers, and activists.

It is only in this way, by working together, that we can continue along our journey to achieve the universal prohibition of corporal punishment, for the benefit of all our societies and our nations.



Marta Santos Pais

**Special Representative of the UN Secretary General
on Violence against Children (2009–2019)**

Extract from Keynote Address, 31 May 2018

As Nelson Mandela once said, “the most difficult thing is not to change society... but to change oneself!” Evidence tells us something truly important: although corporal punishment is widespread, the majority of parents convey one clear message: we realise it is not necessary, but we simply do not know what else to do! This is why it is urgent to invest in positive parenting practices and in early childhood initiatives. This provides an important entry point to strengthen families’ nurturing and protective role, to prevent child abandonment and placement in alternative care, and to support children at risk of violence. Parenting skills programmes that go hand in hand with social protection interventions help to reduce the risk of social exclusion and deprivation, prevent family stress and tackle social norms that condone violent forms of child discipline.

Violence is not a fate! It can become a part of a distant past, if we invest in strong child protection systems, effective multidisciplinary action and cross-sectoral cooperation. One key dimension of this process is the enactment and enforcement of comprehensive legislation to prohibit all forms of violence against children, in all contexts. With clear and explicit legislation, States express their accountability for children. In addition, they convey a clear message of condemnation of corporal punishment, while encouraging positive discipline and the upbringing of children through non-violent means.

Legislation is key to ensure the protection of children’s dignity and physical integrity at all times. With strong legislation, state officials, professionals, families and common citizens have clear guidance about what is acceptable and what is non-negotiable. More importantly, child victims feel they matter! They can enjoy protection from neglect, abuse and exploitation, and can gain access to effective tools of redress and to genuine recovery and reintegration.

Let us not forget that law reform is also highly valuable when used in support of public information campaigns, social mobilisation initiatives and the promotion of behaviour change. When social conventions or harmful practices persist behind deeply entrenched traditions, legal reform can open avenues for engaging and mobilising key actors and institutions, including parliamentarians, religious leaders, local authorities, professional associations and families themselves to support efforts aiming at the abandonment of those practices.

We must redouble our efforts to ensure that the promise of the Convention on the Rights of the Child is fulfilled and that the vision of the 2030 Agenda for Sustainable Development is realised.

Overcoming challenges to universal prohibition

Discipline doesn't mean fear. Discipline can mean love. It could mean you care about the person and you want them to be better. That is the entire point of positive parenting.

"THE CHILDREN'S MESSAGES: STOP CORPORAL PUNISHMENT"*

PANEL

1

A state's perspective

Underlining the importance of state-driven commitments towards universal prohibition of corporal punishment, speakers and participants considered their national experience in prohibiting corporal punishment and how to overcome the challenges faced by States. The importance of a **zero tolerance approach** to violence against children was underlined, with a ban on corporal punishment sending a strong message to the public of zero tolerance to violence against children. But the law alone cannot change attitudes and norms. **Support for parents** is essential, to dispel fears around the law and how it will be implemented, and to equip them with information on alternative methods of parenting. We are not born as parents, we become parents, so need support in order to do it well, particularly when it involves changing and evolving mentalities. **Child participation** was also highlighted as a major priority, ensuring their voices are effectively represented on sensitive issues like violence and abuse. We cannot, and should not, do anything without their input.

PANEL

2

A regional perspective

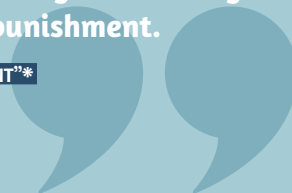
Focused on the importance of collaborative regional efforts towards universal prohibition of corporal punishment, participants highlighted the importance of political will in bringing about change. All change is dependent on someone instigating it, whether a Parliamentarian, Prime Minister or organization – anyone can start this movement. Campaigning against corporal punishment for ten years, the **Council of Europe** noted the advantage of being pan-European in order to bring together key policymakers and set common policies. The **European Union** cannot legislate on corporal punishment, but undertakes strong advocacy for the rights of the child and in developing a shared understanding of what a child protection system is and what it should be, focusing on prevention. Almost all countries in the **Council of the Baltic Sea States** have a ban on corporal punishment (all except Russia) which has allowed for shared learning and inspiration. The Council plans to develop research guidelines to build common data sources and enable comparison in monitoring change across time and sectors.

* See pp.10–11 for more.



Weren't you once a child? For a moment put yourself in that vulnerable position. How would you feel if the people that were supposed to shower you with love, support and respect were the same people you feared, the same people that threatened you, the same people that made you feel uneasy. This is why we need to put a stop to corporal punishment.

"THE CHILDREN'S MESSAGES: STOP CORPORAL PUNISHMENT"*

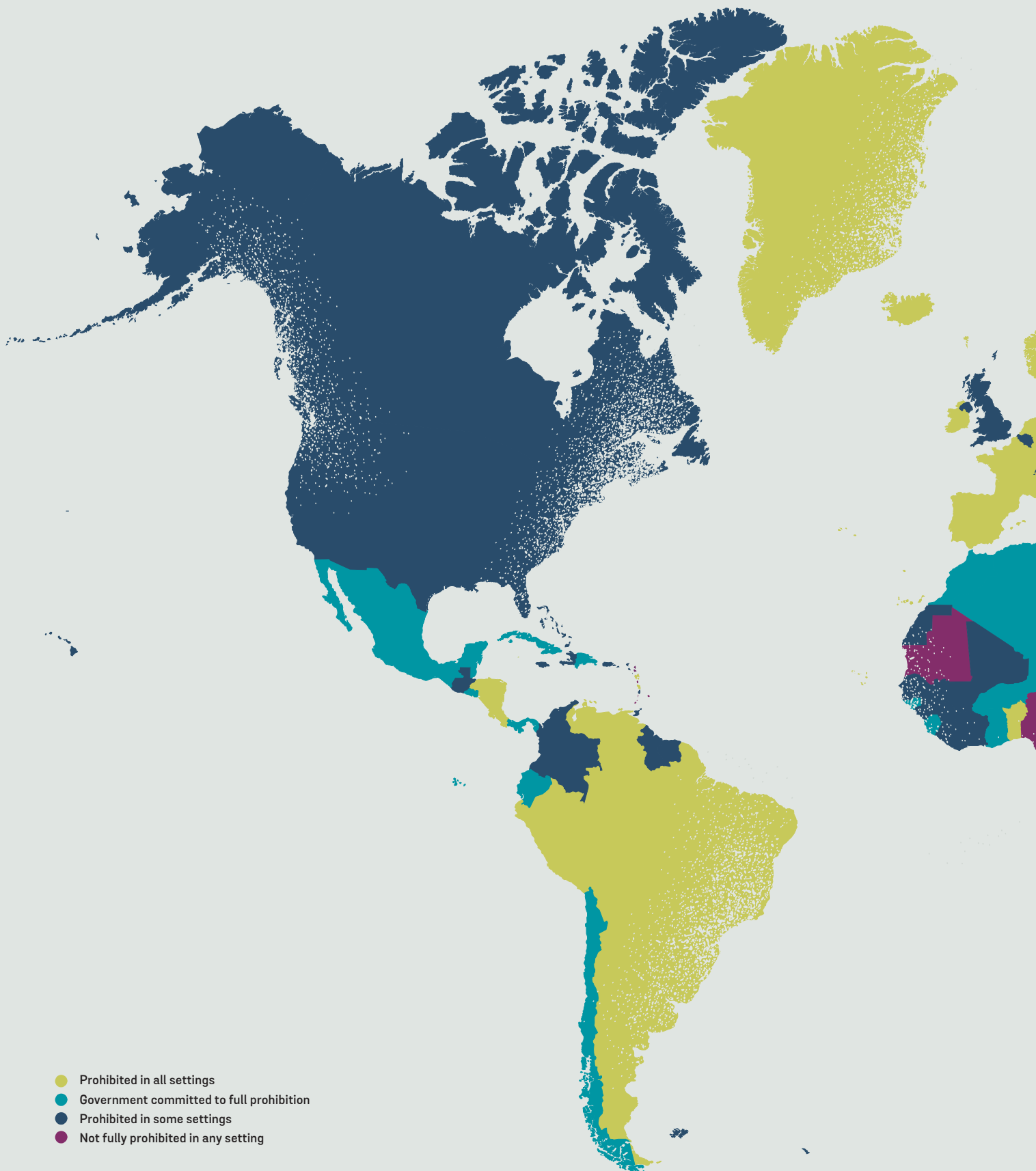


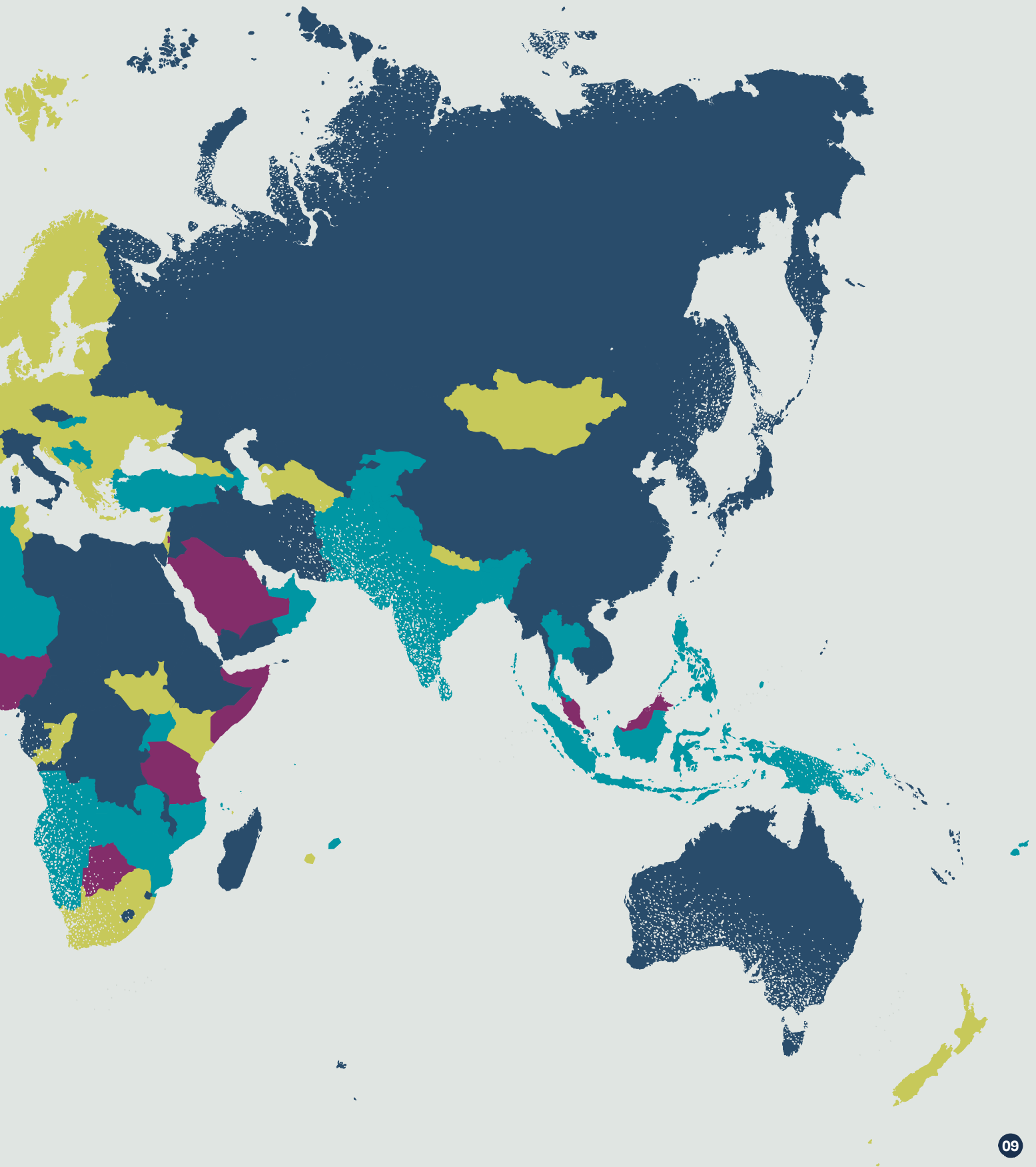
PANEL
3

The way forward

Focused on the challenges and opportunities that persist in achieving universal prohibition of corporal punishment, participants shared insights and lessons from their experience regarding opportunities for progress at an organisational, state, regional and international level. A comprehensive and unambiguous law prohibiting corporal punishment in all settings is the first step. This requires strong leadership from governments and must be accompanied by ongoing and persistent action. With the wealth of research and evidence of the harmful effects of corporal punishment on children's mental and physical health, States must urgently support families to move on from violent discipline to more positive and effective forms of parenting and education. In some countries, challenges include strong movements questioning the role of the State in family business and opposition by conservative religious groups. Collaboration among all sectors of society is essential to prevent harm to children. Programmes must be put in place and be effective, universally available, and without stigma.

Legality of corporal punishment





“Violence is violence”

The Malta Foundation for the Wellbeing of Society believes that child participation should be at the heart of all initiatives concerning children.

This includes drafting legislation, implementing policy and anything that affects the rights and wellbeing of children. Therefore, in the run-up to the High Level Global Conference on the Universal Prohibition of Corporal Punishment in Malta, the aims of the Conference were discussed with the Children's and Young Person's Councils forming part of the Malta Foundation.

Some children were astonished to find out that corporal punishment had only recently been prohibited and questioned what is stopping governments around the world from abolishing it.

There are other ways of teaching children to become better and stronger. Hurting children does not do that. Hurting children just makes them angry and scared.

Roundtable discussions

CAPACITY-BUILDING AND GUIDANCE FOR PROFESSIONALS

What factors help and hinder the work of professionals working with and for children? How can investment in capacity-building and concrete guidance contribute to the wellbeing of children, particularly multi-disciplinary and multi-sectoral cooperation?

AWARENESS-RAISING, INFORMATION AND SOCIAL MOBILISATION

Inclusive and wide-ranging social mobilisation campaigns are critical before, during and after law reform to build support for implementation of the prohibition and promote change in attitudes and behaviour that condone violence, particularly as a form of discipline.

They expressed serious concern that when corporal punishment is used, children essentially grow up understanding violence as an effective tool. The children were not confrontational in this respect, but wanted adults to shun the notion of corporal punishment, and adopt a positive approach that is not based on violence.

No matter if a child is wrong, if he or she is misbehaving or so on, you do not have the right to hit her or him. It's just not correct. Violence is violence. There is nothing that justifies violence.

Watch this:

Members of the Children's Young Persons' Councils and the Children's Consultation Groups discuss corporal punishment on children and express their opinions.

www.youtube.com/watch?v=23Jmd00TseA

PRIORITISING PREVENTION

The primary aim of laws prohibiting corporal punishment is preventive, to accelerate progress towards the elimination of its use. This requires a focus on early childhood and positive parenting programmes and overcoming barriers to their effective implementation.

ENACTING COMPREHENSIVE LEGISLATION

While it cannot stand alone, legal prohibition of all forms of violence against children, in all settings, is indispensable, and can be initiated by Government or Parliamentarians with cross-party support, through judicial decisions by courts, or promoted by civil society.

Declaration of support

Adopted at the High Level Global Conference on the Universal Prohibition of Corporal Punishment, Malta, 31 May–1 June 2018

Emphasising the obligations of all States, in conformity with the Charter of the United Nations, to promote and encourage respect for human rights, deriving from the inherent dignity and worth of the human person, including in particular children,

Welcoming the almost universal ratification of the Convention on the Rights of the Child,

Welcoming the commitments made in 2015 by all UN member states to the 2030 Agenda for Sustainable Development,

Recognising the indispensable role which non-governmental organisations, civil society and other stakeholders play in promoting and ensuring child protection, research, raising awareness, lobbying and in making sure that the abolition of corporal punishment remains firmly on the agenda of local and regional governments and world leaders,

Participants:

- 1 Condemn all violence against children, as being incompatible with the dignity and worth of the human person
- 2 Note the growing number of UN member states who have either prohibited all corporal punishment, or are clearly committed to do so,
- 3 Welcome evidence of the positive impact of banning corporal punishment in reducing violence
- 4 Deplore any trivialisation of violent acts against children, which acts violate the rights of the child, undermine the child's self-esteem and impair children's relationships with their parents and other adults.

Furthermore, Participants commit to:

- Recognise the status of the child as an individual person and rights' holder,
- Ensure and support laws that are guided by the best interests of the child, providing them with equal protection from assault in their home and in any setting, and that such laws are effectively implemented and enforced,
- Strive collaboratively and individually to accelerate progress towards universal and effective prohibition of all violent punishment of children in all settings,
- Pursue non-violent forms of discipline and to promote positive relationships with children; public and parent education; safe and sensitive counselling; and reporting and complaint mechanisms,
- Effectively address incidents of violence against children and provide adequate and effective support to child victims,
- Condemn all violence against children, including all violent punishment, as incompatible with the dignity and worth of the human person,
- Take a clear stance to respect, ensure and champion the rights of every child, providing effective access to appropriate mechanisms that protect and combat corporal punishment.

The Declaration of Support was signed by

Her Excellency

Marie-Louise Coleiro Preca

President of Malta (2014–2019)

Marta Santos Pais

Special Representative of the UN Secretary General
on Violence against Children (2009–2019)

Virginia Gamba

Special Representative of the UN Secretary General
for Children and Armed Conflict

and

representatives of 13 states present at the Conference:

**Austria, Croatia, Finland, Germany, Kosovo,
Laos, Luxembourg, Mexico, Netherlands, Norway,
South Africa, Tunisia, Zambia**





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