

Progress towards prohibiting all corporal punishment in the Middle East and North Africa



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

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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 the Middle East and North Africa. Governments are increasingly enacting laws to prohibit this form of violence against children. As at February 2021, three states have achieved prohibition in all settings, including the home; governments of two others have expressed a commitment to enacting full prohibition. Three states have prohibited corporal punishment in all alternative care settings and 4 in day care, 13 in all schools, 13 in penal institutions and 16 as a sentence for crime.

States with full prohibition in legislation

The following three 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
Israel	YES ¹	YES	YES	YES	YES	YES
South Sudan	YES ²	YES	YES	YES	YES	YES
Tunisia	YES ³	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 the Global Initiative assesses states' commitment, visit <https://endcorporalpunishment.org/committed-states/>.

States committed to law reform ...						
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
Bahrain ⁴	NO	NO	NO	YES	NO	YES
United Arab Emirates ⁵	NO	NO	NO	YES	[YES]	NO

¹ 2000 Supreme Court judgment ruled against all violence in childrearing; "reasonable chastisement" defence repealed same year

² Prohibited in Transitional Constitution 2011, confirming pre-independence prohibition in Interim Constitution 2005 and Child Act 2008

³ Prohibited in 2010 amendment to Penal Code

⁴ Government accepted UPR recommendation to prohibit in all settings (2017)

⁵ Government supported UPR recommendations to prohibit (2018)

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 the Global Initiative. 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
Algeria ⁶	NO	NO	NO	YES	NO	YES
Djibouti	NO	NO	NO	[YES]	NO	YES
Egypt	NO	NO	NO	[NO] ⁷	[YES] ⁸	YES
Iran	NO	NO	SOME ⁹	NO ¹⁰	YES	NO
Iraq	NO ¹¹	NO	NO	NO	SOME ¹²	YES
Jordan ¹³	NO	[SOME] ¹⁴	[NO]	YES	[YES]	YES
Kuwait ¹⁵	NO	NO	NO	YES	NO	[YES]
Lebanon	NO	NO	NO	NO ¹⁶	[YES]	YES
Libya	NO	NO	SOME ¹⁷	YES	NO	NO
Morocco ¹⁸	NO	NO	NO	NO ¹⁹	YES	YES
Oman ²⁰	NO	NO	[SOME] ²¹	YES	NO	[YES]
Qatar ²²	NO	NO	NO	NO ²³	YES	NO

⁶ Had initially committed to prohibition in all settings by accepting UPR recommendation to do so in 2012, but noted similar recommendations in 2017 and no progress since

⁷ Ministerial directive states corporal punishment should not be used but possibly no prohibition in law

⁸ Possibly lawful in social welfare institutions

⁹ Prohibited in day care centres (kindergartens)

¹⁰ Government directive states corporal punishment should not be used but no prohibition in law

¹¹ But possibly prohibited in Kurdistan

¹² Prohibited in prisons and detention centres

¹³ Government accepted UPR recommendation to prohibit in all settings (2009) but stated current laws do not prescribe corporal punishment and subsequently limited but did not repeal right to discipline according to "general custom"

¹⁴ Possibly prohibited in institutions

¹⁵ Government accepted 2010 UPR recommendation to prohibit but subsequently stated existing law adequate; Government accepted 2015 recommendation to prohibit but appeared to defend "simple discipline"

¹⁶ Ministerial directive states corporal punishment should not be used but no prohibition in law

¹⁷ Unlawful in preschool provision

¹⁸ Had initially committed to prohibition by accepting UPR recommendation to prohibit in all settings (2012); but later stated that prohibition was already achieved (2017)

¹⁹ Ministerial direction advises against corporal punishment but no prohibition in law

²⁰ Had initially committed to prohibition by accepting UPR recommendation to prohibit in all settings (2015); but no progress since

²¹ Possibly prohibited in preschool provision

²² Government accepted some UPR recommendations to prohibit but rejected another similar one, stating corporal punishment already prohibited (2010)

²³ Code of Conduct for schools states corporal punishment should not be used but no prohibition in law

States without a clear commitment to law reform ...						
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
Saudi Arabia ²⁴	NO	NO	NO	NO ²⁵	NO	NO
State of Palestine	NO	NO	NO	SOME ²⁶	[SOME] ²⁷	[SOME] ²⁸
Sudan	NO	NO	[YES] ²⁹	YES	YES	YES
Syrian Arab Republic	NO	NO	NO	NO ³⁰	NO	YES
Western Sahara	NO	[NO]	[NO]	[NO]	[YES]	[YES]
Yemen	NO	NO	[SOME] ³¹	YES	YES	NO

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 info@endcorporalpunishment.org. For further details on all states see the individual state reports at www.endcorporalpunishment.org.

²⁴ Government accepted UPR recommendations to prohibit corporal punishment in schools and penal system but stated already prohibited in schools and care settings (2009); recommendations to prohibit in 2013 UPR rejected

²⁵ Ministerial circulars advise against corporal punishment but no prohibition in law

²⁶ Prohibited in UNRWA schools and in East Jerusalem; elsewhere Ministerial direction advises against corporal punishment but no prohibition in law

²⁷ Possibly unlawful in East Jerusalem

²⁸ Possibly unlawful in Gaza

²⁹ The Regulation on behaviour control in educational institutions 2020 prohibits corporal punishment in schools including preschool (para 3).

³⁰ Ministry of Education advises against corporal punishment but no prohibition in law

³¹ Possibly prohibited in preschool provision