



Global Initiative to
**End All Corporal Punishment
 of Children**

Global progress towards prohibiting all corporal punishment

Prepared by the Global Initiative to End All Corporal Punishment of Children
 (www.endcorporalpunishment.org), August 2010

The following table summarises the legal status of corporal punishment of children – and progress towards achieving prohibition – in all states in all settings, the home, schools, penal systems (as a sentence for crime and as a disciplinary measure in penal institutions) and alternative care settings. Governments are increasingly enacting laws to prohibit this form of violence against children. As at August 2010, 28 states plus the interim government of Southern Sudan have achieved full prohibition, where all corporal punishment of children is unlawful, including by parents within the family home. In at least a further 23, governments have made a commitment to enacting full prohibition and/or draft legislation which would achieve full prohibition is under consideration in parliament.

With the exception of alternative care settings, which include those forms of care most closely linked with the legal duties and obligations of parents, the majority of states have prohibited corporal punishment of children outside the family home: 108 have prohibited it in schools, at least 151 have prohibited it as a sentence of the courts and 110 as a disciplinary measure in penal institutions.

But the following table also indicates the work still to be done to ensure children’s rights to equality under the law and to legal protection from all forms of corporal punishment are fully met. Prohibition is still to be achieved in the home in 169 states, in schools in 89 states, as a sentence of the courts in at least 43 states, as a disciplinary measure in penal institutions in at least 76 states, and in all alternative care settings in at least 157 states.

The Global Initiative offers technical support and advice on all aspects of law reform to achieve prohibition and publishes a number of useful resources free of charge – please see www.endcorporalpunishment.org or email info@endcorporalpunishment.org.

Summary of progress towards prohibition of all corporal punishment of children					
	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Prohibited¹	28	108	151	110	37
Not prohibited²	169	89	43	76	157
Legality unknown	-	-	3	11	3

Please note: The following information 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. Please let us know if you believe any of the information to be incorrect: info@endcorporalpunishment.org.

¹ Excluding Southern Sudan, which is not an independent state

² This includes states for which we have recorded “SOME” in the following table. A state is only counted as YES when the prohibition applies to all types of setting within each category, e.g. for schools including public, private, etc.

States with full prohibition in legislation

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Austria	YES ³	YES	YES	YES	YES
Bulgaria	YES ⁴	YES	YES	YES	YES
Costa Rica	YES ⁵	YES	YES	YES	YES
Croatia	YES ⁶	YES	YES	YES	YES
Cyprus	YES ⁷	YES	YES	YES	YES
Denmark	YES ⁸	YES	YES	YES	YES
Finland	YES ⁹	YES	YES	YES	YES
Germany	YES ¹⁰	YES	YES	YES	YES
Greece	YES ¹¹	YES	YES	YES	YES
Hungary	YES ¹²	YES	YES	YES	YES
Iceland	YES ¹³	YES	YES	YES	YES
Israel	YES ¹⁴	YES	YES	YES	YES
Latvia	YES ¹⁵	YES	YES	YES	YES
Liechtenstein	YES ¹⁶	YES	YES	YES	YES
Luxembourg	YES ¹⁷	YES	YES	YES	YES
Netherlands	YES ¹⁸	YES	YES	YES	YES
New Zealand	YES ¹⁹	YES	YES	YES	YES
Norway	YES ²⁰	YES	YES	YES	YES
Poland	YES ²¹	YES	YES	YES	YES
Portugal	YES ²²	YES	YES	YES	YES
Republic of Moldova	YES ²³	YES	YES	YES	YES
Romania	YES ²⁴	YES	YES	YES	YES
Spain	YES ²⁵	YES	YES	YES	YES
Sweden	YES ²⁶	YES	YES	YES	YES
Tunisia	YES ²⁷	YES	YES	YES	YES

³ Prohibited in 1989 by section 146a of General Civil Code

⁴ Prohibited in 2000 Child Protection Act (amended 2003) and 2003 Regulation on the Implementation of the Child Protection Act

⁵ Prohibited in 2008 amendments to the Code on Children and Adolescents and the Family Code

⁶ Prohibited explicitly in 1998 Family Act, replaced by 2003 Family Act

⁷ Prohibited in 1994 Violence in the Family (Prevention and Protection of Victims) Law, reiterated in 2000 Act on Violence in the Family; response to governmental questionnaire in UN Secretary General's Study on Violence against Children (August 2005) stated Children Law provides for "right to administer punishment", but this provision expected to be removed following review

⁸ Prohibited in 1997 amendment to 1995 Parental Custody and Care Act

⁹ Prohibited in 1983 Child Custody and Right of Access Act

¹⁰ Prohibited in 2000 amendment to Civil Code

¹¹ Prohibited in 2006 Law 3500/2006 on the Combating of Intra-family Violence

¹² Prohibited in 2004 amendment to Hungarian Child Protection Act

¹³ Prohibited in 2003 Children's Act

¹⁴ 2000 Supreme Court ruled against all violence in childrearing; "reasonable chastisement" defence removed from legislation in same year

¹⁵ Prohibited in 1998 Children's Rights Protection Law

¹⁶ Prohibited in 2008 Children and Youth Act

¹⁷ Prohibited in 2008 Law on Children and the Family

¹⁸ Prohibited in 2007 amendment to the Civil Code

¹⁹ Prohibited in 2007 Crimes (Substituted Section 59) Amendment Act

²⁰ Prohibited in 1987 amendment to 1981 Parent and Child Act; Supreme Court decision 30 November 2005 interpreted Penal Code as allowing "lighter smacks" but in April 2010 the law was amended to confirm prohibition of all corporal punishment

²¹ Prohibited in 2010 amendment to the Family Code

²² Prohibited in 2007 amendment to Penal Code

²³ Prohibited in 2008 amendments to the Family Code

²⁴ Prohibited in 2004 Law on Protection and Promotion of the Rights of the Child

²⁵ Prohibited in 2007 amendment to Civil Code

²⁶ Prohibited in 1979 amendment to Parenthood and Guardianship Code

States with full prohibition (ctd)					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Ukraine	YES ²⁸	YES	YES	YES	YES
Uruguay	YES ²⁹	YES	YES	YES	YES
Venezuela	YES ³⁰	YES	YES	YES	YES

Prohibition under autonomous government within state					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Sudan (Southern)	YES ³¹	YES	YES	YES	YES

Prohibition by Supreme Court ruling					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Italy	NO ³²	YES	YES	YES	YES
Nepal ³³	NO ³⁴	NO ³⁵	SOME ³⁶	NO ³⁷	NO ³⁸

States committed to full prohibition					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Afghanistan ³⁹	NO	YES	[YES] ⁴⁰	NO ⁴¹	NO
Bangladesh ⁴²	NO	NO ⁴³	NO	NO	NO
Bhutan ⁴⁴	NO ⁴⁵	NO ⁴⁶	YES	NO ⁴⁷	NO ⁴⁸
Brazil ⁴⁹	NO	NO	YES	NO	NO
Czech Republic ⁵⁰	NO	NO	YES	YES ⁵¹	NO

²⁷ Prohibited in 2010 amendment to the Penal Code

²⁸ Prohibited in 2003 Family Code

²⁹ Prohibited in 2007 amendments to Civil Code and Children and Adolescents Code

³⁰ Prohibited in 2007 amendment to Law for the Protection of Children and Adolescents

³¹ Prohibited in 2005 Interim Constitution and 2008 Child Act

³² 1996 Supreme Court ruling prohibited all violence in childrearing, but as at March 2010 not confirmed in legislation

³³ Commitment to prohibition in all settings, including the home, made at July 2006 meeting of the South Asia Forum, following 2005 regional consultation of the UN Secretary General's Study on Violence against Children

³⁴ 2005 Supreme Court ruling removed legal defence available to parents, guardians and teachers; possibly prohibited in draft legislation under discussion in 2010

³⁵ See previous note

³⁶ Prohibited in state laws, but permitted in Maoist courts

³⁷ See note 34

³⁸ See note 34

³⁹ Commitment to prohibition in all settings, including the home, made at July 2006 meeting of the South Asia Forum, following 2005 regional consultation of the UN Secretary General's Study on Violence against Children

⁴⁰ Possibly lawful for some crimes under Islamic law

⁴¹ Possibly prohibited in the Law on Juvenile Rehabilitation Centers adopted in 2009

⁴² Commitment to prohibition in all settings, including the home, made at July 2006 meeting of the South Asia Forum, following 2005 regional consultation of the UN Secretary General's Study on Violence against Children

⁴³ Ministerial directives advise against use, but no prohibition in law; the High Court ruled against corporal punishment in schools in 2010 (details to be confirmed) but this has not been confirmed in legislation

⁴⁴ Commitment to prohibition in all settings, including the home, made at July 2006 meeting of the South Asia Forum, following 2005 regional consultation of the UN Secretary General's Study on Violence against Children

⁴⁵ Draft Child Care and Protection Bill under discussion in 2010 would possibly prohibit

⁴⁶ Code of Conduct and ministerial directive state that corporal punishment should not be used but no prohibition in law; prohibition under discussion (2010)

⁴⁷ See note 45

⁴⁸ See note 45

⁴⁹ Draft legislation which would have prohibited in all settings was dropped in 2008; a major new campaign was launched in December 2009

States committed to full prohibition (ctd)					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Estonia ⁵²	NO	YES ⁵³	YES	YES ⁵⁴	NO
Ireland ⁵⁵	NO	YES	YES	YES	SOME ⁵⁶
Lithuania ⁵⁷	NO	YES ⁵⁸	YES	YES ⁵⁹	NO
Maldives ⁶⁰	NO ⁶¹	NO ⁶²	NO ⁶³	NO ⁶⁴	NO ⁶⁵
Pakistan ⁶⁶	NO ⁶⁷	NO ⁶⁸	SOME ⁶⁹	NO	NO ⁷⁰
Peru ⁷¹	NO	NO ⁷²	YES	NO	NO
Serbia ⁷³	NO	YES	YES	YES	NO
Slovakia ⁷⁴	NO	YES ⁷⁵	YES	YES ⁷⁶	[YES]
Slovenia ⁷⁷	NO	YES	YES	YES ⁷⁸	SOME ⁷⁹
Sri Lanka ⁸⁰	NO	NO ⁸¹	YES	SOME ⁸²	NO

⁵⁰ Government committed to prohibition; as at March 2008, prohibition was due to be considered by the Government Council for Human Rights

⁵¹ But no explicit prohibition

⁵² Government committed to prohibition and draft legislation which would prohibit in all settings was due to be submitted to government in April 2010

⁵³ But no explicit prohibition

⁵⁴ But no explicit prohibition

⁵⁵ Government has stated long-term commitment to prohibition but given no indication of timing

⁵⁶ Prohibited in pre-school settings except for childminders caring for children of relatives, children of same family or up to three children from different families; guidance advises against its use in foster care and residential care services but there is no prohibition in legislation

⁵⁷ Government stated its intention to introduce prohibition in law during January 2006 examination by the Committee on the Rights of the Child; proposed new legislation to prohibit was rejected in March 2010; a new initiative to amend the law to achieve prohibition was registered in Parliament in May 2010

⁵⁸ But no explicit prohibition

⁵⁹ But no explicit prohibition

⁶⁰ Commitment to prohibition in all settings, including the home, made at July 2006 meeting of the South Asia Forum, following 2005 regional consultation of the UN Secretary General's Study on Violence against Children, but Government has also stated commitment to retaining corporal punishment under Islamic law (2006)

⁶¹ Draft Penal Code introduces justification of the use of force by parents, teachers and others for purposes of prevention and punishment of misconduct

⁶² Ministry of Education advises against the use of corporal punishment but there is no explicit prohibition in legislation and draft Penal Code would introduce a justification for the use of corporal punishment by teachers

⁶³ Draft Penal Code authorises judicial corporal punishment

⁶⁴ See note 61

⁶⁵ See note 61

⁶⁶ Commitment to prohibition in all settings, including the home, made at July 2006 meeting of the South Asia Forum, following 2005 regional consultation of the UN Secretary General's Study on Violence against Children

⁶⁷ Possibly prohibited in Child Protection Bill under discussion in 2010

⁶⁸ Prohibition of Corporal Punishment Bill 2010 would prohibit

⁶⁹ Prohibited in 2000 Juvenile Justice System Ordinance but this not applicable in all areas

⁷⁰ Prohibition of Corporal Punishment Bill 2010 would prohibit

⁷¹ Congress has pledged all party support for prohibition (December 2007), and legislation which would prohibit in all settings under discussion (2009)

⁷² Decree states that corporal punishment should not be used but no explicit prohibition in legislation

⁷³ Government has stated commitment to prohibition (December 2007)

⁷⁴ Government stated commitment to full prohibition in 2005; prohibition was expected to be included in new Family Code for public debate January/February 2007

⁷⁵ But no explicit prohibition

⁷⁶ But no explicit prohibition

⁷⁷ Government stated intention to explicitly prohibit in the home during 2004 drafting of domestic violence law; Family Law Bill which would prohibit in the home under discussion (2009)

⁷⁸ But no explicit prohibition

⁷⁹ Prohibited in day care centres and residential schools

⁸⁰ Commitment to prohibition in all settings, including the home, made at July 2006 meeting of the South Asia Forum, following 2005 regional consultation of the UN Secretary General's Study on Violence against Children

⁸¹ Ministerial circular states that corporal punishment should not be used but no prohibition in law

⁸² Prohibited in prisons, but lawful in other penal institutions

States committed to full prohibition (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Taiwan ⁸³	NO	YES	YES	YES	NO ⁸⁴

Legal reform in progress but no explicit commitment to full prohibition

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Canada ⁸⁵	NO	YES ⁸⁶	YES	YES	SOME ⁸⁷
Mongolia	NO ⁸⁸	YES	YES	NO	NO ⁸⁹
Nicaragua ⁹⁰	NO	YES	YES	YES	NO
Philippines ⁹¹	NO	YES	YES	YES	SOME ⁹²
South Africa ⁹³	NO	YES	YES	YES	YES

Others – prohibition incomplete and no commitment to reform

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Albania	NO	YES	YES	YES ⁹⁴	NO
Algeria	NO	YES	YES	[NO]	NO
Andorra	NO	YES ⁹⁵	YES	YES ⁹⁶	NO
Angola	NO	YES	YES ⁹⁷	NO	NO
Antigua & Barbuda	NO	NO	NO ⁹⁸	NO	NO
Argentina	NO	NO	YES	NO ⁹⁹	NO
Armenia	NO	YES	YES	YES ¹⁰⁰	NO
Australia	NO ¹⁰¹	SOME ¹⁰²	YES	SOME ¹⁰³	SOME ¹⁰⁴

⁸³ Government stated commitment to prohibition in August 2005

⁸⁴ But law prohibiting in schools possibly applies to day care centres and cram schools

⁸⁵ Bill S-209 which would repeal section 43 of the Criminal Code allowing the use of force “by way of correction” was introduced to Parliament in January 2009 but died when Parliament was prorogued in December; it is to be reintroduced in March 2010; 2004 Supreme Court ruling upheld parents’ right to administer corporal punishment to children aged 2-12 years, but not using objects and not involving slaps or blows to the head

⁸⁶ 2004 Supreme Court ruling limited use of force by teachers to restraint and removal and excluded corporal punishment; as at March 2010, this not confirmed in legislation relating to private schools, or to any schools in Alberta and Manitoba; Alberta Minister for Education has stated prohibition will be considered when Education Act is reviewed

⁸⁷ Prohibited in state provided care in Alberta, British Columbia and Manitoba; in Ontario prohibited in provincially-licensed childcare programmes and foster homes and for all children receiving services from a child protection agency or other service provider licensed or approved by the province; in Quebec no right of correction under the Civil Code but right of correction in Federal Criminal Code applies

⁸⁸ Prohibited in draft amendments to Family Law (2010)

⁸⁹ Prohibited in care institutions in draft amendments to Family Law (2010)

⁹⁰ As at October 2009, proposals had been submitted to prohibit all corporal punishment in the draft Family Code

⁹¹ Anti-Corporal Punishment Bill which would prohibit in all settings passed its third and final reading in the house of Representatives in January 2010; it has yet to be discussed in the Senate

⁹² Prohibited in residential institutions and day care centres

⁹³ Efforts to prohibit corporal punishment by parents through the legislature failed in 2007; a national advocacy campaign continues to promote law reform

⁹⁴ But no explicit prohibition

⁹⁵ No explicit prohibition, but education law and regulations recognise dignity of the child

⁹⁶ But no explicit prohibition

⁹⁷ Prohibited for persons under 16 years; prohibition for 16 and 17 year olds unconfirmed

⁹⁸ But provisions allowing whipping of a child in the Magistrate Code of Procedure were repealed in 2004

⁹⁹ Draft juvenile justice bill (Bill 6789-D-05) which would prohibit corporal punishment under discussion (2007)

¹⁰⁰ But no explicit prohibition

¹⁰¹ In 2003, Law Reform Institute in Tasmania recommended abolition of reasonable correction defence from criminal and civil law but as at March 2010, no changes in the law had been made; 2002 law in New South Wales prohibits force to head or neck of child and to any part of the body where likely to cause harm lasting more than a short period

¹⁰² Prohibited in Australian Capital Territory, New South Wales, Tasmania and Victoria; South Australian government has proposed prohibition in a bill due to be introduced into Parliament by the end of 2009

Prohibition incomplete and no commitment to reform (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Azerbaijan	NO	YES	YES	YES	NO
Bahamas	NO	NO	YES	[YES]	NO
Bahrain	NO	YES	YES	???	NO
Barbados	NO	NO	NO	NO	[SOME ¹⁰⁵]
Belarus	NO	YES ¹⁰⁶	YES	YES ¹⁰⁷	SOME ¹⁰⁸
Belgium	NO	YES ¹⁰⁹	YES	YES	SOME ¹¹⁰
Belize	NO	YES ¹¹¹	YES	SOME ¹¹²	SOME ¹¹³
Benin	NO	NO ¹¹⁴	YES	[YES]	NO
Bolivia	NO ¹¹⁵	NO ¹¹⁶	SOME ¹¹⁷	NO ¹¹⁸	NO ¹¹⁹
Bosnia & Herzegovina	NO	YES	YES	YES	NO
Botswana	NO	NO	NO ¹²⁰	NO	NO
Brunei Darussalam	NO	NO	NO	NO	NO
Burkina Faso	NO	YES	YES	YES ¹²¹	SOME ¹²²
Burundi	NO	NO	YES	NO	NO
Cambodia	NO	YES	YES	YES	NO ¹²³
Cameroon	NO	YES	YES	[YES]	NO
Cape Verde	NO	NO ¹²⁴	YES	NO	[YES]
Central African Rep.	NO	NO	YES	???	NO
Chad	NO	YES	YES	NO	NO
Chile	NO	NO ¹²⁵	YES	YES	NO
China	NO ¹²⁶	YES	YES	YES	NO
Colombia	NO	NO ¹²⁷	SOME ¹²⁸	NO ¹²⁹	NO
Comoros	NO	NO	[YES] ¹³⁰	NO	NO
Congo, Republic of	NO	[YES]	YES	NO	NO
Cook Islands	NO	NO ¹³¹	YES	NO	NO

¹⁰³ Prohibited in all states and territories except Australian Capital Territory and Western Australia

¹⁰⁴ Prohibited in all states and territories in child care centres except Northern Territory, Tasmania and Australian Capital Territory, and in residential centres and foster care except Northern Territory, Tasmania, Victoria, Western Australia and Australian Capital Territory

¹⁰⁵ Prohibited in state-arranged foster care and pre-school settings, and in day care centres and children's residential centres run by Child Care Board, but lawful in private foster care

¹⁰⁶ But no explicit prohibition

¹⁰⁷ But no explicit prohibition

¹⁰⁸ Considered unlawful in boarding institutions, but there is no explicit prohibition; not prohibited in foster care

¹⁰⁹ But no explicit prohibition

¹¹⁰ Prohibited in institutions and foster care by decrees in some communities; not prohibited in non-institutional childcare

¹¹¹ But repeal of legal defences unconfirmed

¹¹² Prohibited in "Youth Hostel" detention centre but lawful in prisons and by law enforcement officials

¹¹³ Prohibited in residential care facilities and in day care centres

¹¹⁴ Government circular advises against the use of corporal punishment in formal education, but no prohibition in law

¹¹⁵ Legislation prohibits only corporal punishment which is considered harmful

¹¹⁶ See previous note

¹¹⁷ Prohibited in state laws, but lawful in indigenous and tribal justice systems

¹¹⁸ See note 115

¹¹⁹ See note 115

¹²⁰ Possibly prohibited in 2009 Children's Act, but not in relation to customary courts

¹²¹ But possibly no explicit prohibition

¹²² Prohibited in institutions; not prohibited in foster care

¹²³ Minimum standards state that corporal punishment should not be used, but no prohibition in legislation

¹²⁴ Ministry of Education guidelines advise against the use of corporal punishment, but no prohibition in law

¹²⁵ Legislation prohibits only corporal punishment resulting in injury

¹²⁶ But corporal punishment of the female child is prohibited in the Shenzhen Special Economic Zone

¹²⁷ Legislation prohibits only corporal punishment resulting in injury

¹²⁸ Prohibited in laws of the Republic, but under Constitutional case law permitted among indigenous Indian communities

¹²⁹ See note 127

¹³⁰ Possibly lawful under Shari'a law and in traditional justice systems

¹³¹ Education bill 2009 would prohibit

Prohibition incomplete and no commitment to reform (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Cote d'Ivoire	NO	NO ¹³²	YES	YES ¹³³	NO
Cuba	NO	NO	YES	NO	NO
DPR Korea	NO	NO ¹³⁴	YES ¹³⁵	[YES]	NO
DR Congo	NO	YES	YES	NO	NO
Djibouti	NO	[YES]	[YES]	NO	NO
Dominica	NO	NO	NO	NO	SOME ¹³⁶
Dominican Republic	NO	YES	YES	YES	SOME ¹³⁷
Ecuador	NO	YES	SOME ¹³⁸	YES	SOME ¹³⁹
Egypt	NO	YES	YES	YES ¹⁴⁰	NO
El Salvador	NO	YES	YES	YES	NO
Equatorial Guinea	NO	NO	???	???	NO
Eritrea	NO	NO ¹⁴¹	NO ¹⁴²	???	NO
Ethiopia	NO	YES	YES	YES	SOME ¹⁴³
Fiji	NO ¹⁴⁴	YES ¹⁴⁵	YES	YES	NO
France	NO ¹⁴⁶	NO ¹⁴⁷	YES	YES ¹⁴⁸	NO ¹⁴⁹
Gabon	NO	YES	???	???	NO
Gambia	NO	NO	YES	NO	NO
Georgia	NO ¹⁵⁰	YES ¹⁵¹	YES	YES ¹⁵²	[SOME] ¹⁵³
Ghana	NO	NO ¹⁵⁴	YES	SOME ¹⁵⁵	NO
Grenada	NO	NO	NO	NO	SOME ¹⁵⁶
Guatemala	NO	NO	SOME ¹⁵⁷	YES	NO
Guinea	NO	YES	[NO]	???	NO
Guinea-Bissau	NO	YES	YES	[YES]	???

¹³² Ministerial circular states that corporal punishment should not be used, but no prohibition in law

¹³³ But no explicit prohibition

¹³⁴ Policy states that corporal punishment should not be used, but no prohibition in law; possibly prohibited in the Education Law (2005)

¹³⁵ But corporal punishment is possibly an element of "public education" sanctions

¹³⁶ Prohibited in early childhood education facilities

¹³⁷ Prohibited in institutions

¹³⁸ Prohibited in state law but permitted under traditional law in indigenous communities; draft law for indigenous justice under discussion (2005)

¹³⁹ Prohibited in institutions but lawful in other childcare settings

¹⁴⁰ But possibly permitted in social welfare institutions

¹⁴¹ Policy states that corporal punishment should not be used, but no prohibition in law

¹⁴² Lawful under Transitional Penal Code but prohibited in Draft Penal Code

¹⁴³ Prohibited in institutions by Constitution, but "reasonable chastisement" defence available

¹⁴⁴ In 2006, the prime minister and other high level offices called for prohibition, but as at March 2010 legal reform had not progressed

¹⁴⁵ Ruled unconstitutional in 2002 High Court ruling, but as at February 2010 legislation not amended

¹⁴⁶ In January, a private members bill which would prohibit in all settings (Bill 2244) was registered at the Presidency of the National Assembly

¹⁴⁷ 1889 High Court ruling allowed "right to correction" for teachers; 2000 ruling stated that habitual and non-educational corporal punishment not covered by this; see also previous note

¹⁴⁸ But no explicit prohibition; see also note 146

¹⁴⁹ See note 146

¹⁵⁰ In 2000 under examination by the Committee on the Rights of the Child government stated intention to prohibit in the family, and response to governmental questionnaire of the UN Secretary General's Study on Violence against Children indicated all corporal punishment is prohibited, but no explicit prohibition in legislation

¹⁵¹ But no explicit prohibition

¹⁵² But no explicit prohibition

¹⁵³ Prohibited in institutional care establishments (information unconfirmed)

¹⁵⁴ Ministerial directive advises against the use of corporal punishment (information unconfirmed), but no prohibition in law

¹⁵⁵ Prohibited in prisons; no explicit prohibition in borstal institutions and industrial institutions

¹⁵⁶ Prohibited in child care homes by licensing requirements

¹⁵⁷ Unlawful in state laws but permitted in traditional justice systems

Prohibition incomplete and no commitment to reform (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Guyana	NO	NO	NO	NO	NO
Haiti	NO ¹⁵⁸	YES	YES	YES	YES
Honduras	NO	YES	YES	NO	NO
India ¹⁵⁹	NO ¹⁶⁰	YES	SOME ¹⁶¹	SOME ¹⁶²	SOME ¹⁶³
Indonesia	NO	NO	SOME ¹⁶⁴	NO	NO
Iran, Islamic Rep. of	NO	YES	NO	[YES]	NO
Iraq	NO	NO ¹⁶⁵	YES	SOME ¹⁶⁶	NO
Jamaica	NO	SOME ¹⁶⁷	YES	YES	YES
Japan	NO ¹⁶⁸	YES ¹⁶⁹	YES	NO	NO
Jordan	NO ¹⁷⁰	YES	YES	YES	[NO]
Kazakhstan	NO	SOME ¹⁷¹	YES	YES	SOME ¹⁷²
Kenya	NO ¹⁷³	NO	YES	YES ¹⁷⁴	NO ¹⁷⁵
Kiribati	NO	YES ¹⁷⁶	NO ¹⁷⁷	NO	NO
Kuwait	NO	[YES]	YES	NO	???
Kyrgyzstan	NO	YES	YES	YES	SOME ¹⁷⁸
Lao PDR	NO	[YES]	YES	YES ¹⁷⁹	NO
Lebanon	NO	NO ¹⁸⁰	YES	[YES]	NO
Lesotho	NO	NO ¹⁸¹	NO ¹⁸²	NO	NO
Liberia	NO	NO	YES	??? ¹⁸³	NO
Libyan Arab Jamahiriya	NO	YES	NO	???	???
Madagascar	NO	NO	YES	NO	NO
Malawi	NO	YES ¹⁸⁴	YES ¹⁸⁵	YES ¹⁸⁶	SOME ¹⁸⁷

¹⁵⁸ Possibly prohibited by 2001 law, but no unequivocal confirmation

¹⁵⁹ Government has committed to prohibition in schools and other settings outside the home; 2003 National Charter for Children recognises children's right to protection from corporal punishment

¹⁶⁰ Prevention of Offences Against the Child Bill under discussion in 2010 would prohibit only corporal punishment of a certain degree of severity

¹⁶¹ Prohibited in state laws, but used in traditional justice systems

¹⁶² Prohibited under the Juvenile Justice (Care and Protection of Children) Rules (2007), but these do not apply in Jammu and Kashmir; see note 160

¹⁶³ Prohibited in care institutions under the Juvenile Justice (Care and Protection of Children) Rules (2007), but these do not apply in Jammu and Kashmir; lawful in non-institutional forms of care; see note 160

¹⁶⁴ Prohibited in Criminal Code but permitted under Shari'a law in Aceh province and in regional regulations based on Islamic Law in other areas

¹⁶⁵ Reportedly prohibited in regulations, but Penal Code confirms right of teachers to discipline children within limits prescribed by law or custom

¹⁶⁶ Prohibited in prisons and detention centres, but possibly lawful in other institutions accommodating children in conflict with the law

¹⁶⁷ Prohibited in schools for children up to the age of 6 years; prohibition in all schools under discussion (March 2010)

¹⁶⁸ But prohibited in Kawasaki City by local ordinance

¹⁶⁹ Prohibited in 1947 School Education Law but 1981 Tokyo High Court judgment stated that some physical punishment may be lawful in some circumstances

¹⁷⁰ In September 2006, government stated corporal punishment by parents prohibited in new legislation, but no explicit prohibition and Penal Code allows for parental discipline within limits established by "general custom" (article 62)

¹⁷¹ Prohibited in regular schools but not in military schools

¹⁷² Prohibited in children's villages, youth homes and other institutions, but no prohibition in foster care or kinship care

¹⁷³ Draft legislation removing the right "to administer reasonable punishment" under consideration by Attorney General (February 2010); draft Constitution would prohibit (May 2010)

¹⁷⁴ But some legislation still to be repealed (May 2009); see also previous note

¹⁷⁵ See note 173

¹⁷⁶ Statutory provisions allowing for corporal punishment repealed but no explicit prohibition in legislation

¹⁷⁷ Government committed to prohibition (2006)

¹⁷⁸ Prohibited in residential institutions

¹⁷⁹ But no explicit prohibition

¹⁸⁰ Government committed to law reform (2006)

¹⁸¹ Prohibited in Education Bill (2009)

¹⁸² Prohibited in the Child Protection and Welfare Bill, under discussion July 2008

¹⁸³ Prohibited in prisons, but legality in other institutions accommodating children in conflict with the law unknown

Prohibition incomplete and no commitment to reform (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Malaysia	NO	NO	NO ¹⁸⁸	NO ¹⁸⁹	NO
Mali	NO ¹⁹⁰	YES	YES	YES ¹⁹¹	NO
Malta	NO	YES ¹⁹²	YES	[YES]	NO
Marshall Islands	NO	YES	YES	YES	NO
Mauritania	NO	NO ¹⁹³	NO	NO	NO
Mauritius	NO	YES	YES	NO	NO
Mexico	NO ¹⁹⁴	NO	YES	NO	NO
Micronesia, Fed. States	NO	[YES]	YES	NO	NO
Monaco	NO	YES ¹⁹⁵	YES	YES ¹⁹⁶	NO
Montenegro	NO	YES	YES	YES ¹⁹⁷	NO
Morocco	NO	NO ¹⁹⁸	YES	YES	NO ¹⁹⁹
Mozambique	NO	NO ²⁰⁰	YES	YES	NO
Myanmar	NO	NO ²⁰¹	YES ²⁰²	NO	NO
Namibia	NO	YES ²⁰³	YES ²⁰⁴	YES ²⁰⁵	SOME ²⁰⁶
Nauru	NO	[NO]	[YES]	NO	NO
Niger	NO	NO	YES	NO	NO
Nigeria	NO	NO	SOME ²⁰⁷	NO	NO
Niue	NO	NO	YES	???	[NO]
Oman	NO	YES	???	NO	NO
Palau	NO	NO	YES	NO	NO
Palestine	NO	SOME ²⁰⁸	[NO] ²⁰⁹	[NO] ²¹⁰	NO
Panama	NO ²¹¹	NO ²¹²	YES	YES	NO ²¹³
Papua New Guinea	NO	NO ²¹⁴	YES	YES	SOME ²¹⁵

¹⁸⁴ Considered unlawful under the Constitution, but no explicit prohibition; Government has recommended explicit prohibition in revised Education Act

¹⁸⁵ Prohibited in Constitution, but permitted in other legislation; as at January 2009, the Penal Code Amendment Bill and the Child (Care, Protection and Justice) Bill, which would prohibit corporal punishment, under discussion

¹⁸⁶ See previous note

¹⁸⁷ Considered unlawful in state institutions under the Constitution but no explicit prohibition

¹⁸⁸ Government committed to prohibition (2007)

¹⁸⁹ See previous note

¹⁹⁰ Draft Family Code (2009) removes the right of correction but does not explicitly prohibit corporal punishment

¹⁹¹ But no explicit prohibition

¹⁹² But no explicit prohibition

¹⁹³ Ministerial Order states that corporal punishment should not be used, but no prohibition in legislation

¹⁹⁴ But "right of correction" removed from the Civil Code of the Federal Territory

¹⁹⁵ But no explicit prohibition

¹⁹⁶ But no explicit prohibition

¹⁹⁷ But possibly no explicit prohibition

¹⁹⁸ Ministerial direction advises against the use of corporal punishment, but no prohibition in law

¹⁹⁹ No prohibition in foster care; possibly no prohibition in other alternative care settings

²⁰⁰ Government directive advises against the use of corporal punishment, but no prohibition in law

²⁰¹ Government directive advises against the use of corporal punishment, but no prohibition in law

²⁰² But some legislation not amended/repealed

²⁰³ Unlawful under 1991 Supreme Court ruling but legal defence available

²⁰⁴ Unlawful under 1991 Supreme Court ruling but as at February 2010 some legislation yet to be repealed

²⁰⁵ See previous note

²⁰⁶ Unlawful in state institutions under 1991 Supreme Court ruling but some legislation yet to be repealed; Child Care and Protection Bill 2009 would prohibit in all settings

²⁰⁷ Prohibited as sentence in 2003 Child Rights Act, but this not enacted in all states and other legislation not amended; lawful as a sentence in some areas under Shari'a law

²⁰⁸ Prohibited in UNRWA schools and in East Jerusalem; in public schools, Ministerial direction advises against the use of corporal punishment, but no prohibition in law

²⁰⁹ Possibly unlawful in the West Bank

²¹⁰ Possibly unlawful in East Jerusalem

²¹¹ Legislation prohibits only corporal punishment which results in injury

²¹² See previous note

²¹³ See note 211

Prohibition incomplete and no commitment to reform (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Paraguay	NO	NO ²¹⁶	YES	YES	NO
Qatar	NO	NO ²¹⁷	NO	NO	NO
Republic of Korea	NO	NO ²¹⁸	YES	YES	[SOME] ²¹⁹
Russian Federation	NO	YES ²²⁰	YES	YES ²²¹	NO
Rwanda	NO ²²²	NO ²²³	YES	NO ²²⁴	NO ²²⁵
Saint Kitts & Nevis	NO	NO	NO	NO	NO
Saint Lucia	NO	NO	YES	NO	NO
Saint Vincent & Grenadines	NO	NO	NO	NO	NO
Samoa	NO	NO ²²⁶	YES	[NO]	NO
San Marino	NO ²²⁷	YES	YES	YES ²²⁸	NO
Sao Tome & Principe	NO	[YES]	SOME ²²⁹	???	NO
Saudi Arabia	NO	NO ²³⁰	NO	NO	NO
Senegal	NO	YES	YES	YES ²³¹	NO
Seychelles	NO	NO ²³²	YES	[YES]	[YES]
Sierra Leone	NO ²³³	NO ²³⁴	YES	NO	NO
Singapore	NO	NO	NO	NO	SOME ²³⁵
Solomon Islands	NO	NO	YES	YES	NO
Somalia	NO	NO	NO ²³⁶	NO	NO
Sudan (Northern)	NO	NO ²³⁷	NO ²³⁸	NO	NO
Suriname	NO	[YES]	YES	YES	NO
Swaziland	NO	NO ²³⁹	NO ²⁴⁰	NO ²⁴¹	NO ²⁴²
Switzerland	NO ²⁴³	YES ²⁴⁴	YES	YES	YES

²¹⁴ Government directive advises against the use of corporal punishment, but no prohibition in law

²¹⁵ 2007 Lukautim Pikinini (Child Welfare) Act prohibits corporal punishment of children “in the care of the Director”, but whether this covers all possible alternative care settings unconfirmed

²¹⁶ Legislation protects dignity but does not explicitly prohibit corporal punishment

²¹⁷ Ministerial Decree states that corporal punishment should not be used, but no explicit prohibition in legislation

²¹⁸ Draft Student Rights Act would prohibit (January 2010)

²¹⁹ Possibly prohibited in child care institutions

²²⁰ But possibly no explicit prohibition

²²¹ But no explicit prohibition

²²² Draft Child Protection Act would possibly prohibit (May 2010)

²²³ Draft Child Protection Act would prohibit (May 2010)

²²⁴ See previous note

²²⁵ See note 223

²²⁶ Policy states that corporal punishment should not be used, but no prohibition in law; possibly prohibited in the Education Bill (2006), as at March 2009 not in force

²²⁷ Government has stated Penal Code provision for “abuse of the powers of correction or discipline” (article 234) effectively prohibits corporal punishment, but no explicit prohibition in law

²²⁸ But no explicit prohibition

²²⁹ Prohibited for persons under the age of 17 years, but possibly lawful for those aged 17 years

²³⁰ Ministerial circulars advise against the use of corporal punishment, but no prohibition in law

²³¹ But no explicit prohibition

²³² Policy states that corporal punishment should not be used, but no prohibition in law

²³³ Sierra Leone Truth and Reconciliation Commission recommended prohibition in the home and schools (2004), but 2007 Child Rights Act reaffirms right to correct

²³⁴ See previous note

²³⁵ Prohibited in child care centres

²³⁶ Ordered by Islamic courts

²³⁷ 2009 Child Act prohibits harsh punishment but no explicit prohibition of corporal punishment (information unconfirmed)

²³⁸ 2009 Child Act does not include corporal punishment among available sanctions but there is no explicit prohibition (information unconfirmed)

²³⁹ Proposals have been made to prohibit in draft legislation (May 2008)

²⁴⁰ See previous note

²⁴¹ See note 239

²⁴² See note 239

Prohibition incomplete and no commitment to reform (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Syrian Arab Republic	NO	NO ²⁴⁵	YES	???	NO
Tajikistan	NO	NO	YES	NO	NO
Thailand	NO	YES	YES ²⁴⁶	YES ²⁴⁷	NO
TFYR Macedonia	NO	YES	YES	YES ²⁴⁸	NO
Timor-Leste, DR	NO	NO ²⁴⁹	YES	YES	NO ²⁵⁰
Togo	NO ²⁵¹	YES	YES	YES	YES
Tonga	NO	YES	NO	NO	NO
Trinidad & Tobago	NO ²⁵²	NO ²⁵³	YES	NO ²⁵⁴	NO ²⁵⁵
Turkey	NO	NO	YES	YES ²⁵⁶	NO
Turkmenistan	NO ²⁵⁷	YES	YES	YES	NO ²⁵⁸
Tuvalu	NO	NO	SOME ²⁵⁹	NO	NO
Uganda	NO ²⁶⁰	NO ²⁶¹	YES	YES	NO ²⁶²
United Arab Emirates	NO	YES ²⁶³	NO	NO	NO
UK	NO ²⁶⁴	YES	YES	YES ²⁶⁵	SOME ²⁶⁶
United Rep. of Tanzania	NO	NO	SOME ²⁶⁷	NO	NO
USA	NO	SOME ²⁶⁸	YES	SOME ²⁶⁹	SOME ²⁷⁰
Uzbekistan	NO	YES	[YES]	YES	NO

²⁴³ 2003 Federal Court ruling stated repeated and habitual corporal punishment unacceptable, but did not rule out right of parents to use corporal punishment; draft legislation to prohibit rejected by Parliament in 2008

²⁴⁴ Prohibited by federal law pursuant to cantonal legislation; 1991 Federal Court ruled it permissible in certain circumstances, but this considered impossible under current legislation

²⁴⁵ Ministry of Education advises against its use but no explicit prohibition in law

²⁴⁶ But some legislation not amended (March 2010)

²⁴⁷ See previous note

²⁴⁸ But no explicit prohibition

²⁴⁹ Government committed to prohibition (2005)

²⁵⁰ Policy advises against the use of corporal punishment in child care centres, orphanages and boarding houses, but no prohibition in law

²⁵¹ Possibly prohibited in Children's Code 2007

²⁵² Children Bill 2010 provides for the right of a parent to administer reasonable punishment; the bill passed its first and second readings in parliament in January 2010 and was referred to the Special Select Committee

²⁵³ Children Bill 2010 would prohibit

²⁵⁴ Children Bill 2010 would prohibit

²⁵⁵ Policy advises against the use of corporal punishment in health care and psychiatric institutions, but no prohibition in law; Children Bill 2010 would prohibit

²⁵⁶ But possibly no explicit prohibition

²⁵⁷ 2002 Rights of the Child (Guarantees) Act prohibits corporal punishment considered to be harmful

²⁵⁸ See previous note

²⁵⁹ Unlawful under the Penal Code and the Code of Criminal Procedure, but Island Courts may order corporal punishment

²⁶⁰ Recommendations have been made to include prohibition in all settings in draft Child Law (May 2008)

²⁶¹ Ministerial circular advises against the use of corporal punishment in state schools, but no prohibition in law; possibly prohibited in Education Bill (May 2008); see previous note

²⁶² See note 260

²⁶³ But no explicit prohibition in relation to private schools

²⁶⁴ Scotland: 2003 Criminal Justice (Scotland) Act restricts common law defence by introducing concept of "justifiable assault" of children and defining blows to head, shaking and use of implements as unjustifiable; England and Wales: 2004 Children Act maintains "reasonable punishment" defence for cases of common assault; similar provision introduced in Northern Ireland by the 2006 Law Reform (Miscellaneous Provisions) (Northern Ireland) Order

²⁶⁵ But no explicit prohibition in secure training centres

²⁶⁶ Prohibited in residential care institutions and foster care arranged by local authorities or voluntary organisations, and in day care institutions and childminding in England and Wales and Scotland; guidance advises against the use of corporal punishment in day care institutions and childminding in Northern Ireland, but no prohibition in law; not prohibited in private foster care

²⁶⁷ Possibly prohibited in Zanzibar; lawful in mainland Tanzania

²⁶⁸ Prohibited in public and private schools in Iowa and New Jersey, in public schools in a further 28 states and District of Columbia

²⁶⁹ Prohibited in 32 states

²⁷⁰ Prohibited in all alternative care settings in 30 states and in some settings in other states and the District of Columbia

Prohibition incomplete and no commitment to reform (ctd)					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Vanuatu	NO	YES	SOME ²⁷¹	YES ²⁷²	NO
Viet Nam	NO	NO	YES	YES	NO
Western Sahara	NO	[NO]	[YES]	[YES]	[NO]
Yemen	NO ²⁷³	YES	NO	YES	NO ²⁷⁴
Zambia	NO	NO ²⁷⁵	YES ²⁷⁶	YES ²⁷⁷	NO
Zimbabwe	NO	NO	NO	NO	NO

²⁷¹ Used in rural areas for punishment of young boys and girls found to have broken village or custom rules

²⁷² But no explicit prohibition

²⁷³ Proposals have been made to restrict, but not prohibit, corporal punishment (May 2008)

²⁷⁴ See previous note

²⁷⁵ Education Bill which would prohibit under discussion (June 2010)

²⁷⁶ Ruled unconstitutional by Supreme Court in 1999, but as at February 2010 some legislation not amended

²⁷⁷ See previous note