

Working towards universal prohibition of corporal punishment



**A SPECIAL REPORT FOR THE HIGH LEVEL
GLOBAL CONFERENCE HELD BY H.E. THE
PRESIDENT OF MALTA, MAY-JUNE 2018**

Working towards universal prohibition of corporal punishment: A special report for the high level global conference held by H.E. the President of Malta, May–June 2018

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NOTE ON FACTS AND FIGURES

The Global Initiative bases its analyses on a total of 199 states, all states parties to the UN Convention on the Rights of the Child except Holy See, plus Kosovo, Taiwan, USA and Western Sahara. Child population figures are from UNICEF 2015 and, where these are unavailable, UNICEF 2013 (Western Sahara) and Department of Household Registration, Ministry of Interior, 2013 (Taiwan).

Objectives of the conference

High Level Global Conference on the Universal Prohibition of Corporal Punishment

Malta, 30 May–1 June 2018

The objectives of the High Level Global Conference on the Universal Prohibition of Corporal Punishment being held in Malta on the 30 May–1 June 2018 is to continue securing support and strive towards a world without corporal punishment and violence against children. This will be an opportunity for participating UN Member States, international organisations and civil society representatives to come together and reinforce the commitment they took in adopting the Sustainable Development Goals and more specifically their target to end all forms of violence against children.

The conference will include keynote addresses, panel and roundtable discussions with the participation of leading experts in the field. Participants will have the opportunity to share their insight and meet other stakeholders committed to ending corporal punishment globally.

This conference is the third in its series, with the first edition held in Sweden in 2014 and the second held in Austria in 2016. The third edition of the Global Conference on the Universal Prohibition of Corporal Punishment will be held in Malta under the patronage of Her Excellency the President of Malta.

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We know that prohibition of corporal punishment in law provides the essential foundation for eliminating it in practice. It is imperative that we reform the law as a matter of urgency if we are to have any hope of ending corporal punishment by 2030.

PAULO SÉRGIO PINHEIRO, INDEPENDENT EXPERT WHO LED THE UN STUDY ON VIOLENCE AGAINST CHILDREN AND CHAIRPERSON OF THE INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON SYRIA.*

We envisage a world of universal respect for human rights and human dignity.... A world ... in which every child grows up free from violence and exploitation.

TRANSFORMING OUR WORLD: THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT

* Speaking at the High Level Global Conference, “Towards Childhoods free from Corporal Punishment”, Vienna, 1–2 June 2016.



A message from Her Excellency

Marie-Louise Coleiro Preca

President of Malta

The overarching reason why many UN Member States, international organisations and civil society representatives are meeting in Malta this year is their collective belief that children’s rights need to be upheld in all circumstances. This reason is reinforced by international human rights instruments that we, as an international community, are all committed to and that we all have a responsibility to uphold.

A significant number of UN Member States have thus far prohibited corporal punishment or committed to doing so. There is still a long way to go before universal prohibition is achieved and we must all do our part to achieve this goal. Let us remember that the Sustainable Development Goals, agreed to by all UN Member States, commits the international community to ending all violence against children.

Corporal punishment in its many forms continues to challenge children’s rights and is oftentimes justified by inadequate arguments. As an approach it is inherently flawed because it condones violence and makes violence look legitimate. This consequently instils the understanding that violence is acceptable and that it can be used as a method to resolve conflict and achieve set goals. This approach is not only counterproductive in the short term but its long term repercussions are equally troubling.

At a humane level corporal punishment degrades the child and in itself is a violation of physical integrity and human dignity. It can also cause serious physical and psychological harm to children. The most vulnerable amongst children, including children with disabilities, are particularly susceptible to harmful and humiliating forms of punishment. This needs to end. We must all work towards promoting children’s rights and achieve the universal abolishment of corporal punishment. This effort needs to be driven by a rights-based approach that has children’s rights and human rights at its core. It should target all those who live and work with children, the general public and also children themselves.

Children in fact need to be at the epicentre of this vision, a vision of a world without corporal punishment and without violence against children. In practical terms we need to make sure children are sensitised to the matter; have access to confidential advice; and are guaranteed effective and appropriate forms of protection. Securing children’s role in all of this is essential. Children need to have the opportunity to share their views and concerns. They also need to be part of the process in planning actions and strategies to deal with and universally abolish corporal punishment. Children’s participation is essential as they provide their insight and approach, both of which are critical in dealing with matters affecting them directly.

Children have the same rights as adults when it comes to respect for their human dignity and the respect for their physical integrity. As an international community we must use the impetus provided by the Global Conference on the Universal Prohibition of Corporal Punishment happening in Malta to continue protect the rights of society’s most vulnerable: Our Children.



A message from

Denise Stuckenbruck

Chair, Global Initiative to End All Corporal Punishment of Children

This May, states and civil society from all over the world meet in Malta to show their support and commitment to universal prohibition of corporal punishment of children. We celebrate progress – 53 states and seven territories have achieved full prohibition, and 56 more states have committed to law reform – but we know that there is still much to do. Only 10% of the world’s children live in states which recognise their right to protection from all forms of violence and to equal protection from assault.

The Global Initiative continues to work tirelessly towards a world without legalised violence against children – and we call on you to work with us. This report sets out 12 actions for states to work collaboratively towards universal prohibition. Let’s make real change – together – so that by the time we meet again in 2020, we have even more progress to celebrate, more learning to share, and more children equally protected from violence!



A message from

Marta Santos Pais

Special Representative of the UN Secretary General on Violence against Children

As we gather for the third high-level global conference on the prohibition of corporal punishment, we have strong reasons to feel encouraged by the visible strides that have been made across the world. Looking back at progress achieved to date, the conference provides an invaluable opportunity to document good practices, reflect on trends and common concerns, and reaffirm commitment to address persistent challenges.

But it will also allow us to look forward. In 2019, the UN will host its first overall review of the implementation of the 2030 Agenda for Sustainable Development, including SDG target 16.2 on ending all forms of violence against children. 2019 also marks the 30th anniversary of the CRC. The discussions in Malta provide an ideal platform to seize the historic opportunity presented by the occurrence of these two events and to make a quantum leap in our efforts to build a world free from violence for all children.



A message from

Renate Winter

Chair, UN Committee on the Rights of the Child

“A good parent doesn’t spare the whip”; “A child learns better when harshly punished”; “Without corporal punishment, children will be lazy and rebellious, and will not learn or work!”

These false views of children and childrearing are too often expressed by adults. We know they are wrong and we must leave them behind us. Do we really want to beat children into obedience, to get passive, mute young people who abstain from communication, and are not interested in participating in anything? We shouldn’t! There are so many positive ways to educate children and bring them up as humans with equal value, equipped with self-esteem and resilience to cope with day to day life. Member States where corporal punishment is prohibited have proven that children can be raised and educated well nevertheless – or in fact because of it! Let’s push hard to get rid of this most common form of violence against children whenever, wherever, by whomsoever!



A message from

Dr Howard Taylor

Executive Director, Global Partnership to End Violence Against Children

No child should experience violence, especially not at the hands of parents, teachers and caregivers who are meant to keep them safe and enable them to grow-up into healthy and productive adults. We must stop corporal punishment, and build consensus among families, schools and communities that there are better ways to engage with children, including approaches to discipline.

In February 2018, in partnership with the Government of Sweden and the WePROTECT Global Alliance, the Global Partnership to End Violence Against Children hosted the first ever End Violence Solutions Summit, to champion global action and share solutions for ending violence against every child, wherever they may live. It is critical that we all work together, across governments, agencies, CSOs, the private sector, faith groups and beyond, to build understanding and shift social norms to end corporal punishment.

As we honor the 53 states that have prohibited corporal punishment of children in all settings, including in the family home, let us work together with the others to make this a reality for all children.

Progress in numbers

53

STATES HAVE
PROHIBITED
ALL CORPORAL
PUNISHMENT OF
CHILDREN

56

STATES HAVE
COMMITTED TO
PROHIBITING
ALL CORPORAL
PUNISHMENT

131

STATES HAVE
PROHIBITED
CORPORAL
PUNISHMENT IN
ALL SCHOOLS

451

RECOMMENDATIONS
HAVE BEEN MADE BY
THE UN COMMITTEE
ON THE RIGHTS OF
THE CHILD...

190

STATES HAVE
RECEIVED THESE
RECOMMENDATIONS
TO END CORPORAL
PUNISHMENT

62

STATES HAVE
ACCEPTED UPR
RECOMMENDATIONS
TO PROHIBIT CORPORAL
PUNISHMENT

But...

ONLY

10%

OF THE WORLD'S
CHILDREN LIVE IN
STATES WHERE THE
LAW RECOGNISES
THEIR RIGHT TO
EQUAL PROTECTION
FROM ASSAULT

IN

34

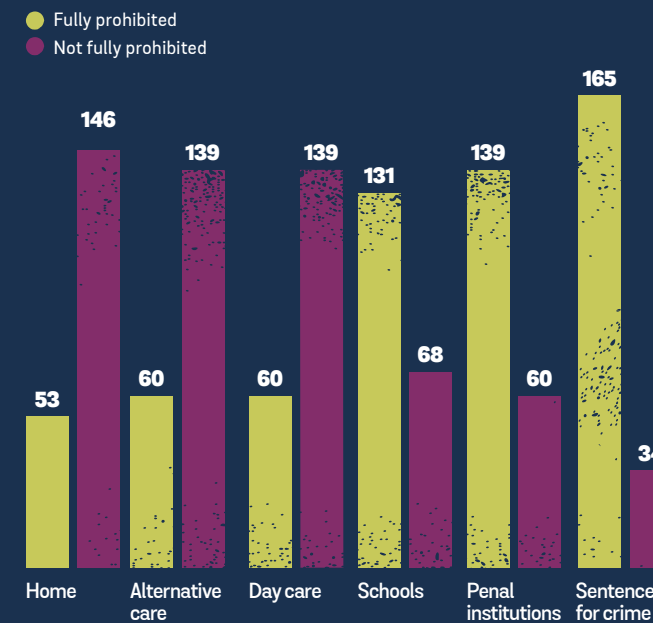
STATES, CHILDREN
CONVICTED OF AN
OFFENCE MAY BE
SENTENCED TO
CORPORAL PUNISHMENT
UNDER CRIMINAL,
RELIGIOUS AND/OR
TRADITIONAL LAW

IN

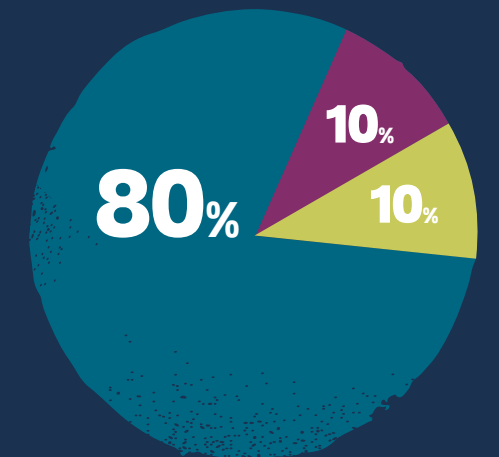
19

STATES, CORPORAL
PUNISHMENT
IS NOT FULLY
PROHIBITED IN ANY
SETTING, INCLUDING
AS A SENTENCE
FOR CRIME

Number of states worldwide prohibiting corporal punishment of children in law



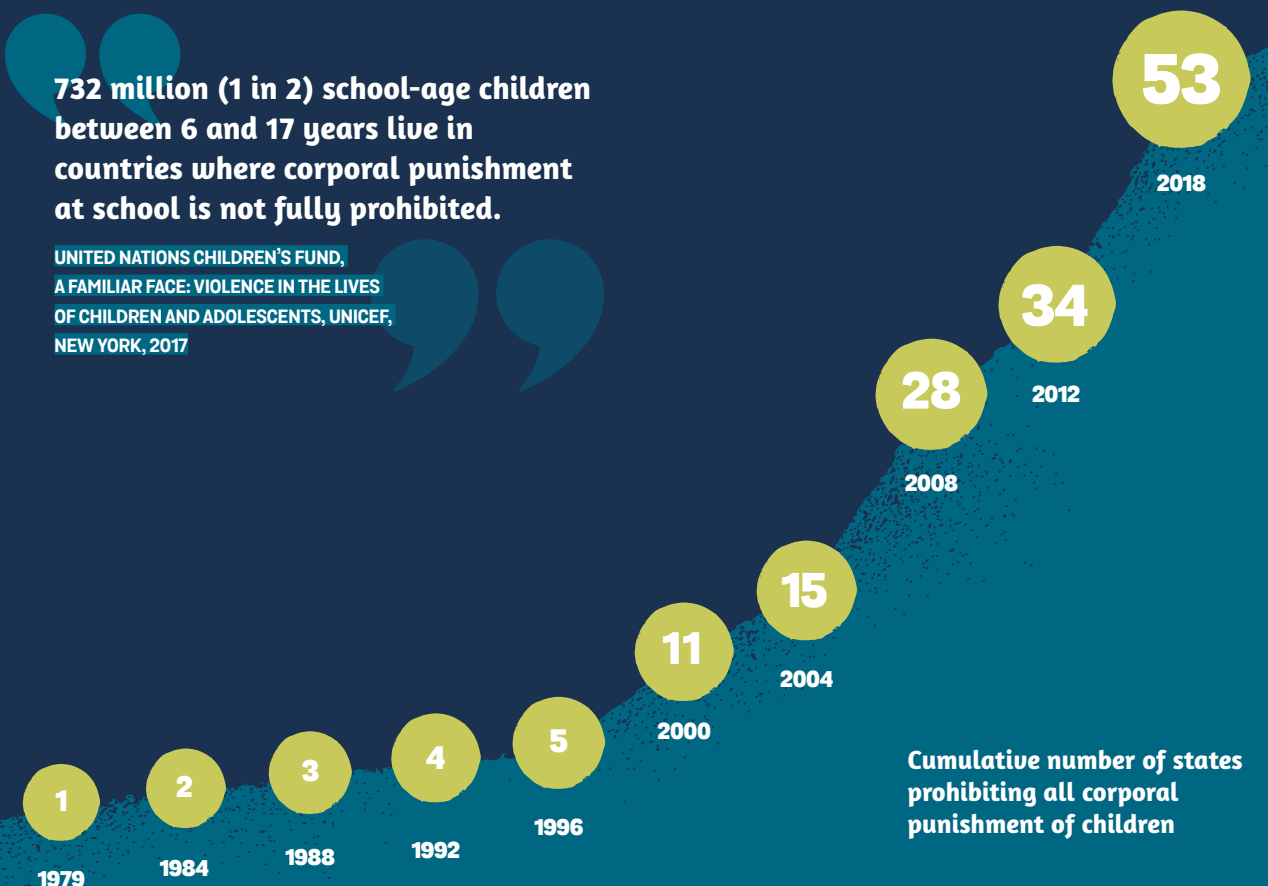
Percentage of global child population fully protected in law from corporal punishment



● Fully protected in the home and all other settings
● Fully protected in some settings outside the home
● Not fully protected in any settings

732 million (1 in 2) school-age children between 6 and 17 years live in countries where corporal punishment at school is not fully prohibited.

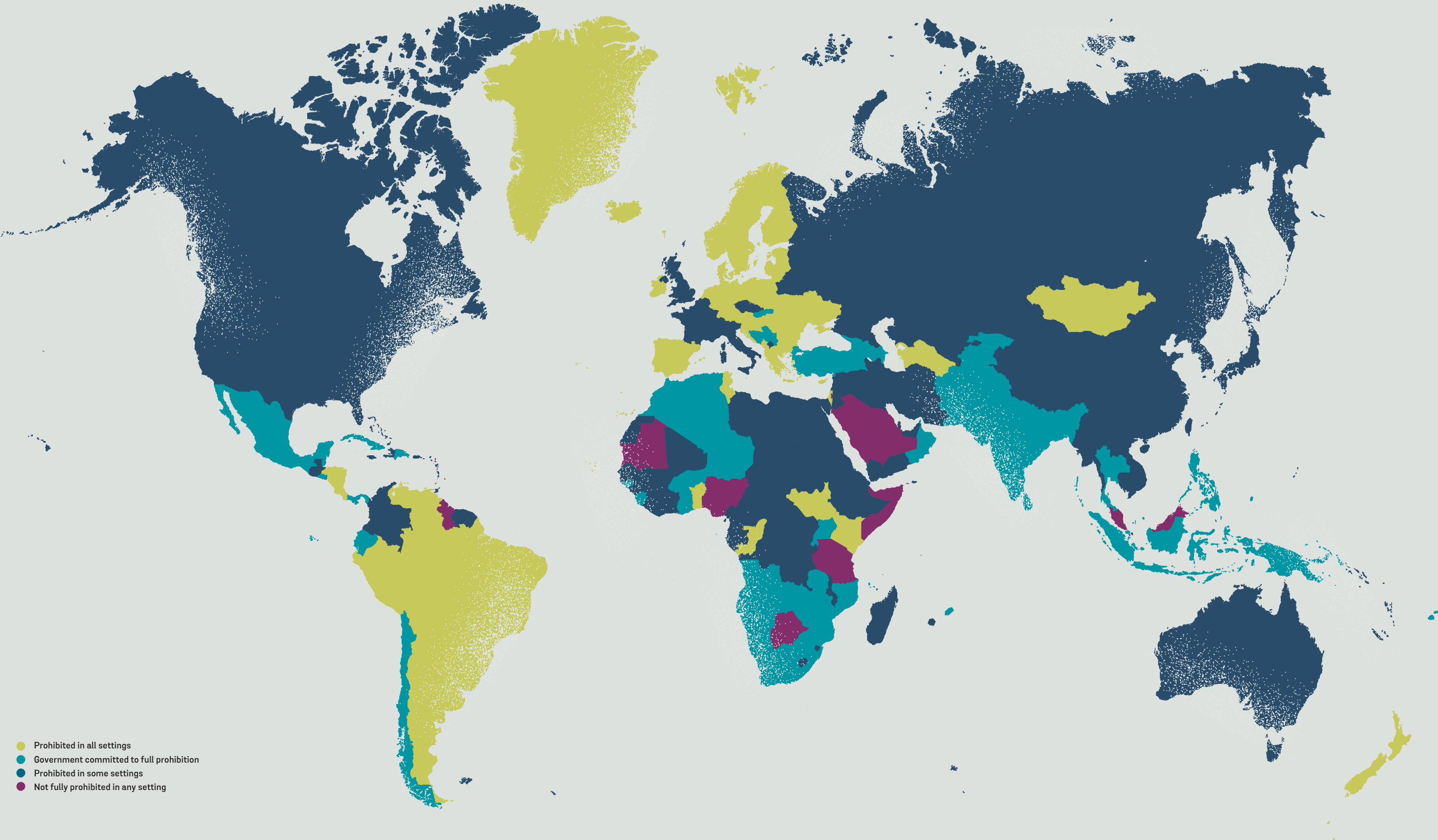
UNITED NATIONS CHILDREN'S FUND,
A FAMILIAR FACE: VIOLENCE IN THE LIVES
OF CHILDREN AND ADOLESCENTS, UNICEF,
NEW YORK, 2017



Cumulative number of states prohibiting all corporal punishment of children

Legality of corporal punishment

For details of the legality of corporal punishment in various settings in each country, see the tables starting on page 21.



The 2030 Agenda: a global commitment to end violence against children

Under the Sustainable Development Goals (SDGs) adopted in 2015, states have committed to building **peaceful, non-violent societies in which human rights are respected**. The agenda sets out 17 goals, clear targets for achieving each goal and indicators to monitor progress towards each target.

Corporal punishment is the **most common form of violence** experienced by children worldwide. In extreme cases, it can lead to injury and even death, but overwhelming evidence shows even so-called “light” corporal punishment is associated with a variety of negative outcomes including poorer mental health, cognitive development and educational outcomes, as well as increased aggression and antisocial behaviour. It has also been linked to increased approval and use of other forms of violence and criminal behaviour in later life, including corporal punishment and intimate partner violence. The long-term effects of violence in families and society – while they are felt by all – can disproportionately affect low- and middle-income countries, where its impact can be severe in terms of slowing economic growth, undermining personal and collective security, and impeding social development.

Ending corporal punishment is therefore key to **ending all violence against children** (target 16.2) and reducing violence across the whole of society in the longer term. It is also essential in working towards other SDG targets, including those related to health, education, violence against women and girls, equality and economic growth.

Prohibition of corporal punishment in law is the essential foundation for reducing its use, which must be implemented effectively, including through society-wide measures to raise awareness of the new law and children’s right to protection (see more on p. 18).

SDG 16
Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

Target 16.2
End abuse, exploitation, trafficking and all forms of violence against and torture of children.

Indicator 16.2.1
Percentage of children aged 1–17 who experienced any physical punishment and/or psychological aggression by caregivers in the past month.

The process of transforming society’s behaviour in childrearing and education, and its view of children – to seeing them as full holders of human rights who cannot be hit and hurt in the guise of “discipline” – takes time. If states are to achieve substantial reductions in the prevalence of violent punishment by 2030 (indicator 16.2.1), they must reform national legislation and work to make prohibition of all corporal punishment of children a reality NOW!



Monitoring progress towards target 16.2

Data collection and periodic surveys with representative population groups about the use of – and attitudes towards – corporal punishment are essential for monitoring progress under indicator 16.2.1. Data and evidence are also valuable in developing and evaluating programmes and campaigns aimed at changing violent behaviour (see also p. 19).

Goal 16 will be reviewed in-depth at the High Level Political Forum on Sustainable Development (HLPF) in 2019 under the theme “Empowering people and ensuring inclusiveness and equality”. As part of its follow-up and review mechanisms, the 2030 Agenda encourages member states to “conduct regular and inclusive reviews of progress at the national and sub-national levels, which are country-led and country-driven” (paragraph 79). These national reviews should provide a basis for regular reviews by the HLPF, which are to be voluntary, state-led and undertaken by both developed and developing countries (paragraph 84).

Supporting national strategies to achieve target 16.2

INSPIRE

INSPIRE is a technical package developed by ten agencies led by the World Health Organisation. Aimed at everyone from government to grassroots, it sets out seven strategies which provide a framework for ending violence against children.

Under its first strategy – implementation and enforcement of laws – the INSPIRE package highlights the need for laws banning corporal punishment of children by parents, teachers and other caregivers. Examples of society-wide public and professional education and awareness raising programmes aimed at to changing social norms and attitudes around violence in childrearing, which should accompany law reform, are also set out in INSPIRE.

Laws that prohibit behaviours such as violent punishment and child sexual abuse, are useful in several ways. First, they show society that violent behaviour is wrong, and can therefore help eradicate prevailing norms that tolerate it. Second, they hold perpetrators accountable for their actions.

INSPIRE: SEVEN STRATEGIES FOR ENDING VIOLENCE AGAINST CHILDREN



Global Partnership to End Violence Against Children

The **Global Partnership to End Violence Against Children** was launched during the first High Level Political Forum for the 2030 Agenda in New York in July 2016. It aims to provide a context for governments, international organisations, NGOs and civil society, academia, the private sector and children themselves to work collectively to end violence against children.

The Global Partnership is particularly working with “pathfinding” countries which have committed to three to five years of accelerated action to end violence against children; this includes a formal pledge to support actions to end all forms of violence against children, including implementation of the INSPIRE package at scale.

The first **Agenda 2030 for Children: End Violence Solutions Summit** took place in Stockholm, Sweden, in February 2018, to share solutions for preventing and responding to violence against children. UN Deputy Secretary General, Amina J. Mohammed, highlighted the extent of corporal punishment of children worldwide in her opening address, and a workshop was held during the Summit highlighting the need to prohibit and eliminate all corporal punishment of children.



Promoting prohibition of violent punishment in the context of development aid

In negotiating development aid – particularly supporting school and health systems – donor states that have prohibited all corporal punishment of children should emphasise the impact of its persisting legality on children’s health and education rights, and urge partner countries to achieve immediate prohibition and work systematically towards elimination.

The same principle applies to states that have prohibited corporal punishment in schools and financially support school systems in other states where children are still lawfully subjected to violence in the guise of “discipline”.

We know that violent punishment is linked to increased violent and criminal behaviour in adulthood, and we know the negative impact this can have – particularly in low- and middle-income countries – on economic growth, personal and collective security, and social development. Donors therefore have an additional major stake in preventing violent punishment of children, in order to ensure their investments are not undermined by the economic and social costs of violence.

...human rights are not subservient to other concerns, and are not something to be addressed only once other development benchmarks have been attained.

BAN KI-MOON, THEN SECRETARY GENERAL OF THE UNITED NATIONS, 2016

Using opportunities to achieve prohibition

The drafting or revision of laws that are relevant to children – including laws on the family, education and juvenile justice – provides opportunities for achieving legal prohibition of all corporal punishment. There are currently immediate opportunities to prohibit corporal punishment in at least 130 states (see www.endcorporalpunishment.org for an up to date table).

Prohibition of corporal punishment is achieved when:

- All defences and authorisations of corporal punishment are repealed (removed) so that the criminal law on assault applies equally to assaults on children, whether or not described as discipline or punishment;
- Legislation explicitly prohibits – or is clearly interpreted as prohibiting – all corporal punishment and other cruel and degrading punishment;
- The language used is clear and not open to misinterpretation – the law must leave no doubt that children should not be physically punished or suffer humiliating or degrading punishment; and
- There are no legal loopholes which could be used by those seeking to justify or defend some level of violent punishment of children.

Prohibition of corporal punishment is not achieved by:

- Laws which prohibit “all forms of violence” or which confirm the child’s right to “respect for human dignity and physical integrity” – these are unlikely to be perceived and interpreted as prohibiting all corporal punishment in childrearing in societies where it is widely socially accepted, and often not regarded as violence.
- Laws which prohibit “corporal punishment that causes harm” – these may be construed as not prohibiting all corporal punishment by those who believe that only physical punishment which reaches some threshold of severity is harmful and that “light” physical punishment is acceptable or even in the child’s best interests.
- So-called “compromise laws” which limit rather than prohibit the use of corporal punishment (for example, making corporal punishment of older children unlawful but allowing it for younger children, or prohibiting the use of an implement but by implication allowing slaps) – these do not achieve equal protection from assault for children.

There is no ambiguity: ‘All forms of physical or mental violence’ does not leave room for any level of legalised violence against children. Corporal punishment and other cruel or degrading forms of punishment are forms of violence and the State must take all appropriate legislative, administrative, social and educational measures to eliminate them.

COMMITTEE ON THE RIGHTS OF THE CHILD, GENERAL COMMENT NO. 8, 2006

“Weren’t you once a child?”

The **President’s Foundation for the Wellbeing of Society** believes that child participation should be at the heart of all initiatives concerning children. These include the drafting of legislation, implementation of policy, consultation and essentially anything that affects the rights and wellbeing of children.

The **High Level Global Conference on the Universal Prohibition of Corporal Punishment** happening in Malta is no exception, and during its run-up the aims of the conference were discussed with the Children’s and Young Person’s Councils forming part of the President’s Foundation.

The children had a number of meetings where they discussed the subject of corporal punishment. Some were astonished to find out that corporal punishment has only recently been prohibited, and they questioned what is stopping governments around the world from abolishing it.

Others highlighted the contradiction between the love shown by parents, carers and adults working with children versus corporal punishment – an approach inherently rooted in violence. The issue of violence and the vicious cycles it propagates were omnipresent during these discussions, and remained very much on the children’s minds.

Children expressed serious concern that when corporal punishment is used, children essentially grow up with an understanding of violence as an effective tool, and as a means to an end. They also referred to the possibility that parents, carers and adults working with children who resort to violence might also have experienced violence during their own childhood. 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.

In this context, the children repeatedly mentioned the importance of positive parenting and added that parents should teach children what is right or wrong through love and respect. They believe that by doing so, the vicious circles fuelled by violence can end. As a result, corporal punishment will thus be relegated to history on a global scale.

In their wisdom the children also thought of the more vulnerable amongst them. They were concerned that disadvantaged children are in a position of increased danger. Children with disabilities, learning difficulties and even children in migration, amongst others, need special attention. As an international community, we need to champion the rights of all children.

For some of the children, it was clear that corporal punishment is not an option. For others it validated their unspoken feelings that violence can never be legitimate, even if it is disguised as discipline, something that instigates improvement or a measure that spurs correct behaviour.

The onus is on us, as adults, to bring about the change which all children around the world deserve. To end with a quote from one of the children: “Violence is Violence”.

Children expressed serious concern that when corporal punishment is used, children essentially grow up with an understanding of violence as an effective tool, and as a means to an end.

CONSULTATION WITH THE CHILDREN’S AND YOUNG PERSONS’ COUNCILS, THE PRESIDENT’S FOUNDATION FOR THE WELLBEING OF SOCIETY, 2018

Achieving human rights in a changing global context

The legality of corporal punishment in the majority of states worldwide violates children’s rights to human dignity and bodily integrity, and to equal protection as adults under the law on assault. International human rights law imposes a clear and immediate obligation on states to prohibit by law all corporal punishment of children, including in the home, and to ensure it is eliminated in practice.

This obligation was confirmed by the Committee on the Rights of the Child in its General Comment No. 8 (2006) on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment”. The Committee also systematically reviews states’

progress towards prohibiting corporal punishment and has to date made over 450 observations/recommendations on the issue to around 190 states.

Other international treaty bodies also recommend prohibition and elimination of corporal punishment to states under their respective treaties, and the issue is pursued at regional level through the jurisprudence of the European Committee of Social Rights, the European Court of Human Rights, the African Committee of Experts on the Rights and Welfare of the Child, the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights.

Recommendations to prohibit all corporal punishment are also frequently issued to states during the Universal Periodic Review of their overall human rights record. 116 states which have not yet achieved full prohibition have received recommendations to do so, of which 62 states have clearly accepted the recommendation, indicating their commit to reforming their laws to achieve full prohibition of corporal punishment.

The current global context poses many and varied challenges to human rights. In such demanding and complex times, when they need to be championed more than ever, human rights instead seem to be under unprecedented threat.

Now more than ever it is essential to reaffirm our commitment to ensure human rights remain at the forefront of the political agenda – in particular the most fundamental rights of the smallest and most vulnerable in society.

We must continue to work together collaboratively to achieve positive change for current and future generations!

How states can work collaboratively towards universal prohibition

12
ACTIONS
FOR 24 MONTHS

01

Promote the rights-based case for law reform – that all children have the rights to full respect for their human dignity and physical integrity, and to equal protection under the law – and promote prohibition to all states, highlighting the injustice, danger and inhumanity of laws which provide children with less protection from interpersonal violence than adults.

02

Agenda 2030 demands that states foster “peaceful, just and inclusive societies which are free from fear and violence”: states should work together to ensure universal prohibition and elimination of all violent punishment of children is explicitly pursued in the global, regional and national monitoring of target 16.2 to end all violence against children.

03

In **negotiating development aid** supporting school and health systems, donor states that have prohibited corporal punishment should urge partner countries to achieve immediate prohibition and work systematically towards elimination, recognising the injustice of, for example, financially supporting school systems in which corporal punishment is still authorised.

07

Ensure that international, regional and national action to challenge **domestic/family violence** logically include advocacy to prohibit and eliminate violence – including corporal punishment – towards children in the family.

08

Advocate the importance of prohibiting and eliminating corporal punishment from **a variety of perspectives** including gender, disability, health and public health, early years care and development, and schooling without violence.

09

Monitor and disseminate research regionally and internationally which demonstrates the scale and harmful impact of corporal punishment, and the positive impact of prohibiting and eliminating its use.

04

Raise the issue in the **Universal Periodic Review** by systematically addressing questions and recommendations to prohibit corporal punishment in all settings to states which have not achieved full prohibition.

05

In negotiating **UN General Assembly and Human Rights Council** resolutions on the rights of the child, states should collaborate to include explicit commitment to prohibition of corporal punishment in all settings, given that a majority of states have either achieved or committed to prohibition.

06

Work within **regional intergovernmental organisations** to encourage explicit commitments and campaigns against violent punishment and highlight the urgency of the issue for children.

10

Contribute to the wide global **dissemination of key documents and recommendations**, including the Committee on the Rights of the Child’s General Comment No. 8 (2006) on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment”.

11

Plan and put into practice **government-led, public education measures** to raise awareness of children’s right to protection, the dangers associated with corporal punishment and the benefits of positive methods of discipline, to progress from prohibition to elimination of all corporal punishment of children.

12

Evaluate and promote effective campaigns and awareness-raising measures for use in states where there is still strong social approval of corporal punishment, and consider offering **technical assistance and support** to states working towards prohibition and elimination through embassies and other representations.

These high level meetings provide a global platform for states to share and learn from each other’s experiences and to work together towards universal prohibition of corporal punishment. But what concrete actions can states take to support and encourage progress beyond their borders, towards a world without legalised violence against children?

Since the global meeting hosted by the Austrian Government in 2016, four more states have achieved full prohibition of corporal punishment. We call on all states to commit to 12 actions for 24 months and beyond, so that by the next global meeting in 2020, we can celebrate even more progress – achieved together – for children everywhere!

Making non-violent childhoods a reality

The ultimate goal of prohibiting corporal punishment is to ensure that no child ever experiences it, by **eliminating its use completely**. Legal prohibition sends a clear message that hitting and hurting a child, for whatever reason, is wrong, just as hitting and hurting adults is wrong.

But implementing the law is not only about responding to adults who violently punish children – it is primarily about **transforming attitudes and practice** so that physical punishment is no longer seen as acceptable, enabling a shift in social norms towards positive, non-violent childrearing methods.

Preliminary list of measures to accompany prohibition

- Wide dissemination and explanation of the law and its implications
- Detailed guidance, for all involved, on how the law should be implemented in the best interests of children
- Communication of children's right to protection from corporal punishment and all other cruel or degrading forms of punishment to children and adults
- Dissemination of information on the dangers of corporal punishment
- Promotion of positive, non-violent forms of discipline to the public, children, parents, other carers, teachers, etc
- Integration of implementation/enforcement of the prohibition into the national and local child protection systems
- Identification of key public figures and a wide range of partners who can support implementation of the law and transformation of attitudes
- Attraction of necessary resources
- Evaluation of the impact of law reform and other measures, through a baseline survey and regular follow-up surveys, interviewing children and parents

Possible points for communicating key messages

- Birth registration
- Pre- and post-natal services
- All other health service and health practitioner contacts with parents, future parents and children
- Pre-school entry, school entry, school curriculum and informal educational settings
- Social and welfare services in contact with children (including children in all non-family settings) and with families
- Initial and in-service training of all those working with and for families and children, including teachers, care workers, etc
- Elements of civil society in contact with children and families, including religious/faith groups
- Mass media, internet, social networking, etc

Violence is not a private matter that should be left to families to resolve, but a matter of human rights that states have a duty to uphold.

KNOW VIOLENCE IN CHILDHOOD: A GLOBAL LEARNING INITIATIVE, ENDING VIOLENCE IN CHILDHOOD: GLOBAL REPORT 2017

A national plan should be developed by the government with relevant partners to progress from prohibition to elimination. This could be a distinct plan or an integral element in national plans to eliminate domestic violence or all forms of violence against children. A review is likely to be needed, covering:

1

What action there has been – including development of programmes and materials – challenging corporal punishment in the home and all other settings.

2

Structures of all relevant national and local services impacting on children and families which can be used to support the move away from violent punishment.

3

Available research on the prevalence of and attitudes towards violent punishment of children.

Research shows the positive impact of prohibition

Although more than a quarter of UN member states have now prohibited all corporal punishment, research comparing the prevalence of and attitudes towards corporal punishment before and after law reform is available in only a few. Where comparable figures are available, the evidence of changes in attitudes and practice is strong.

There has been a consistent decline in adult approval and use of physical punishment in **Sweden** since prohibition was achieved in 1979: around half of children were smacked regularly in the 1970s; this fell to around a third in the 1980s, and a few per cent after 2000. **Finland** achieved prohibition in 1983 and saw a decline in adult acceptance of corporal punishment from 47% in 1981 to 15% in 2014. In **Germany**, 30% of young people reported in 1992 that they had been “thrashed”; in 2002, two years after prohibition, this figure was 3%. Prohibition was achieved in Austria in 1989; approval for the statement “a little slap now and again never harmed a child” dropped dramatically from 85% in 1977 to 16% in 2014. In **New Zealand**, where prohibition was achieved in 2007, the rate of approval of corporal punishment dropped from more than 90% in 1981 to 40% in 2013. Prohibition was achieved in **Poland** in 2010; approval of corporal punishment fell by 18% from 2008 to 2013. **Romania** achieved full prohibition in 2004; the number of children hit by their parents with a hand without leaving a mark fell by 22% between 2001 and 2012.

More information and full references are available at www.endcorporalpunishment.org.

Non-violent Childhoods: Moving on from corporal punishment in the Baltic Sea Region

This two-year project, led by the Council of the Baltic Sea States, in cooperation with the Global Initiative and supported by the European Union, aims to promote effective implementation of legal bans on corporal punishment through collaborative, multi-stakeholder planning and action.

The initiative draws on the experience of states in the Baltic Sea Region where ten out of 11 states have prohibited all corporal punishment – ranging from those with over 30 years' experience implementing the ban to those that have just recently embarked on this journey.

National consultations were held throughout 2017 in Sweden, Finland, Latvia, Estonia and Poland, and a series of thematic expert consultations were held earlier this year to inform the development of five guidance materials to convey key messages and best practices for bringing national laws into practice.

The outcomes of the initiative will be presented at a conference in Stockholm, Sweden, in November 2018. Visit the project website to register for the conference and to read more about the initiative, national partners and activities: www.childrenatrisk.eu/nonviolence.



Working with faith-based groups to eliminate corporal punishment

There is strong consensus across religious traditions about the inherent dignity of every child and a growing movement of religious leaders, along with their organisations and communities, are committed to advocacy and action to prohibit and eliminate all corporal punishment of children.

At the 8th World Assembly of Religions for Peace in Kyoto, Japan in 2006, 800 religious leaders adopted “A Multi-religious Commitment to End Violence against Children” (the Kyoto Declaration) which includes a call for prohibition of corporal punishment and a commitment to monitor its implementation.

We call upon our governments to adopt legislation to prohibit all forms of violence against children, including corporal punishment, and to ensure the full rights of children, consistent with the Convention on the Rights of the Child and other international and regional agreements... Our religious communities are ready to serve as monitors of implementation, making use of national and international bodies to maintain accountability.

ARTICLE 6 OF “A MULTI-RELIGIOUS COMMITMENT TO END VIOLENCE AGAINST CHILDREN” (THE KYOTO DECLARATION)

What religious communities can do towards ending corporal punishment of children

- Model and promote positive, non-violent parenting.
- Promote the meaning of “discipline” as teaching and guidance, not as physical punishment; offer support and resources for parents.
- Speak out about the harmful effects of corporal punishment.
- Explain why the legality and practice of corporal punishment is incompatible with universal religious values of compassion, equality, justice, equity and non-violence.
- Place children at the heart of the community. Enable the meaningful participation of children and make provision for their voices and opinions to be heard.
- Ensure religious texts, scriptures, teachings and traditional ceremonies and practices are used to promote respect for children – not to condone or perpetrate violence against children.
- Hold vigils and events dedicated to ending legalised violence against children.
- Use opportunities in the life of the religious community such as marriage preparation and the birth of a baby, to highlight the dangers of corporal punishment and promote positive non-violent parenting.
- Link the issue of corporal punishment and the urgent need to prohibit it with campaigns to end violence against women and girls.
- Identify child protection risks in the religious community; ensure accountability and reporting mechanisms are in place.
- Ensure child protection and safeguarding policies explicitly denounce corporal punishment.
- Encourage the religious community to actively support law reform at www.endcorporalpunishment.org.
- Work with others, including governments, NGOs and interfaith councils towards prohibition and elimination of all corporal punishment of children.

For further information and resources, see www.churchesfornon-violence.org.

Global tables

The Global Initiative to End All Corporal Punishment of Children has mapped the legality of corporal punishment of children in every setting – the home, alternative care settings, day care, schools, penal institutions and as a sentence for crime – in every state and territory in the world. This information is constantly monitored and kept up to date, and is available to view or download at www.endcorporalpunishment.org.

The following tables summarise the legality of corporal punishment worldwide, organised by:

1. States which have fully prohibited all corporal punishment
2. States which have expressed commitment to full prohibition
3. States with no clear commitment to prohibition

States prohibiting corporal punishment in all settings

This table shows the 53 states where corporal punishment is now unlawful in all settings, and the legislation which extended prohibition to the home – as it has historically been a gradual process, first achieved in the penal system, then other settings and, finally, in the home.

This in part reflects how societies have inched towards appreciating children as holders of human rights, but from children's perspective there is no justification for any delay. We hope future prohibiting legislation will comprehensively address all the settings of children's lives.

State	Prohibiting law
ALBANIA	Law on the Protection of the Rights of the Child 2010
ANDORRA	2014 amendments to Criminal Code 2005
ARGENTINA	Civil and Commercial Code 2014
AUSTRIA	General Civil Code as amended 1989
BENIN	Children's Code 2015
BOLIVIA	Children and Adolescents Code 2014
BRAZIL	2014 amendments to Children and Adolescents Code 1990
BULGARIA	Child Protection Act 2000 (amended 2003); Regulations on the Implementation of the Child Protection Act 2003
CABO VERDE	Law on Children and Adolescents 2013
CONGO, REPUBLIC OF	Law on the Protection of the Child 2010
COSTA RICA	2008 amendments to Code on Children and Adolescents and Family Code
CROATIA	Family Act 1998, replaced by Family Act 2003
CYPRUS	Violence in the Family (Prevention and Protection of Victims) Law 1994
DENMARK	1997 amendment to Parental Custody and Care Act 1995
ESTONIA	Child Protection Act 2014
FINLAND	Child Custody and Rights of Access Act 1983
GERMANY	2000 amendment to Civil Code
GREECE	Law 3500/2006 on the Combating of Intra-family Violence 2006

State	Prohibiting law
HONDURAS	2013 amendments to Family Code and Civil Code
HUNGARY	2004 amendment to Child Protection Act 1997
ICELAND	Children's Act 2003
IRELAND	2015 amendment to Offences Against the Person (Non Fatal) Act 1997
ISRAEL	2000 repeal of “reasonable chastisement” defence
KENYA	Constitution 2010
LATVIA	Children's Rights Protection Law 1998
LIECHTENSTEIN	Children and Youth Act 2008
LITHUANIA	2017 amendments to Law on the Fundamentals of Protection of the Rights of the Child 1996
LUXEMBOURG	Law on Children and the Family 2008
MALTA	2014 amendment to Criminal Code
MONGOLIA	Law on the Rights of Children 2016; Law on Child Protection 2016
MONTENEGRO	2016 amendments to Family Law 2007
NETHERLANDS	2007 amendment to Civil Code
NEW ZEALAND	Crimes (Substituted Section 59) Amendment Act 2007
NICARAGUA	Family Code 2014
NORWAY	1987 amendment to Parent and Child Act 1981
PARAGUAY	Law on promotion of good treatment, positive parenting and protection of children and adolescents against corporal punishment or any type of violence as a method of correction or discipline 2016
PERU	Law prohibiting the use of physical and other humiliating punishment against children and adolescents 2015
POLAND	2010 amendment to Family and Guardianship Code
PORTUGAL	2007 amendment to Penal Code
REPUBLIC OF MOLDOVA	2008 amendment to Family Code
ROMANIA	Law on Protection and Promotion of the Rights of the Child 2004
SAN MARINO	2014 amendments to Penal Code and Law of 1986 No. 49 on Family Law Reform

State	Prohibiting law
SLOVENIA	Law Amending and Supplementing the Law on Prevention of Family Violence 2016
SOUTH SUDAN	Transitional Constitution 2011
SPAIN	2007 amendment to Civil Code
SWEDEN	1979 amendment to Parenthood and Guardianship Code
TFYR MACEDONIA	Law on Child Protection 2013
TOGO	Children's Code 2007
TUNISIA	2010 amendment to Penal Code
TURKMENISTAN	Law on Guarantees of the Rights of the Child 2002
UKRAINE	Family Code 2003
URUGUAY	2007 amendments to Civil Code and Children and Adolescents Code 2004
VENEZUELA	2007 amendments to Law for the Protection of Children and Adolescents 1998

Territories which have prohibited corporal punishment in all settings

Aruba, Netherlands (2016); Greenland, Denmark (2016); St Maarten, Netherlands (2013); Curaçao, Netherlands (2011); Faroe Islands, Denmark (2007); Pitcairn Islands, UK (2003); Pitcairn Islands, UK (2003); Svalbard and Jan Mayen Islands, Norway (1987).

Corporal punishment unlawful by Supreme Court ruling

In the following states, Supreme Court rulings have declared corporal punishment to be unlawful in all settings including the home but prohibition has not yet been enacted in legislation.

Nepal is committed to law reform; Italy is yet to make a public commitment to enacting prohibition.

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
ITALY	NO ¹	YES	YES	YES	YES	YES
NEPAL²	NO	NO	NO	NO	NO	YES

1. 1996 Supreme Court judgment ruled against all violence in childrearing but this not yet confirmed in legislation

2. Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation; 2005 Supreme Court ruling removed legal defence for corporal punishment by parents, guardians and teachers; draft legislation which would prohibit under discussion (2016)

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

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
AFGHANISTAN³	NO	NO	SOME ⁴	YES	NO	NO ⁵
ALGERIA⁶	NO	NO	NO	YES	NO	YES
ANGOLA⁷	NO	NO	NO	NO	NO	YES
ARMENIA⁸	NO	SOME ⁹	NO	YES	YES	YES
AZERBAIJAN¹⁰	NO	NO	NO	YES	YES	YES
BAHRAIN¹¹	NO	NO	NO	YES	NO	YES
BANGLADESH¹²	NO	NO	NO	YES ¹³	NO	NO
BELIZE¹⁴	NO	SOME ¹⁵	SOME ¹⁶	YES	SOME ¹⁷	YES
BHUTAN¹⁸	NO	NO	NO	NO ¹⁹	[YES]	YES
BOSNIA & HERZEGOVINA²⁰	SOME ²¹	SOME ²²	SOME ²³	YES	YES	YES
BURKINA FASO²⁴	NO	NO	SOME ²⁵	SOME ²⁶	[YES]	YES

3. Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation

4. Prohibited in preschool provision

5. Lawful under Shari'a law

6. Government accepted UPR recommendation to prohibit in all settings (2012)

7. Government accepted UPR recommendation to prohibit all corporal punishment (2014)

8. Government accepted UPR recommendations to prohibit (2010, 2015); draft legislation which would prohibit under discussion (2015)

9. Unlawful in care institutions

10. Government accepted UPR recommendations to prohibit (2009, 2013)

11. Government accepted UPR recommendation to prohibit (2017)

12. Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation; Government accepted UPR recommendation to prohibit (2009)

13. Unlawful under 2011 Supreme Court ruling, not yet confirmed in legislation

14. Government accepted UPR recommendation to prohibit (2009)

15. Prohibited in residential care facilities

16. Prohibited in day care centres

17. Prohibited in "Youth Hostel" detention centre

18. Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation

19. Code of Conduct and ministerial directives state corporal punishment should not be used but no prohibition in law

20. Government accepted UPR recommendations to prohibit (2015)

21. Prohibited in Republic of Srpska

22. Prohibited in Republic of Srpska

23. Prohibited in Republic of Srpska

24. Draft legislation which would prohibit under discussion (2014)

25. Prohibited in preschool settings

26. Prohibited in primary schools

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
CHILE ²⁷	NO	NO	NO	YES	YES	YES
COMOROS ²⁸	NO	NO	NO	NO	NO	[YES]
CUBA ²⁹	NO	[SOME] ³⁰	[SOME] ³¹	[YES]	YES	YES
DOMINICAN REPUBLIC ³²	NO	NO	NO	YES	YES	YES
ECUADOR ³³	NO	NO	SOME ³⁴	YES	YES	SOME ³⁵
EL SALVADOR ³⁶	NO	NO	SOME ³⁷	YES	YES	YES
FIJI ³⁸	NO	NO	NO	YES ³⁹	YES	YES
GEORGIA ⁴⁰	NO	[SOME] ⁴¹	NO	YES	YES	YES
GHANA ⁴²	NO	NO	NO	NO ⁴³	SOME ⁴⁴	YES
GUINEA-BISSAU ⁴⁵	NO	[NO]	[NO]	[YES]	[YES]	YES
INDIA ⁴⁶	NO	SOME ⁴⁷	NO ⁴⁸	SOME ⁴⁹	YES ⁵⁰	SOME ⁵¹
INDONESIA ⁵²	NO	NO ⁵³	NO	NO	YES	SOME ⁵⁴
KIRIBATI ⁵⁵	NO	NO	NO	YES	NO	NO
KYRGYZSTAN ⁵⁶	NO	SOME ⁵⁷	NO	YES	[YES]	YES
MARSHALL ISLANDS ⁵⁸	NO	NO	NO	[YES] ⁵⁹	YES	YES

27. Government accepted UPR recommendations to prohibit in all settings (2014); prohibiting legislation under discussion (2016)
28. Government accepted UPR recommendations to prohibit in all settings (2014); draft legislation which would prohibit possibly under discussion (2014)
29. Government adopted Central American Regional Roadmap on Violence against Children (2011) which recommends full prohibition
30. Possibly prohibited in care institutions
31. Possibly prohibited in preschool institutions
32. Government accepted UPR recommendation to prohibit in all settings (2009) and adopted Central American Regional Roadmap on Violence against Children (2011) which recommends full prohibition; prohibiting legislation being drafted (2015)
33. Government accepted UPR recommendation to prohibit in all settings (2012)
34. Prohibited in preschool provision
35. Lawful in indigenous communities
36. Government accepted UPR recommendation to prohibit in all settings (2010); commitment reaffirmed at Directing Council of the Inter-American Children’s Institute meeting (2014)
37. Prohibited in preschool provision
38. Government accepted UPR recommendation to prohibit in all settings (2014)
39. Unlawful under 2002 High Court ruling, not yet confirmed in legislation
40. Government accepted UPR recommendation to prohibit in all settings (2015)
41. Possibly prohibited in care institutions
42. Government accepted UPR recommendations to prohibit in all settings (2008, 2012 and 2017)
43. Ministerial directive possibly advises against corporal punishment but no prohibition in law
44. Prohibited in prisons
45. Government accepted UPR recommendation to prohibit in all settings (2015)
46. Commitment to prohibition in all settings confirmed in report to UN Committee on the Rights of the Child (2011); Government accepted UPR recommendation to prohibit in all settings (2012)
47. Prohibited in care institutions except in Jammu and Kashmir; bill which would prohibit in all childcare institutions under discussion (2014)
48. Bill which would prohibit in anganwadi centres and playschools under discussion (2014)
49. Prohibited for 6–14 year olds except in Jammu and Kashmir; not prohibited in religious schools
50. But prohibiting law not applicable in Jammu and Kashmir
51. Permitted in traditional justice systems
52. Government accepted UPR recommendations to prohibit in all settings (2017)
53. National Standards of Care for Child Welfare Institutions state corporal punishment should not be used but no prohibition in law
54. Lawful under Shari’a law
55. Government accepted UPR recommendations to prohibit in all settings and repeal “reasonable punishment” defence (2015)
56. Government accepted UPR recommendation to prohibit in all settings (2015)
57. Prohibited in residential institutions
58. Government accepted UPR recommendations to prohibit (2015)
59. But some legislation still to be formally repealed

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
MAURITIUS ⁶⁰	NO	NO	[SOME] ⁶¹	YES	NO	YES
MEXICO ⁶²	SOME ⁶³	SOME ⁶⁴	SOME ⁶⁵	YES	YES	YES
MICRONESIA ⁶⁶	NO	NO	NO	[YES]	NO	YES
MOROCCO ⁶⁷	NO	NO	NO	NO ⁶⁸	YES	YES
MOZAMBIQUE ⁶⁹	NO	NO	NO	NO ⁷⁰	YES	YES
NAMIBIA ⁷¹	NO	SOME ⁷²	SOME ⁷³	YES	YES ⁷⁴	YES ⁷⁵
NIGER ⁷⁶	NO	NO	NO	NO ⁷⁷	NO	YES
OMAN ⁷⁸	NO	NO	[SOME] ⁷⁹	YES	NO	[YES]
PAKISTAN ⁸⁰	SOME ⁸¹	SOME ⁸²	SOME ⁸³	SOME ⁸⁴	SOME ⁸⁵	SOME ⁸⁶
PALAU ⁸⁷	NO	NO	NO	NO	NO	YES
PANAMA ⁸⁸	NO	NO	NO	NO	YES	YES
PAPUA NEW GUINEA ⁸⁹	NO	SOME ⁹⁰	NO	NO	YES	YES
PHILIPPINES ⁹¹	NO	YES	YES	YES	YES	YES
RWANDA ⁹²	NO	NO	NO	YES	YES	YES

60. Bill which would prohibit under discussion (2015)
61. Possibly unlawful in preschool provision
62. Government adopted Central American Regional Roadmap on Violence against Children (2011) and End Violence National Action Plan 2017–2018, which both recommend full prohibition; prohibition included in General Law on the Rights of Children and Adolescents 2014 but further reform needed
63. Prohibited in the state of Guanajuato
64. Prohibited in institutions
65. Prohibited in institutions
66. Government accepted UPR recommendations to prohibit in all settings (2015)
67. Government accepted UPR recommendation to prohibit in all settings (2012)
68. Ministerial direction advises against corporal punishment but no prohibition in law
69. Government accepted UPR recommendation to prohibit in all settings (2016)
70. Government directive advises against corporal punishment but no prohibition in law
71. Government accepted UPR recommendations to prohibit in all settings (2016)
72. Unlawful in state-run childcare under 1991 Supreme Court ruling but some legislation still to be repealed; prohibited in Child Care and Protection Act 2014, not yet in force
73. Unlawful in state-run childcare under 1991 Supreme Court ruling but some legislation still to be repealed; prohibited in Child Care and Protection Act 2014, not yet in force
74. Unlawful under 1991 Supreme Court ruling but some legislation still to be repealed; prohibited in Child Care and Protection Act 2014, not yet in force
75. Unlawful under 1991 Supreme Court ruling but some legislation still to be repealed
76. Draft legislation which would prohibit under discussion (2014)
77. Ministerial Order states corporal punishment should not be used but no prohibition in law
78. Government accepted UPR recommendation to prohibit in all settings (2015)
79. Possibly prohibited in preschool provision
80. Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation, confirmed 2014 in Government launch of national campaign for law reform
81. Prohibited in Pakistan administered Gilgit–Baltistan
82. Prohibited in Pakistan administered Gilgit–Baltistan, in Islamabad Capital Territory and in Sindh
83. Prohibited in Pakistan administered Gilgit–Baltistan, in Islamabad Capital Territory and in Sindh
84. Prohibited for 5–16 year olds in Punjab; prohibited in Pakistan administered Gilgit–Baltistan, Islamabad Capital Territory and Sindh
85. Prohibited in Juvenile Justice System Ordinance 2000, not applicable in all areas and other laws not amended/repealed; prohibited in Pakistan administered Gilgit–Baltistan, Islamabad Capital Territory and Sindh
86. Lawful under Shari’a law; prohibited in Pakistan administered Gilgit–Baltistan
87. Government accepted UPR recommendations to prohibit (2011, 2016)
88. Government accepted UPR recommendations to prohibit (2010, 2015)
89. Government accepted UPR recommendation to prohibit in all settings (2011)
90. Corporal punishment of children “in the care of the Director” prohibited
91. Government accepted UPR recommendation to prohibit in the home and other settings (2012); bill which would prohibit under discussion (2016)
92. Government accepted UPR recommendation to prohibit in all settings and to repeal the “right of correction” (2011, 2015)

States without a clear commitment to law reform

The following states have yet to make a clear commitment to prohibiting all corporal punishment. 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.

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
SAMOA ⁹³	NO	NO	SOME ⁹⁴	SOME ⁹⁵	YES	YES
SAO TOME AND PRINCIPE ⁹⁶	NO	NO	NO	[YES]	[YES]	[YES]
SERBIA ⁹⁷	NO	NO	SOME ⁹⁸	YES	YES	YES
SEYCHELLES ⁹⁹	NO	NO	SOME ¹⁰⁰	[YES] ¹⁰¹	NO	YES
SIERRA LEONE ¹⁰²	NO	NO	NO	NO	YES	YES
SLOVAKIA ¹⁰³	NO	YES	YES	YES	YES	YES
SOUTH AFRICA ¹⁰⁴	NO ¹⁰⁵	YES	YES	YES	YES	YES
SRI LANKA ¹⁰⁶	NO	NO	NO	NO ¹⁰⁷	SOME ¹⁰⁸	YES
TAJIKISTAN ¹⁰⁹	NO	NO	SOME ¹¹⁰	YES	NO	YES
THAILAND ¹¹¹	NO	NO	NO	YES	YES	YES
TIMOR-LESTE ¹¹²	NO	NO	NO	NO	YES	YES
TURKEY ¹¹³	NO	NO	NO	YES	YES	YES
UGANDA ¹¹⁴	NO	NO	NO	YES	YES	YES
ZAMBIA ¹¹⁵	NO	NO	SOME ¹¹⁶	YES	YES	YES ¹¹⁷
ZIMBABWE ¹¹⁸	NO	NO	NO	NO	NO	NO ¹¹⁹

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
ANTIGUA AND BARBUDA	NO	NO	NO	NO	NO	YES
AUSTRALIA	NO	SOME ¹²⁰	SOME ¹²¹	SOME ¹²²	SOME ¹²³	YES
BAHAMAS	NO	SOME ¹²⁴	SOME ¹²⁵	NO	[YES] ¹²⁶	[NO] ¹²⁷
BARBADOS	NO	NO	SOME ¹²⁸	NO	NO	NO
BELARUS ¹²⁹	NO	NO	NO	YES	YES	YES
BELGIUM	NO ¹³⁰	SOME ¹³¹	NO	YES	YES	YES
BOTSWANA	NO	NO	NO	NO	NO	NO
BRUNEI DARUSSALAM ¹³²	NO	NO	SOME ¹³³	NO	NO	NO
BURUNDI	NO	NO	NO	[YES]	NO	YES
CAMBODIA	NO	NO	NO	YES	YES	YES
CAMEROON	NO	NO	[SOME] ¹³⁴	YES	[YES]	YES
CANADA	NO ¹³⁵	SOME ¹³⁶	SOME ¹³⁷	YES ¹³⁸	YES	YES

93. Government accepted UPR recommendation to prohibit in the home (2011)
94. Prohibited in early childhood centres
95. Prohibited in government schools for children aged 5–14
96. Government accepted UPR recommendation to prohibit in all settings (2011, 2015)
97. Government accepted UPR recommendations to prohibit (2008, 2013)
98. Prohibited in day care which forms part of education system
99. Government accepted UPR recommendations to prohibit in all settings (2016)
100. Prohibited in preschool education
101. But some legislation still to be formally repealed
102. Government accepted UPR recommendation to prohibit in all circumstances (2016)
103. Government accepted UPR recommendation to prohibit (2009); prohibiting legislation being drafted (2015)
104. Government accepted UPR recommendation to prohibit in the home (2012); bill which would prohibit under discussion (2016)
105. 2017 High Court decision ruled the common law defence of “reasonable chastisement” to be unconstitutional but prohibition in law must still be enacted
106. Commitment to prohibition in all settings, including the home, made at July 2006 meeting of South Asia Forum, following UN Study on Violence against Children regional consultation, and reiterated in 2017 when the Government accepted UPR recommendation to prohibit
107. Ministerial circular states corporal punishment should not be used but no prohibition in law
108. Prohibited in prisons
109. Government accepted UPR recommendation to prohibit in all settings (2011)
110. Prohibited in preschool education settings
111. Government accepted UPR recommendations to prohibit in all settings (2012 and 2016)
112. Government accepted UPR recommendation to prohibit (2011)
113. Government accepted UPR recommendations to prohibit (2010, 2015)
114. Government Bill which would prohibit in all settings tabled in 2015 but failed to progress through parliament
115. Government accepted UPR recommendation to prohibit in all settings (2012)
116. Prohibited in preschool provision
117. Unlawful under 1999 Supreme Court ruling but some legislation still to be repealed
118. Government accepted UPR recommendation to prohibit in all settings (2011)
119. 2014 High Court ruling declaring judicial corporal punishment unconstitutional not yet confirmed by Constitutional Court

120. Prohibited in all residential centres and foster care in all states/territories except Northern Territory, Tasmania, Victoria and Western Australia
121. Prohibited in all states/territories except in Northern Territory and Tasmania; prohibition in childminding unconfirmed
122. Prohibited in all states/territories except Northern Territory, Queensland and Western Australia
123. Prohibited in all states/territories except Australian Capital Territory and Western Australia
124. Prohibited in residential institutions
125. Prohibited in preschools and day care centres under the Early Childhood Care (National Standards) Regulations 2015
126. But some legislation possibly still to be repealed
127. Prohibited in 1984 but reintroduced in 1991
128. Prohibited in day nurseries
129. Government accepted UPR recommendation to prohibit (2010) but stated it had already been implemented and all corporal punishment unlawful
130. Draft legislation which would prohibit under discussion (2016); Government gave a mixed response to UPR recommendations to prohibit (2016)
131. Prohibited in institutions in Flemish community
132. Government accepted some UPR recommendations to prohibit but rejected others (2009)
133. Prohibited in childcare centres
134. Possibly prohibited in nursery education
135. 2004 Supreme Court ruling limited but upheld parents’ right to physically punish children; Bill which would prohibit under discussion (2016)
136. Prohibited in state provided care in Alberta, British Columbia and Manitoba and in foster care in Alberta, British Columbia, Manitoba and Ontario; in Ontario prohibited in provincially licensed childcare programmes and in foster homes for children receiving services from provincially licensed/approved child protection agency or other service provider
137. Prohibited in all states/territories except Quebec
138. Unlawful under 2004 Supreme Court ruling but this not yet confirmed in laws relating to private schools and to all schools in Alberta and Manitoba

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
CENTRAL AFRICAN REPUBLIC	NO	NO	NO	NO	NO	YES
CHAD ¹³⁹	NO	[SOME] ¹⁴⁰	[SOME] ¹⁴¹	YES	[YES]	YES
CHINA	NO ¹⁴²	[NO]	SOME ¹⁴³	YES	YES	YES
COLOMBIA	NO	[SOME] ¹⁴⁴	NO	[YES] ¹⁴⁵	[YES] ¹⁴⁶	SOME ¹⁴⁷
COOK ISLANDS	NO	NO	SOME ¹⁴⁸	YES	NO	YES
COTE D'IVOIRE	NO	NO	NO	NO ¹⁴⁹	YES	YES
CZECH REPUBLIC	NO	SOME ¹⁵⁰	SOME ¹⁵¹	YES	YES	YES
DJIBOUTI	NO	NO	NO	[YES]	NO	YES
DOMINICA	NO	NO	SOME ¹⁵²	NO	NO	NO
DPR KOREA ¹⁵³	NO	NO	NO	[NO] ¹⁵⁴	[YES]	[YES]
DR CONGO	NO	NO	NO	YES	NO	YES
EGYPT	NO	NO	NO	[NO] ¹⁵⁵	[YES] ¹⁵⁶	YES
EQUATORIAL GUINEA	NO	NO	NO	NO	NO	YES
ERITREA	NO	NO	NO	NO ¹⁵⁷	[NO]	YES
ETHIOPIA ¹⁵⁸	NO	SOME ¹⁵⁹	SOME ¹⁶⁰	YES	YES	YES
FRANCE ¹⁶¹	NO	NO	NO	YES ¹⁶²	YES	YES
GABON	NO	NO	SOME ¹⁶³	YES	YES	YES

139. Government accepted UPR recommendation to prohibit in 2009 but rejected recommendation to prohibit in 2013
140. Possibly prohibited in institutional care settings
141. Possibly prohibited in institutions
142. But corporal punishment of girls prohibited in Shenzhen Special Economic Zone
143. Prohibited in nurseries and kindergartens
144. Possibly unlawful in care institutions
145. Prohibition in indigenous communities unconfirmed
146. Prohibition in indigenous communities unconfirmed
147. Lawful in indigenous communities
148. Prohibited in institutions providing early childhood education
149. Ministerial circular states corporal punishment should not be used but no prohibition in law
150. Unlawful in institutions
151. Prohibited in preschool provision
152. Prohibited in early childhood education facilities
153. Government accepted UPR recommendation to prohibit in all settings (2014)
154. Policy states corporal punishment should not be used but possibly no prohibition in law
155. Ministerial directive states corporal punishment should not be used but possibly no prohibition in law
156. Possibly lawful in social welfare institutions
157. Policy states corporal punishment should not be used but no prohibition in law
158. Government accepted UPR recommendation to abolish corporal punishment but rejected recommendation to criminalise it (2014)
159. Prohibited in institutions
160. Prohibited in institutions
161. Government accepted UPR recommendation to prohibit (2013) but stated that acceptance of recommendations did not necessarily imply a commitment to further action
162. But courts have recognised a “right of correction”
163. Prohibited in preschool provision

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
GAMBIA	NO	NO ¹⁶⁴	NO	NO ¹⁶⁵	NO	YES
GRENADA	NO	SOME ¹⁶⁶	NO	NO	NO	NO ¹⁶⁷
GUATEMALA ¹⁶⁸	NO	NO	NO	NO	YES	YES
GUINEA	NO	NO	NO	NO ¹⁶⁹	[NO]	YES
GUYANA	NO	SOME ¹⁷⁰	SOME ¹⁷¹	NO	SOME ¹⁷²	SOME ¹⁷³
HAITI	NO ¹⁷⁴	[YES] ¹⁷⁵	[YES] ¹⁷⁶	YES	YES	YES
IRAN	NO	NO	SOME ¹⁷⁷	NO ¹⁷⁸	YES	NO
IRAQ	NO ¹⁷⁹	NO	NO	NO	SOME ¹⁸⁰	YES
JAMAICA	NO	YES	SOME ¹⁸¹	NO ¹⁸²	YES	YES
JAPAN ¹⁸³	SOME ¹⁸⁴	NO	NO	YES ¹⁸⁵	NO	YES
JORDAN ¹⁸⁶	NO	[SOME] ¹⁸⁷	[NO]	YES	[YES]	YES
KAZAKHSTAN	NO	[SOME] ¹⁸⁸	SOME ¹⁸⁹	YES	YES	YES
KUWAIT ¹⁹⁰	NO	NO	NO	YES	NO	[YES]
LAO PDR	NO	NO	SOME ¹⁹¹	YES	YES	YES
LEBANON	NO	NO	NO	NO ¹⁹²	[YES]	YES

164. Minimum standards for residential childcare institutions state corporal punishment should not be used but no prohibition in law
165. Ministerial directive advises against corporal punishment but no prohibition in law
166. Prohibited in childcare homes
167. Prohibited in Juvenile Justice Act 2012, not yet in force
168. Government accepted UPR recommendation to prohibit in the home (2008) and in all settings (2012) but has also said existing law prohibits
169. Ministerial circular possibly advises against corporal punishment but no prohibition in law
170. Prohibited in some but not all settings in Child Care and Services Development Act 2011
171. Prohibited in some but not all settings in Child Care and Services Development Act 2011
172. Prohibited for persons under 17
173. Prohibited for persons under 17
174. Bill which would prohibit under discussion (2015)
175. Prohibition in foster care unconfirmed
176. Prohibition in crèches and childminding unconfirmed
177. Prohibited in day care centres (kindergartens)
178. Government directive states corporal punishment should not be used but no prohibition in law
179. But possibly prohibited in Kurdistan
180. Prohibited in prisons and detention centres
181. Prohibited in early childhood centres (“basic schools”)
182. Prohibition under discussion (2015); see also note on day care
183. Government accepted UPR recommendation to prohibit all corporal punishment (2008, 2012) but denied that “right to discipline” allows corporal punishment and stated that legislation adequately protects children from “excessive” discipline (2012)
184. Prohibited in Kawasaki City by local ordinance
185. But Tokyo High Court has ruled some physical punishment may be lawful in some circumstances
186. 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”
187. Possibly prohibited in institutions
188. Possibly prohibited in children’s villages
189. Prohibited in preschool education and training
190. 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”
191. Unlawful in early childhood education settings
192. Ministerial directive states corporal punishment should not be used but no prohibition in law

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
LESOTHO ¹⁹³	NO	NO	NO	NO	YES	YES
LIBERIA	NO	SOME ¹⁹⁴	SOME ¹⁹⁵	NO	YES	YES
LIBYA	NO	NO	SOME ¹⁹⁶	YES	NO	NO
MADAGASCAR	NO	NO	NO	[YES]	NO	YES
MALAWI	NO	SOME ¹⁹⁷	SOME ¹⁹⁸	[YES] ¹⁹⁹	YES	YES
MALAYSIA	NO	NO	NO	NO	NO	NO ²⁰⁰
MALDIVES ²⁰¹	NO	NO	NO	NO ²⁰²	NO	NO
MALI	NO	NO	SOME ²⁰³	YES	YES	YES
MAURITANIA	NO	NO	NO	NO ²⁰⁴	NO	NO
MONACO	NO	NO	NO	YES	YES	YES
MYANMAR	NO	NO	NO	NO ²⁰⁵	NO	YES ²⁰⁶
NAURU	NO	NO	[SOME] ²⁰⁷	YES	YES	[YES]
NIGERIA	NO	NO	NO	NO ²⁰⁸	SOME ²⁰⁹	SOME ²¹⁰
NIUE	NO	NO	NO	NO	[YES]	YES
QATAR ²¹¹	NO	NO	NO	NO ²¹²	YES	NO
REPUBLIC OF KOREA ²¹³	SOME ²¹⁴	SOME ²¹⁵	SOME ²¹⁶	SOME ²¹⁷	YES	YES
REPUBLIC OF KOSOVO	NO	NO	SOME ²¹⁸	YES	YES	YES

193. Government accepted UPR recommendation to abolish corporal punishment, stating it was being implemented (2010), but subsequent law reform prohibited only as sentence for crime

194. Corporal punishment by child protection practitioners prohibited

195. Corporal punishment by child protection practitioners prohibited

196. Unlawful in preschool provision

197. Prohibited in state-run institutions

198. Prohibited in state-run day care

199. Prohibition in private schools unconfirmed

200. Government committed to prohibition (2007); bill which would prohibit (but not under Islamic law) under discussion (2015)

201. Government expressed commitment to prohibition in all settings, including the home, at July 2006 meeting of South Asia Forum, following 2005 UN Study on Violence against Children regional consultation, but law reform in 2014/2015 re-authorised corporal punishment in all settings and Government rejected UPR recommendations to prohibit (2015)

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

203. Prohibited in preschools and kindergartens

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

205. Government directive advises against corporal punishment but no prohibition in law

206. But some legislation still to be repealed

207. Possibly prohibited in preschool education settings

208. But possibly prohibited in Lagos State

209. Prohibited in Child Rights Act 2003, not enacted in all states

210. Prohibited in Child Rights Act 2003, not enacted in all states; lawful in some states under Shari’a law

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

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

213. Government accepted UPR recommendations to prohibit in all settings (2012) but was unclear on need for prohibition in the home

214. Prohibited in Seoul

215. Prohibited in Seoul

216. Prohibited in Seoul

217. Law prohibits direct (with contact) but not indirect (no contact) physical punishment; fully prohibited in Seoul, Gyeonggi province, Gwangju City and Jeollabukdo province

218. Prohibited in preschool provision

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
RUSSIAN FEDERATION	NO	NO	SOME ²¹⁹	YES	YES	YES
SAUDI ARABIA ²²⁰	NO	NO	NO	NO ²²¹	NO	NO
SENEGAL ²²²	NO	NO	NO	SOME ²²³	[YES]	YES
SINGAPORE	NO	NO	SOME ²²⁴	NO	NO	NO
SOLOMON ISLANDS ²²⁵	NO	NO	NO	NO	YES	YES ²²⁶
SOMALIA	NO	SOME ²²⁷	SOME ²²⁸	[SOME] ²²⁹	SOME ²³⁰	SOME ²³¹
ST KITTS AND NEVIS	NO	NO	NO	NO	NO	[YES] ²³²
ST LUCIA ²³³	NO	NO	NO	NO	NO	YES
ST VINCENT AND THE GRENADINES	NO	NO	NO	NO	NO	NO
STATE OF PALESTINE	NO	NO	NO	SOME ²³⁴	[SOME] ²³⁵	[SOME] ²³⁶
SUDAN	NO	NO	NO	[SOME] ²³⁷	NO	[YES] ²³⁸
SURINAME	NO	NO	NO	NO ²³⁹	YES	YES
SWAZILAND	NO	NO	NO	NO	NO	YES
SWITZERLAND	NO ²⁴⁰	[SOME] ²⁴¹	YES	YES	YES	YES
SYRIAN ARAB REPUBLIC	NO	NO	NO	NO ²⁴²	NO	YES
TAIWAN	NO	NO	[SOME] ²⁴³	YES	YES	YES
TONGA	NO	NO	SOME ²⁴⁴	YES	[YES]	NO ²⁴⁵

219. Unlawful in preschool provision

220. 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

221. Ministerial circulars advise against corporal punishment but no prohibition in law

222. Draft legislation to prohibit under discussion (2016)

223. Prohibited for 6–14 year olds

224. Prohibited in childcare centres

225. Government accepted UPR recommendation to prohibit in all settings (2011) but stated review of Penal Code included assessing need for clarification on lawful corporal punishment

226. But used in traditional justice

227. Prohibited in Somaliland

228. Prohibited in Somaliland

229. Possibly prohibited in Somaliland

230. Prohibited in Somaliland

231. Prohibited in Somaliland

232. But some legislation still to be formally repealed

233. Government accepted some but not all UPR recommendations to prohibit (2015)

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

235. Possibly unlawful in East Jerusalem

236. Possibly unlawful in Gaza

237. Possibly prohibited in Khartoum State for children aged 6–13

238. Possibly lawful under Shari’a law

239. Government accepted UPR recommendation to prohibit in schools (2011)

240. 2003 Federal Court ruling stated repeated and habitual corporal punishment unacceptable but did not rule out all corporal punishment in childrearing

241. Possibly lawful in family placements

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

243. Possibly prohibited in care centres

244. Prohibited in preschool institutions

245. 2010 Court of Appeal ruling stated “it might be argued” whipping is unconstitutional but did not declare it such

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
TRINIDAD AND TOBAGO	NO	YES	YES	YES	YES	YES
TUVALU ²⁴⁶	NO	SOME ²⁴⁷	NO	NO	SOME ²⁴⁸	SOME ²⁴⁹
UK	NO	SOME ²⁵⁰	SOME ²⁵¹	YES ²⁵²	YES	YES
UNITED ARAB EMIRATES	NO	NO	NO	YES	[YES]	NO
UR TANZANIA	NO	SOME ²⁵³	NO	NO	SOME ²⁵⁴	SOME ²⁵⁵
USA	NO	SOME ²⁵⁶	SOME ²⁵⁷	SOME ²⁵⁸	SOME ²⁵⁹	YES
UZBEKISTAN	NO	NO	NO	YES	YES	YES
VANUATU	NO	NO	NO	YES	YES	SOME ²⁶⁰
VIET NAM	NO	NO	NO	YES	YES	YES
WESTERN SAHARA	NO	[NO]	[NO]	[NO]	[YES]	[YES]
YEMEN	NO	NO	[SOME] ²⁶¹	YES	YES	NO

Information in the above tables has been compiled 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 helped to provide and check information.

We welcome any updates or corrections: please contact info@endcorporalpunishment.org.

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

246. Government accepted 2008 UPR recommendation to prohibit but in 2013 accepted some UPR recommendations to prohibit and rejected others
247. Prohibited in hospital mental health wing
248. Corporal punishment by police officers prohibited
249. Island courts may order corporal punishment
250. Prohibited in residential institutions and foster care arranged by local authorities and voluntary organisations
251. Prohibited in day care and childminding in England, Wales and Scotland; in Northern Ireland, guidance states physical punishment should not be used but no prohibition in law
252. But in 2014 Government confirmed no prohibition in “unregistered independent settings providing part-time education”
253. Prohibited in residential institutions in Zanzibar
254. Prohibited in approved schools and remand homes in Zanzibar
255. Prohibited in Zanzibar
256. Prohibited in all care settings in 31 states, and in some settings in other states and District of Columbia
257. Prohibited in all care settings in 31 states, and in some settings in other states and District of Columbia
258. Prohibited in public schools in 29 states and District of Columbia, and in public and private schools in Iowa and New Jersey; federal bill which would prohibit under discussion (2015)
259. Prohibited in 32 states
260. Permitted in rural areas under customary justice systems
261. Possibly prohibited in preschool provision

Physical and humiliating punishment breaches the fundamental rights of children, completely disregards their entitlement to respect, dignity and integrity, undermines their development, damages their self-esteem, and perpetuates the thinking that it is alright to hit and hurt others.

CLAUDIANA COLE, MINISTER OF BASIC AND SECONDARY EDUCATION, DELIVERING THE KEYNOTE ADDRESS AT A NATIONAL WORKSHOP ON LAW REFORM TO PROHIBIT PHYSICAL AND HUMILIATING PUNISHMENT IN BANJUL, THE GAMBIA, 12–13 OCTOBER 2017

Governments that have not already done so should be encouraged to enact and enforce legislation to protect children from all forms of violence, including corporal punishment in all settings, even in the home, and by all perpetrators, including teachers and other school personnel.

UNITED NATIONS CHILDREN’S FUND, A FAMILIAR FACE: VIOLENCE IN THE LIVES OF CHILDREN AND ADOLESCENTS, UNICEF, NEW YORK, 2017



Launched in Geneva in 2001, the **Global Initiative to End All Corporal Punishment of Children** works with governments and non-governmental actors towards universal prohibition and elimination of corporal punishment of children – aims which are supported by UNICEF, UNESCO, human rights institutions, and many international and national organisations. The context for all its work is implementation of the Convention on the Rights of the Child.

www.endcorporalpunishment.org



The **President's Foundation for the Wellbeing of Society** was established in 2014 by Her Excellency the President of Malta, Marie Louise Coleiro Preca. 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.

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