



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
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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.

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 ¹	NO	NO ²	YES	NO ³	NO
Albania	NO	YES	YES	YES ⁴	NO
Algeria	NO	YES	YES	[NO]	NO
Andorra	NO	YES ⁵	YES	YES	NO
Angola	NO	YES	YES ⁶	NO	NO
Antigua & Barbuda	NO	NO	NO ⁷	NO	NO
Argentina	NO	NO	YES	NO ⁸	NO
Armenia	NO	YES	YES	YES	NO
Australia	NO ⁹	SOME ¹⁰	YES	SOME ¹¹	SOME ¹²
Austria	YES¹³	YES	YES	YES	YES
Azerbaijan	NO	YES	YES	YES	NO
Bahamas	NO	NO	[YES]	[YES]	NO
Bahrain	NO	YES	YES	???	NO
Bangladesh ¹⁴	NO	NO ¹⁵	NO	NO	NO
Barbados	NO	NO	NO	NO	[SOME ¹⁶]
Belarus	NO	YES ¹⁷	YES	YES ¹⁸	SOME ¹⁹
Belgium	NO	YES ²⁰	YES	YES	SOME ²¹
Belize	NO	NO ²²	YES	SOME ²³	SOME ²⁴
Benin	NO	NO ²⁵	YES	[YES]	NO

¹ 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

² Ministry of Education announced in June 2006 that "the use of any form of violent behaviour and beating and humiliation of children is strictly prohibited", but this has not been confirmed in legislation

³ Policy states that corporal punishment should not be used in the Children's Rehabilitation Centre, but it is not prohibited in law; as at September 2005 Regulations for the Children's Rehabilitation Centre under discussion

⁴ But no explicit prohibition

⁵ No explicit prohibition, but education law and regulations recognise dignity of the child

⁶ Prohibited for persons under 16 years; prohibition for 16 and 17 year olds unconfirmed

⁷ But provisions allowing whipping of a child in the Magistrate Code of Procedure were repealed in 2004

⁸ Draft juvenile justice bill (Bill 6789-D-05) which would prohibit corporal punishment under discussion (2007)

⁹ In 2003, Law Reform Institute in Tasmania recommended abolition of reasonable correction defence from criminal and civil law but as at February 2009, 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

¹⁰ Prohibited in state schools and independent schools in Australian Capital Territory, Tasmania and Victoria; Ministerial guidelines in New South Wales and policy in Queensland and Western Australia state that corporal punishment should not be used but it is not prohibited in law and the "reasonable chastisement" defence is available; the South Australian government has proposed prohibition of corporal punishment in all schools and early childhood development centres in a Bill to be introduced into Parliament in 2009

¹¹ "Reasonable chastisement" defence potentially available in Queensland and Tasmania

¹² Prohibited in child care centres except in Northern Territory; prohibited in residential centres in New South Wales, Queensland, South Australia and Victoria; prohibited in foster care in Queensland, South Australia, Tasmania and New South Wales, but "reasonable chastisement" defence available in all but New South Wales

¹³ Prohibited in 1989 by section 146a of General Civil Code

¹⁴ 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

¹⁵ Ministerial directives advise against the use of corporal punishment, but it is not prohibited in law

¹⁶ 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

¹⁷ But no explicit prohibition

¹⁸ But no explicit prohibition

¹⁹ Considered unlawful in boarding institutions, but there is no explicit prohibition; not prohibited in foster care

²⁰ But no explicit prohibition

²¹ Prohibited in institutions and foster care by decrees in some communities; not prohibited in non-institutional childcare

²² Draft Education Rules which would prohibit in state schools under discussion (November 2008)

²³ Prohibited in "Youth Hostel" detention centre but lawful in prisons and by law enforcement officials

²⁴ Prohibited in residential care facilities and in day care centres

²⁵ A government circular advises against the use of corporal punishment in formal education settings, but it is not prohibited in law

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Bhutan ²⁶	NO	NO ²⁷	YES	NO	NO
Bolivia	NO	NO ²⁸	SOME ²⁹	NO	NO
Bosnia & Herzegovina	NO	YES ³⁰	YES	YES	NO
Botswana	NO	NO	NO ³¹	NO	NO
Brazil ³²	NO	NO	YES	NO	NO
Brunei Darussalam	NO	NO	NO	NO	NO
Bulgaria	YES³³	YES	YES	YES	YES
Burkina Faso	NO	YES	YES	YES	SOME ³⁴
Burundi	NO	NO	YES	NO	NO
Cambodia	NO	YES	YES	YES	NO ³⁵
Cameroon	NO	YES	YES	YES	NO
Canada ³⁶	NO	YES ³⁷	YES	YES	SOME ³⁸
Cape Verde	NO	NO ³⁹	YES	YES	[YES]
Central African Rep.	NO	NO	???	???	NO
Chad	NO	NO	YES	NO	NO
Chile	NO	NO ⁴⁰	YES	YES	NO
China	NO ⁴¹	YES	YES	YES	[NO]
Colombia	NO	NO ⁴²	SOME ⁴³	NO ⁴⁴	NO
Comoros	NO	NO	[YES] ⁴⁵	NO	NO
Congo, Republic of	NO	[YES]	YES	NO	NO
Cook Islands	NO	NO	YES	NO	NO
Costa Rica	YES⁴⁶	YES	YES	YES	YES
Cote d'Ivoire	NO	NO ⁴⁷	YES	YES	NO

²⁶ 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

²⁷ The Code of Conduct and a ministerial directive state that corporal punishment should not be used, but it is not prohibited in law

²⁸ Regulations state that corporal punishment should not be used, but it is not explicitly prohibited in legislation

²⁹ Prohibited in state laws, but lawful in indigenous and tribal justice systems

³⁰ No explicit prohibition, but unlawful under child protection laws

³¹ As at May 2008, the draft Children's Act would make judicial corporal punishment of children unlawful but this would not apply to customary courts

³² Bill which would prohibit in all settings, including the home, passed its first parliamentary debate in early May 2008 and is expected to be tabled for its second (and final) debate later in the month

³³ Prohibited in 2000 Child Protection Act (amended 2003) and 2003 Regulation on the Implementation of the Child Protection Act

³⁴ Prohibited in institutions; not prohibited in foster care

³⁵ Minimum standards state that corporal punishment should not be used, but it is not prohibited in legislation

³⁶ Bill S-209 which would repeal section 43 of the Criminal Code allowing the use of force "by way of correction" was dropped in September 2008 due to October election, but new or amended bill expected to be introduced in the new parliament; Standing Senate Committee on Human Rights recommended repeal of the defence by 2009; 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

³⁷ 2004 Supreme Court ruling limited use of force by teachers to restraint and removal and excluded corporal punishment; as at May 2008, this not confirmed in legislation relating to private schools, or to any schools in Alberta, Manitoba and Ontario; bill which would prohibit in schools under discussion in Ontario (November 2008)

³⁸ 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

³⁹ Ministry of Education guidelines state that corporal punishment should not be used, but it is not prohibited in law

⁴⁰ Corporal punishment resulting in injury is prohibited

⁴¹ But corporal punishment of the female child is prohibited in the Shenzhen Special Economic Zone

⁴² But corporal punishment resulting in injury is prohibited

⁴³ Prohibited in laws of the Republic, but under Constitutional case law permitted among indigenous Indian communities

⁴⁴ See note 42

⁴⁵ Possibly lawful under Shari'a law and in traditional justice systems

⁴⁶ Prohibited in 2008 amendments to the Code on Children and Adolescents and the Family Code

⁴⁷ A ministerial circular states that corporal punishment should not be used, but it is not prohibited in law

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Croatia	YES ⁴⁸	YES	YES	YES	YES
Cuba	NO	NO	YES	NO	NO
Cyprus	YES ⁴⁹	YES	YES	YES	YES
Czech Republic ⁵⁰	NO	NO	YES	YES ⁵¹	NO
Denmark	YES ⁵²	YES	YES	YES	YES
Djibouti	NO	[YES]	[YES]	NO	NO
Dominica	NO	NO	NO	NO	NO
Dominican Republic	NO	YES	YES	[YES]	NO
DPR Korea	NO	NO ⁵³	YES ⁵⁴	[YES]	NO
DR Congo	NO	YES	YES	SOME ⁵⁵	NO
Ecuador	NO	YES	SOME ⁵⁶	YES	SOME ⁵⁷
Egypt	NO	YES	YES	YES ⁵⁸	NO
El Salvador	NO	YES	YES	YES	???
Equatorial Guinea	NO	NO	???	???	NO
Eritrea	NO	NO ⁵⁹	NO ⁶⁰	???	NO
Estonia ⁶¹	NO	YES ⁶²	YES	YES ⁶³	NO
Ethiopia	NO	YES	YES	YES	SOME ⁶⁴
Fiji	NO ⁶⁵	YES ⁶⁶	YES ⁶⁷	YES	NO
Finland	YES ⁶⁸	YES	YES	YES	YES
France	NO	NO ⁶⁹	YES	YES ⁷⁰	NO
Gabon	NO	YES	???	???	???
Gambia	NO	NO ⁷¹	YES	NO ⁷²	NO
Georgia	NO ⁷³	YES ⁷⁴	YES	YES	SOME ⁷⁵

⁴⁸ Prohibited explicitly in 1998 Family Act, replaced by 2003 Family Act

⁴⁹ 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

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 Prohibited in 1997 amendment to 1995 Parental Custody and Care Act

⁵³ Policy states that corporal punishment should not be used, but it is not prohibited in law; possibly prohibited in the Education Law (2005)

⁵⁴ But corporal punishment is possibly an element of "public education" sanctions

⁵⁵ Prohibited in Antoinette Sassou-Nguessou Re-education Centre

⁵⁶ Prohibited in state law but permitted under traditional law in indigenous communities; draft law for indigenous justice under discussion (2005)

⁵⁷ Prohibited in institutions but lawful in other childcare settings

⁵⁸ But possibly permitted in social welfare institutions

⁵⁹ Policy states that corporal punishment should not be used, but it is not prohibited in law

⁶⁰ Lawful under Transitional Penal Code but prohibited in Draft Penal Code

⁶¹ Government committed to prohibition and draft legislation which would prohibit in all settings is due to be submitted to parliament at the end of 2008

⁶² But no explicit prohibition

⁶³ But no explicit prohibition

⁶⁴ Prohibited in institutions by Constitution, but "reasonable chastisement" defence available

⁶⁵ In 2006, the prime minister and other high level offices called for prohibition, but as at February 2009 legal reform had not progressed

⁶⁶ Ruled unconstitutional in 2002 High Court ruling, but as at February 2009 legislation not amended

⁶⁷ See previous note

⁶⁸ Prohibited in 1983 Child Custody and Right of Access Act

⁶⁹ 1889 High Court ruling allowed "right to correction" for teachers; 2000 ruling stated that habitual and non-educational corporal punishment not covered by this

⁷⁰ But no explicit prohibition

⁷¹ Possibly prohibited in 2005 Children's Act

⁷² See previous note

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Germany	YES ⁷⁶	YES	YES	YES	YES
Ghana	NO	NO	YES	NO	NO
Greece	YES ⁷⁷	YES	YES	YES	YES
Grenada	NO	NO	NO	NO	SOME ⁷⁸
Guatemala	NO	NO	SOME ⁷⁹	[YES]	NO
Guinea	NO	YES	[NO]	???	NO
Guinea-Bissau	NO	YES	YES	YES	???
Guyana	NO	NO	NO	NO	NO ⁸⁰
Haiti	NO ⁸¹	YES	YES	YES	YES
Honduras	NO	YES	YES	[YES]	NO
Hungary	YES ⁸²	YES	YES	YES	YES
Iceland	YES ⁸³	YES	YES	YES	YES
India ⁸⁴	NO	SOME ⁸⁵	SOME ⁸⁶	SOME ⁸⁷	NO
Indonesia	NO	NO	SOME ⁸⁸	NO	NO
Iran, Islamic Rep. of	NO	YES	NO	NO	NO
Iraq	NO	YES	YES	SOME ⁸⁹	NO
Ireland ⁹⁰	NO	YES	YES	YES	SOME ⁹¹
Israel	YES ⁹²	YES	YES	YES	YES
Italy	NO ⁹³	YES	YES	YES	YES
Jamaica	NO	SOME ⁹⁴	YES	YES	YES
Japan	NO ⁹⁵	YES ⁹⁶	YES	YES ⁹⁷	NO

⁷³ 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

⁷⁴ But no explicit prohibition

⁷⁵ Prohibited in institutional care establishments

⁷⁶ Prohibited in 2000 amendment to Civil Code

⁷⁷ Prohibited in 2006 Law 3500/2006 on the Combating of Intra-family Violence

⁷⁸ Prohibited in child care homes by licensing requirements

⁷⁹ Unlawful in state laws but permitted in traditional justice systems

⁸⁰ Prohibited in childcare and childminding services in Children's Bill, as at 2007 not in force

⁸¹ Possibly prohibited by 2001 law, but no unequivocal confirmation

⁸² Prohibited in 2004 amendment to Hungarian Child Protection Act

⁸³ Prohibited in 2003 Children's Act

⁸⁴ 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

⁸⁵ Prohibited in 8 out of 35 states and territories; National Policy on Education recommends prohibition; 2005 National Plan of Action for Children includes goal of prohibition in schools; Right to Education Bill (2005) which would prohibit tabled before Parliament in December 2008

⁸⁶ Prohibited in state laws, but used in traditional justice systems

⁸⁷ Prohibited under the Juvenile Justice (Care and Protection of Children) Rules (2007), but these do not apply in Jammu and Kashmir

⁸⁸ Prohibited in Criminal Code but permitted under Shari'a law in Aceh province and in regional regulations based on Islamic Law in other areas

⁸⁹ Prohibited in prisons and detention centres, but possibly lawful in other institutions accommodating children in conflict with the law

⁹⁰ Government has stated long-term commitment to prohibition but given no indication of timing

⁹¹ 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 states that corporal punishment should not be used in foster care and residential care services, but it is not prohibited in law

⁹² 2000 Supreme Court ruled against all violence in childrearing; "reasonable chastisement" defence removed from legislation in same year

⁹³ 1996 Supreme Court ruling prohibited all violence in childrearing, but as at May 2008 not confirmed in legislation

⁹⁴ Prohibited in schools for children up to the age of 6 years; legislation to prohibit in all schools is being drafted (February 2009)

⁹⁵ But prohibited in Kawasaki City by local ordinance

⁹⁶ Prohibited in 1947 School Education Law but 1981 Tokyo High Court judgment stated that some physical punishment may be lawful in some circumstances

⁹⁷ But no explicit 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	
Jordan	NO ⁹⁸	YES	YES	YES	[YES]
Kazakhstan	NO	SOME ⁹⁹	YES	YES	SOME ¹⁰⁰
Kenya	NO	YES	YES	YES ¹⁰¹	NO ¹⁰²
Kiribati	NO	YES ¹⁰³	NO ¹⁰⁴	NO	NO
Kuwait	NO	YES	YES ¹⁰⁵	NO	???
Kyrgyzstan	NO	YES	YES	YES	SOME ¹⁰⁶
Lao PDR	NO	YES	YES	YES ¹⁰⁷	NO
Latvia	YES¹⁰⁸	YES	YES	YES	YES
Lebanon	NO	NO ¹⁰⁹	YES	YES	NO
Lesotho	NO	NO ¹¹⁰	NO ¹¹¹	NO	NO
Liberia	NO	NO	YES	NO	NO
Libyan Arab Jamahiriya	NO	YES	NO	???	???
Liechtenstein	NO	YES	YES	YES	SOME ¹¹²
Lithuania ¹¹³	NO	YES ¹¹⁴	YES	YES ¹¹⁵	NO
Luxembourg ¹¹⁶	NO	YES	YES	YES	NO
Madagascar	NO	NO	YES	NO	NO
Malawi	NO	NO ¹¹⁷	YES ¹¹⁸	YES ¹¹⁹	SOME ¹²⁰
Malaysia	NO	NO	NO ¹²¹	NO ¹²²	NO
Maldives ¹²³	NO	YES ¹²⁴	NO	NO	SOME ¹²⁵
Mali	NO ¹²⁶	YES	YES	YES ¹²⁷	NO

⁹⁸ 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)

⁹⁹ Prohibited in regular schools but not in military schools

¹⁰⁰ Prohibited in children’s villages, youth homes and other institutions, but no prohibition in foster care or kinship care

¹⁰¹ But some legislation still to be repealed (February 2009)

¹⁰² See previous note

¹⁰³ Statutory provisions allowing for corporal punishment repealed but no explicit prohibition in legislation

¹⁰⁴ Government committed to prohibition (2006)

¹⁰⁵ But reintroduction possibly proposed

¹⁰⁶ Prohibited in residential institutions

¹⁰⁷ But no explicit prohibition

¹⁰⁸ Prohibited in 1998 Children’s Rights Protection Law

¹⁰⁹ Government committed to law reform (2006)

¹¹⁰ Prohibited in Education Bill (2006), as at May 2008 still under discussion

¹¹¹ Prohibited in the Child Protection and Welfare Bill, under discussion May 2008

¹¹² Prohibited in state alternative care settings but not in privately run alternative care settings

¹¹³ Government stated its intention to introduce prohibition in law during January 2006 examination by the Committee on the Rights of the Child but as at May 2008 draft legislation under discussion does not explicitly refer to corporal punishment

¹¹⁴ But no explicit prohibition

¹¹⁵ But no explicit prohibition

¹¹⁶ Government has stated its intention to prohibit in the home; as at May 2007 a Bill was pending that would prohibit in the family and educational settings

¹¹⁷ Considered unlawful under the Constitution, but no explicit prohibition; Government has recommended explicit prohibition in revised Education Act

¹¹⁸ 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

¹¹⁹ See previous note

¹²⁰ Considered unlawful in state institutions under the Constitution but no explicit prohibition

¹²¹ Government committed to prohibition (2007)

¹²² See previous note

¹²³ 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) and according to Committee on the Rights of the Child draft Penal Code legalizes corporal punishment in the home, schools and institutions (June 2007)

¹²⁴ But the Draft Penal Code would introduce a justification for the use of corporal punishment by teachers (August 2008)

¹²⁵ Prohibited in the Education and Training Centre for Children

¹²⁶ But Government stated commitment to implementation of all the recommendations of the UN Secretary-General’s Study on Violence against Children during examination by the Committee on the Rights of the Child in January 2007

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Malta	NO	YES ¹²⁸	YES	YES	NO
Marshall Islands	NO	YES	YES	YES	NO
Mauritania	NO	NO ¹²⁹	NO	NO	NO
Mauritius	NO	YES	YES	NO	NO
Mexico	NO ¹³⁰	NO ¹³¹	YES	NO	NO
Micronesia, Fed. States	NO	[YES]	YES	NO	NO
Monaco	NO	YES ¹³²	YES	YES ¹³³	NO
Mongolia	NO ¹³⁴	YES	YES	NO	NO
Montenegro	NO	YES	YES	YES	NO
Morocco	NO	NO ¹³⁵	YES	YES	NO ¹³⁶
Mozambique	NO	NO ¹³⁷	YES	YES ¹³⁸	NO
Myanmar	NO	NO ¹³⁹	YES ¹⁴⁰	NO	NO
Namibia	NO	YES	YES	YES ¹⁴¹	SOME ¹⁴²
Nauru	NO	[NO]	[YES]	NO	NO
Nepal ¹⁴³	NO ¹⁴⁴	NO ¹⁴⁵	SOME ¹⁴⁶	NO ¹⁴⁷	NO ¹⁴⁸
Netherlands	YES¹⁴⁹	YES	YES	YES	YES
New Zealand	YES¹⁵⁰	YES	YES	YES	YES
Nicaragua ¹⁵¹	NO	YES	YES	YES	NO
Niger	NO	NO	[YES]	[NO]	NO
Nigeria	NO	NO	SOME ¹⁵²	[NO]	NO
Niue	NO	NO	YES	???	[NO]
Norway	YES¹⁵³	YES	YES	YES	YES
Oman	NO	YES	???	NO	NO
Pakistan ¹⁵⁴	NO	SOME ¹⁵⁵	SOME ¹⁵⁶	NO ¹⁵⁷	NO

¹²⁷ But no explicit prohibition

¹²⁸ But no explicit prohibition

¹²⁹ A Ministerial Order states that corporal punishment should not be used, but it is not prohibited in law

¹³⁰ But “right of correction” removed from the Civil Code of the Federal Territory

¹³¹ Except possibly in Sonora

¹³² But no explicit prohibition

¹³³ But no explicit prohibition

¹³⁴ Draft legislation to amend the Family Law is under discussion but as at February 2009 proposed amendments do not include explicit prohibition

¹³⁵ A Ministerial directive states that corporal punishment should not be used, but it is not prohibited in law

¹³⁶ No prohibition in foster care; possibly no prohibition in other alternative care settings

¹³⁷ A Government directive states that corporal punishment should not be used, but it is not prohibited in law

¹³⁸ Prohibited in 2008 Children’s Act, to come into force in October 2008

¹³⁹ A Government directive states that corporal punishment should not be used, but it is not prohibited in law

¹⁴⁰ But some legislation not amended/repealed

¹⁴¹ Declared unconstitutional in 1991 Supreme Court ruling; as at May 2007 not confirmed in legislation though Child Justice Bill under discussion

¹⁴² Unlawful in state institutions under 1991 Supreme Court ruling, but not confirmed in legislation; not prohibited in privately administered settings

¹⁴³ 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. As at May 2008, draft legislation which would prohibit in all settings under discussion

¹⁴⁴ 2005 Supreme Court ruling removed legal defence available to parents, guardians and teachers

¹⁴⁵ Draft legislation would prohibit (May 2008). See also previous note

¹⁴⁶ Prohibited in state laws, but permitted in Maoist courts

¹⁴⁷ See note 145

¹⁴⁸ See note 145

¹⁴⁹ Prohibited in 2007 amendment to the Civil Code

¹⁵⁰ Prohibited in 2007 Crimes (Substituted Section 59) Amendment Act

¹⁵¹ As at May 2008, proposals were being drafted with the support of the special ombudswoman for children’s rights to prohibit all corporal punishment in the draft Family Code

¹⁵² 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

¹⁵³ Prohibited in 1987 amendment to 1981 Parent and Child Act; but Supreme Court decision 30 November 2005 interprets Penal Code as allowing “lighter smacks”; government is reviewing this provision

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Palau	NO	NO	YES	NO	NO
Palestine	NO	SOME ¹⁵⁸	NO	NO	NO
Panama	NO	NO	YES	YES	NO
Papua New Guinea	NO	NO ¹⁵⁹	YES	YES	SOME ¹⁶⁰
Paraguay	NO	NO ¹⁶¹	YES	YES	NO
Peru ¹⁶²	NO	NO ¹⁶³	YES	NO	NO
Philippines ¹⁶⁴	NO	YES	YES	YES	SOME ¹⁶⁵
Poland ¹⁶⁶	NO ¹⁶⁷	YES	YES	YES	YES ¹⁶⁸
Portugal	YES¹⁶⁹	YES	YES	YES	YES
Qatar	NO	NO ¹⁷⁰	NO	NO	NO
Republic of Korea	NO	NO ¹⁷¹	YES	YES	[SOME] ¹⁷²
Republic of Moldova	YES¹⁷³	YES	YES	YES	YES
Romania	YES¹⁷⁴	YES	YES	YES	YES
Russian Federation	NO	YES	YES	YES	NO
Rwanda	NO	NO ¹⁷⁵	YES	NO	NO
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 ¹⁷⁶	YES	[NO]	NO
San Marino	NO ¹⁷⁷	YES	YES	YES	NO
Sao Tome & Principe	NO	[YES]	SOME ¹⁷⁸	???	NO
Saudi Arabia	NO	NO ¹⁷⁹	NO	NO	NO
Senegal	NO	YES	YES	SOME ¹⁸⁰	NO

¹⁵⁴ 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; as at July 2008, draft Protection of Children Act (2005) which would introduce full prohibition under discussion; 2005 National Child Policy recognises right of the child to protection from corporal punishment

¹⁵⁵ Directives in North West Frontier, Punjab and Sindh Provinces state that corporal punishment should not be used, but it is not prohibited in law

¹⁵⁶ Prohibited in 2000 Juvenile Justice System Ordinance but as at July 2008 this not implemented in all areas

¹⁵⁷ See previous note

¹⁵⁸ Prohibited in UNRWA schools; Ministerial directives state that it should not be used in public schools but it is not prohibited in law

¹⁵⁹ A Government directive states that corporal punishment should not be used, but it is not prohibited in legislation

¹⁶⁰ 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

¹⁶¹ Legislation protects dignity but does not explicitly prohibit corporal punishment

¹⁶² Congress has pledged all party support for prohibition (December 2007), and legislation which would prohibit in all settings under discussion (2008)

¹⁶³ A Decree states that corporal punishment should not be used, but it is not prohibited in law

¹⁶⁴ Anti-Corporal Punishment Bill which would prohibit in all settings is under discussion (February 2009)

¹⁶⁵ Prohibited in residential institutions and day care centres

¹⁶⁶ Commitment confirmed to Council of Europe Commissioner for Human Rights (June 2008); government has proposed draft legislation which was expected to be discussed by the Cabinet in January 2009

¹⁶⁷ Prohibited in 1997 Constitution, but not confirmed in law

¹⁶⁸ Prohibition in private institutions unconfirmed

¹⁶⁹ Prohibited in 2007 amendment to Penal Code

¹⁷⁰ A Ministerial Decree states that corporal punishment should not be used, but it is not explicitly prohibited in legislation

¹⁷¹ Prohibited in draft legislation (November 2008)

¹⁷² Possibly prohibited in child care institutions

¹⁷³ Prohibited in 2008 amendments to the Family Code

¹⁷⁴ Prohibited in 2004 Law on Protection and Promotion of the Rights of the Child

¹⁷⁵ Legislation in preparation (2005)

¹⁷⁶ Policy states that corporal punishment should not be used, but it is not prohibited in law; possibly prohibited in the Education Bill (2006), as at May 2008 not in force

¹⁷⁷ 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

¹⁷⁸ Prohibited for persons under the age of 17 years, but possibly lawful for those aged 17 years

¹⁷⁹ Ministerial circulars advise against the use of corporal punishment, but it is not prohibited in law

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Serbia ¹⁸¹	NO	YES	YES	YES	NO
Seychelles	NO	NO ¹⁸²	YES	[YES]	[YES]
Sierra Leone	NO ¹⁸³	NO ¹⁸⁴	YES	NO	NO
Singapore	NO	NO	NO	NO	SOME ¹⁸⁵
Slovakia ¹⁸⁶	NO	YES ¹⁸⁷	YES	YES	YES
Slovenia ¹⁸⁸	NO	YES	YES	YES	SOME ¹⁸⁹
Solomon Islands	NO	NO	YES	YES	NO
Somalia	NO	NO	NO ¹⁹⁰	NO	NO
South Africa ¹⁹¹	NO	YES	YES	YES	YES
Spain	YES¹⁹²	YES	YES	YES	YES
Sri Lanka ¹⁹³	NO	NO ¹⁹⁴	YES	SOME ¹⁹⁵	NO
Sudan	NO ¹⁹⁶	SOME ¹⁹⁷	NO ¹⁹⁸	SOME ¹⁹⁹	SOME ²⁰⁰
Suriname	NO	[YES]	YES	YES	NO
Swaziland	NO	NO ²⁰¹	NO ²⁰²	NO ²⁰³	NO ²⁰⁴
Sweden	YES²⁰⁵	YES	YES	YES	YES
Switzerland ²⁰⁶	NO ²⁰⁷	YES ²⁰⁸	YES	YES	YES
Syrian Arab Republic	NO	NO ²⁰⁹	YES	???	NO
Taiwan ²¹⁰	NO	YES	YES	YES	NO ²¹¹

¹⁸⁰ Prohibited in prisons and in training centres but possibly lawful in other penal institutions

¹⁸¹ Government has stated commitment to prohibition (December 2007)

¹⁸² Policy states that corporal punishment should not be used, but it is not prohibited in law

¹⁸³ Sierra Leone Truth and Reconciliation Commission recommended prohibition in the home and schools (2004), but 2007 Child Rights Act reaffirms right to correct

¹⁸⁴ See previous note

¹⁸⁵ Prohibited in child care centres

¹⁸⁶ Government stated commitment to full prohibition in 2005, expected to be included in new Family Code for public debate January/February 2007

¹⁸⁷ But no explicit prohibition

¹⁸⁸ Government stated intention to explicitly prohibit in the home during 2004 drafting of domestic violence law; as at January 2007, draft Family Bill which would prohibit in the home under discussion

¹⁸⁹ Prohibited in day care centres and residential schools

¹⁹⁰ Ordered by Islamic courts

¹⁹¹ A clause which would prohibit in the home was removed from the Children's Bill passed by Parliament in 2007 pending further investigation; as at May 2008, it is expected to be reintroduced to Parliament in a proposed Amendment Bill in 2009

¹⁹² Prohibited in 2007 amendment to Civil Code

¹⁹³ 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

¹⁹⁴ A ministerial circular states that corporal punishment should not be used, but it is not prohibited in law

¹⁹⁵ Prohibited in prisons, but lawful in other penal institutions

¹⁹⁶ Prohibited in 2005 Interim Constitution of Southern Sudan but this not confirmed in other legislation

¹⁹⁷ Prohibited in Southern Sudan; lawful in Northern Sudan but prohibited in draft Child Act under discussion (February 2009)

¹⁹⁸ Prohibited in draft Child Act in Northern Sudan

¹⁹⁹ Prohibited in Southern Sudan

²⁰⁰ See previous note

²⁰¹ Proposals have been made to prohibit in draft legislation (May 2008)

²⁰² See previous note

²⁰³ See note 202

²⁰⁴ See note 202

²⁰⁵ Prohibited in 1979 amendment to Parenthood and Guardianship Code

²⁰⁶ Parliamentary initiative 06.419 to prohibit all corporal punishment, adopted by the Committee for Legal Affairs in October 2007, was defeated, and proposed new legislation was rejected by Parliament in December 2008

²⁰⁷ 2003 Federal Court ruling stated repeated and habitual corporal punishment unacceptable, but did not rule out right of parents to use corporal punishment

²⁰⁸ Prohibited by federal law pursuant to cantonal legislation; 1991 Federal Court ruled it permissible in certain circumstances, but this considered impossible under current legislation

²⁰⁹ Ministry of Education advises against its use but no explicit prohibition in law

²¹⁰ Government stated commitment to prohibition in August 2005

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Tajikistan	NO	NO	YES	NO	NO
TFYR Macedonia	NO	YES	YES	YES	YES
Thailand	NO	YES	YES ²¹²	YES ²¹³	NO
Timor-Leste, DR	NO	NO ²¹⁴	YES	YES	NO ²¹⁵
Togo	NO	YES	SOME ²¹⁶	YES	SOME ²¹⁷
Tonga	NO	YES	NO	NO	NO
Trinidad & Tobago	NO	NO ²¹⁸	YES	NO ²¹⁹	NO ²²⁰
Tunisia	NO	NO ²²¹	YES	YES	NO
Turkey	NO	YES	YES	YES	NO
Turkmenistan	NO ²²²	YES	YES	YES	NO ²²³
Tuvalu	NO	NO	SOME ²²⁴	NO	NO
Uganda	NO ²²⁵	NO ²²⁶	YES	YES	NO ²²⁷
UK	NO ²²⁸	YES	YES	YES ²²⁹	SOME ²³⁰
Ukraine	YES²³¹	YES	YES	YES	YES
United Arab Emirates	NO	YES	NO	NO	NO
United Rep. of Tanzania	NO	NO	NO	NO	NO
Uruguay	YES²³²	YES	YES	YES	YES
USA	NO	SOME ²³³	YES	SOME ²³⁴	SOME ²³⁵
Uzbekistan	NO	YES	YES ²³⁶	YES	NO
Vanuatu	NO	YES	SOME ²³⁷	YES ²³⁸	NO

²¹¹ But law prohibiting in schools possibly applies to day care centres and cram schools

²¹² But some legislation not yet amended (May 2008)

²¹³ See previous note

²¹⁴ Government committed to prohibition (2005)

²¹⁵ Policy states that corporal punishment should not be used in child care centres, orphanages and boarding houses, but it is not explicitly prohibited in law

²¹⁶ Prohibited in state legislation but used in traditional courts

²¹⁷ Prohibited in institutions

²¹⁸ Prohibited by 2000 Children (Amendment) Act, as at May 2008 not in force

²¹⁹ Children Bill 2008 which would prohibit under discussion (December 2008)

²²⁰ Policy states that corporal punishment should not be used in health care and psychiatric institutions, but it is not prohibited in law

²²¹ A Ministerial circular states that corporal punishment should not be used, but it is not prohibited in law

²²² 2002 Rights of the Child (Guarantees) Act prohibits corporal punishment considered to be harmful, but does not explicitly prohibit all corporal punishment

²²³ See previous note

²²⁴ Unlawful under the Penal Code and the Code of Criminal Procedure, but Island Courts may order corporal punishment

²²⁵ Recommendations have been made to include prohibition in all settings in draft Child Law (May 2008)

²²⁶ A Ministerial circular states that corporal punishment should not be used in state schools, but it is not prohibited in law; possibly prohibited in Education Bill (May 2008); see previous note

²²⁷ See note 225

²²⁸ 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

²²⁹ Rules allowing the use of painful “distraction” techniques to maintain discipline in secure training centres were declared unlawful by the Court of Appeal in July 2008

²³⁰ 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 states that corporal punishment should not be used in day care institutions and childminding in Northern Ireland, but it is not prohibited in law; not prohibited in private foster care

²³¹ Prohibited in 2003 Family Code

²³² Prohibited in 2007 amendments to Civil Code and Children and Adolescents Code

²³³ Prohibited in public and private schools in Iowa and New Jersey, in public schools in a further 27 states and District of Columbia

²³⁴ Prohibited in 31 states

²³⁵ Prohibited in all alternative care settings in 30 states and in some settings in other states and District of Columbia

²³⁶ But possibly permitted under mahallyas system

²³⁷ Used in rural areas for punishment of young boys and girls found to have broken village or custom rules

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Venezuela	YES ²³⁹	YES	YES	YES	YES
Viet Nam	NO	NO	YES	YES	NO
Western Sahara	NO	[NO]	[YES]	[YES]	[NO]
Yemen	NO ²⁴⁰	YES	NO	NO	NO ²⁴¹
Zambia	NO	YES ²⁴²	YES ²⁴³	YES ²⁴⁴	NO ²⁴⁵
Zimbabwe	NO	NO	NO	NO	NO

TOTALS					
Prohibited	24	107	149	110	35
Not prohibited ²⁴⁶	173	90	44	77	157
Legality unknown	-	-	4	10	5

²³⁸ But no explicit prohibition

²³⁹ Prohibited in 2007 amendment to Law for the Protection of Children and Adolescents

²⁴⁰ Proposals have been made to restrict, but not prohibit, corporal punishment (May 2008)

²⁴¹ See previous note

²⁴² But no explicit prohibition; prohibited in the draft Constitution (May 2008)

²⁴³ Ruled unconstitutional by Supreme Court in 1999, but as at May 2008 some legislation not amended

²⁴⁴ See previous note. Prohibited in draft Constitution (May 2008)

²⁴⁵ Prohibited in institutions and possibly other care settings in draft Constitution (May 2008)

²⁴⁶ This includes SOME entries. 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.