

Africa newsletter 29 August 2018

French version also available



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

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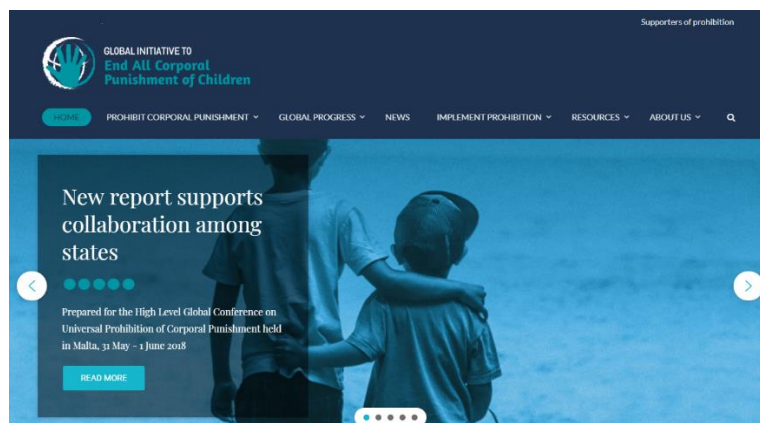
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Highlights in this issue include faith-based initiatives to end corporal punishment, challenges in moving from prohibition to elimination, national research findings on violence against children, campaigns and positive moves towards ending corporal punishment across the continent.

Global Initiative launches new website and logo!

The Global Initiative is delighted to share our brand new logo and website with you. You can find all our reliable and up to date information, right where you left it, at www.endcorporalpunishment.org.

The website also includes our new [privacy policy](#), which gives you more control over your personal information, in line with new European data protection laws. If you have any questions, feel free to [contact us](#) – we're happy to help.



We hope you like the new look. As always, we welcome your feedback - please send any updates, comments or corrections to info@endcorporalpunishment.org.

1. Recent developments in Africa

Regional news

On 31 May – 1 June 2018, representatives of African countries attended a High Level Global Conference on the Universal Prohibition of Corporal Punishment in Malta, held under the patronage of Her Excellency the President of Malta. The two-day event centred on a number of themes, including comprehensive legislation, awareness raising, social mobilisation, capacity building, prevention, sustaining positive change, reviewing progress and child participation. This was the third Conference of its kind, with previous events held in Austria in 2016 and Sweden in 2014. The Tunisian Government has agreed to host the next event in 2020.



"Leave No Child Behind for Africa's Development": The Day of the African Child (DAC), celebrated on 16 June each year, was this year commemorated on the theme "Leave No Child Behind for Africa's Development". The Global Initiative [published a briefing for the DAC](#) last year (in English and French) calling on African governments to prohibit all corporal punishment of children as an essential step towards fulfilling the 2030 Agenda for Sustainable Development – particularly target 16.2 to end all violence against children – and Africa's Agenda for Children 2040: Fostering an Africa Fit for Children. [Read more about the DAC](#).

National news

Guinea: In June, in collaboration with the General Secretariat for Religious Affairs and with the financial and technical support of Save the Children West and Central Africa Regional Office, the Child rights coalition COLTE / CDE organised a Forum on violence against children involving religious leaders, opinion leaders and traditional communicators on child abuse. The Forum raised issues including

corporal punishment, female genital mutilation and early marriage. Participants recommended an increased sensitisation on the negative impact of violence against children, including corporal punishment through sermons delivered in Muslim and Christian places of worship. *c24news.info*, 28 June 2018

[Kenya](#): Education Cabinet Secretary Amina Mohammad announced that the Government has no intention of changing the law to reintroduce corporal punishment in schools. The Cabinet Secretary made this announcement after a number of MPs demanded the reintroduction of corporal punishment on the grounds that it would restore order in Kenyan schools. *HiviSasa*, 22 July 2018. *Note*: Article 29 of the 2010 Kenyan Constitution prohibits corporal punishment in all settings, including in the home.

[Malawi](#): On 19-20 June 2018, the Malawi Human Rights Commission held a workshop "Protect children from all forms of violence and abuse: End corporal punishment in all settings" looking especially at schools and education settings. Co-facilitated by the Global Initiative, the workshop was opened by Commissioner Benedicto Kondowe and attended by representatives of the Ministry of Education, Department of Social Affairs, Police Service, Office of the Ombudsman, Teaching Service Coalition and a range of NGOs. Participants actively engaged in discussion and strategic planning for law reform to prohibit corporal punishment and encourage the use of positive discipline in schools, including the development of a positive discipline handbook for teachers.

[South Africa](#): The draft Children's Third Amendment Bill - which includes prohibition of corporal punishment in the home - has been [published and opened for comment](#). Deadline for submissions is 7 September. Read more about South Africa's progress towards prohibition in our [country report](#), including the Government's commitment to prohibit, made under the Universal Periodic Review.

But ...

[Botswana](#): Delegates at the Botswana Sectors of Educators Trade Union (BOSETU) unanimously rejected a motion calling for the abolition of corporal punishment in schools. The motion challenged the effectiveness of corporal punishment as a disciplinary measure and noted that such punishments have proved detrimental to the health of students and safety of teachers. BOSATU delegates claimed it is still effective as a disciplinary measure. *The Voice*, 4 August 2018. *Note*: Corporal punishment is lawful in the home, alternative care settings, day care, schools, penal institutions and as a sentence for crimes committed by juveniles in Botswana.

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2. Resources: Research/Reports/Publications

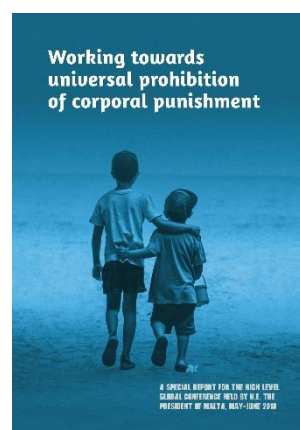
NEW publications from the Global Initiative

Special progress report launched at global conference

Prepared for the High Level Global Conference on Universal Prohibition of Corporal Punishment held by Her Excellency Marie-Louise Coleiro Preca, President of Malta, May-June 2018, this report outlines progress to date towards universal prohibition and elimination of corporal punishment and how the Sustainable Development Agenda provides an additional context for progress.

Designed to support action, the report highlights 12 ways in which states can work collaboratively towards universal prohibition of violent punishment, and describes how to use opportunities at national level to achieve prohibition.

Limited hard copies are available for advocacy use: email info@endcorporalpunishment.org.



Answers to frequently asked questions published in Portuguese

Our series of booklets providing answers to common questions about prohibiting all corporal punishment of children are now available in [Portuguese](#). The series includes a booklet aimed at children and young people, and one which considers specific questions about prohibiting corporal punishment in schools. The booklets are also available in ten other languages, including [English](#), [French](#) and [Arabic](#).



National resources

Madagascar: According to the first [study on violence against children in Madagascar](#), which involved 2,523 respondents, including children aged 15-17, half of all Malagasy children reported experiencing violence at school, and nine children out of ten have been beaten by a family member. The study also found 65% of respondents considered corporal punishment at home to be acceptable.

South Africa: [The 2017 General Household Survey](#) revealed that corporal punishment is still administered in South African schools. Corporal punishment was most common in schools in the provinces of Eastern Cape (13%), in the Free State (13%) and KwaZulu-Natal (10%). Overall, the percentage of learners that have reportedly experienced corporal punishment at school has dropped from 17% in 2009 to 7% in 2017. IOL, 21 June 2018. Note: Corporal punishment is prohibited in schools under the South African Schools Act 1996 (art. 10).

[A longitudinal perspective on violence in the lives of South African children from the Birth to Twenty Plus cohort study in Johannesburg-Soweto, Richter et al. The South African Medical Journal \(2018\)](#): A study involving children born in 1990 in the greater Johannesburg- Soweto area found that more than half of all children involved, were reported to have been exposed to violence in their home. Almost half of preschool children were reported to have been victims of violence, most often through physical punishment by parents. The study recommends effective and sustainable interventions to address violence as a major public health problem.

Uganda: The first [Violence Against Children Survey \(VACS\)](#) conducted in 2015, involving 5,804 children and young people aged 13-24, reveals that corporal

punishment is still the preferred means of discipline in many Ugandan homes. The survey found that children are frequently subjected to violence in the community, most often perpetrated by teachers. Among youth aged 18-24 years, six in ten females (59%) and seven in ten males (68%) reported experiencing physical violence during their childhoods. Of children aged 13-17, four in ten girls (44%) and six in ten boys (59%) experienced physical violence in the last year. The study recommends the use of positive discipline by parents and caregivers. It also recommends parental support programs that encourage family members to break the silence and refer children to relevant services when cases of violence are reported.

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3. Human rights monitoring

Key decisions and recommendations, etc.

The **African Committee of Experts on the Rights and Welfare of the Child** released its [General Comment no 5](#) on article 1 of the African Charter on the Rights and Welfare of the Child regarding “State Party obligations and systems strengthening for child protection”. The General Comment aims to guide State Parties and other actors by explaining the legislative and other measures that should be undertaken to fulfil the obligations enshrined in the Charter. In this regard, it recommends the enactment of legislation to prohibit corporal punishment of children in all settings. It also calls for appropriate sanctions for violation of such legislation.

Concluding observations of the **African Committee of Experts on the Rights and Welfare of the Child**'s 29th session have been published: the Committee recommended prohibition of corporal punishment of children in all settings to Chad, Comoros, Côte d'Ivoire, and the United Republic of Tanzania.

The **Committee on the Rights of the Child** held its 78th session in May/June 2018. To Angola, the Committee stated urgent measures must be taken in relation to corporal punishment, expressed concern that its previous recommendations to explicitly prohibit corporal punishment have not been implemented and again recommended explicit prohibition in all settings. To Lesotho, the Committee noted that corporal punishment is prohibited in schools and recommended explicit

prohibition in all settings and effective enforcement of the prohibition in schools.

At its 123rd session in July 2018, the **Human Rights Committee** examined Liberia and expressed concern that corporal punishment was not prohibited in all settings; it recommended that Liberia take “practical steps, including through legislative measures, where appropriate, to put an end to corporal punishment in all settings.”

In July/August 2018, the **Committee Against Torture** held its 64th session. To Mauritania, the Committee mistakenly welcomed the Child Protection Code 2017 as having prohibited all corporal punishment of children, as Mauritania’s state report had reported as such – in fact there is no explicit prohibition in the Code. The Committee also expressed concern at the legality of judicial corporal punishment and recommended that it is clearly repealed from the Criminal Code, including under religious law. To Seychelles, the Committee recommended the explicit prohibition of corporal punishment in all settings and the explicit repeal of the right to inflict “reasonable chastisement” under the Children Act 1982.

Briefing the human rights bodies

The Global Initiative regularly briefs human rights treaty monitoring bodies prior to examination of state parties, and encourages national NGOs and human rights institutions to do likewise: if you/your organisation is interested please contact vohito@endcorporalpunishment.org. For deadlines for submitting briefings to the Committees, please see our individual [country reports](#).

The Universal Periodic Review

The obligation to prohibit and eliminate corporal punishment of children continues to be raised with states in the Universal Periodic Review (UPR) of their overall human rights records. The Global Initiative submits briefings on every state being reviewed, sharing advance draft briefings with relevant organisations to encourage submissions at national level. We also conduct a follow up programme, pursuing the issue with states that accept recommendations to prohibit corporal punishment by writing to key NGOs, NHRIs and Government ministers, and undertake ongoing analysis of coverage of the issue in all aspects of the UPR process (for further information email vohito@endcorporalpunishment.org).

During the **Universal Periodic Review’s** 30th session, both Cameroon and Djibouti received recommendations to prohibit all corporal punishment of children and will respond before the 39th session of the Human Rights Council in

September 2018. Burkina Faso gave a mixed response to recommendations on corporal punishment, supporting one to combat corporal punishment and postponing its response to another to explicitly prohibit it in all settings. Cabo Verde, which achieved prohibition in 2013, received recommendations on the implementation of the ban and will respond by September 2018.

During its 38th session, the **Human Rights Council** adopted the final working group reports of the Universal Periodic Review's 29th session. Burundi had received a recommendation to "take legislative measures to put an end to corporal punishment in all settings" and supported it, stating that supported recommendations were "of priority national interest and Burundi would take all measures needed to implement them".

For information on individual states' upcoming UPR examinations or deadlines for submitting information to the review see the individual [country reports](#).

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4. Can you help?

Promoting positive, non-violent discipline

We are collecting resources for the promotion of positive discipline in homes, schools and other settings in Africa for listing on our website: contact triona@endcorporalpunishment.org.

Research on corporal punishment of children

We also collect evidence of the nature and prevalence of corporal punishment. Please send any recent research findings relevant to corporal punishment of children in Africa to: vohito@endcorporalpunishment.org.

And ...

Other ways to contribute to the work of the Global Initiative include:

- sending us information on laws prohibiting or authorising corporal punishment
- letting us know about opportunities for promoting law reform (e.g. if draft legislation is being considered) and when new laws are passed which prohibit corporal punishment

- providing contact details for organisations actively working to promote the prohibition and elimination of corporal punishment of children.

If you can help with any of the above, please email vohito@endcorporalpunishment.org.

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The Global Initiative aims to act as a catalyst to encourage more action and progress towards ending all corporal punishment in all continents. The Africa project aims to increase the number of states in Africa committed to and actively pursuing the prohibition and elimination of all corporal punishment of children, in the family, schools and all other settings.

We hope you find this newsletter informative and useful and welcome your comments: please email vohito@endcorporalpunishment.org. If your organisation is not listed as supporting the aims of the Initiative, please consider signing up ([on our website](#) or email info@endcorporalpunishment.org).

