



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

Committee against Torture: Extracts concerning corporal punishment from the concluding observations

Prepared by the Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org), December 2011

Algeria

(26 May 2008, CAT/C/DZA/CO/3, Concluding observations on third report, para. 19)

“While noting with satisfaction that corporal punishment against children is forbidden in school, the Committee remains concerned about the lack of any provision in the legislation of the State party prohibiting the use of this practice within the family. The Committee also notes with concern the lack of any provision in its domestic legislation prohibiting domestic violence against women (art. 16).

The State party should incorporate into its domestic legislation a provision prohibiting the use of corporal punishment against children within the family and domestic violence against women.”

Australia

(22 May 2008, CAT/C/AUS/CO/1, Concluding observations on third report, para. 31)

“The Committee notes that corporal punishment of children is not explicitly prohibited in all States and Territories and may still be applied as ‘reasonable chastisement’.

The State party should adopt and implement legislation banning corporal punishment at home and in public and private schools, detention centres, and all alternative care settings in all States and Territories.”

Belgium

(19 January 2009, CAT/C/BEL/CO/2, Concluding observations on second report, para. 24)

“While it welcomes measures adopted by the State party to combat and eliminate violence against women, such as the adoption of the Federal Action Plan 2004-2007 to combat domestic violence, the Committee notes with concern the lack of any coordinated national strategy or programme to combat all forms of violence against women and girls. The Committee is likewise concerned at the persistence of corporal punishment of children within the family and the fact that this practice is not prohibited by law (arts. 2 and 16).

The Committee recommends that the State party adopt and implement a coherent and comprehensive national strategy for the elimination of violence against women and girls that includes legal,

educational, financial and social components. It also requests the State party to strengthen its cooperation with NGOs working in the area of violence against women. The State party should take the necessary steps to include provisions banning corporal punishment of children within the family in its legislation. The State party should guarantee women and child victims of violence access to complaint mechanisms, punish the perpetrators of such acts in an appropriate manner and facilitate victims' physical and psychological rehabilitation.”

Benin

(19 February 2008, CAT/C/BEN/CO/2, Concluding observations on second report, para. 23)

“While noting that the State party’s legislation prohibits corporal punishment in schools (Circular No. 100/MEN/CAB of 1962), the Committee remains concerned about the absence of legislation prohibiting such punishment in the family and in institutions other than schools. The Committee is also concerned at the frequent use of this practice in education in Benin (art. 16).

The State party should extend legislation prohibiting corporal punishment to the family and to institutions other than schools. The State party should ensure that legislation prohibiting corporal punishment is strictly enforced and awareness-raising and educational campaigns should be conducted to that effect.”

Bulgaria

([November 2011], Advance Unedited Version, Concluding observations on fourth/fifth report, para. 30)

“While taking note that corporal punishment is explicitly forbidden in law, the Committee is concerned about persistent lack of implementation and notes that the Committee on the Rights of the Child has found that children are still victims of corporal punishment in the home, schools, the penal system, alternative care settings and in situations of employment. The Committee is concerned that a 2009 survey shows that 34.8% of public opinion is in favour of corporal punishment in childrearing in some circumstances and that 10.9% felt it was acceptable if the parent believed that it would be effective. It is concerned in particular that the use of corporal punishment is substantially higher in institutions for children with disabilities and that a number of cases of physical abuse were documented in the children’s personal files (art. 16).

The Committee recommends: that the State party carry out professional and public awareness-raising in order to promote non-violent, positive and participatory methods of childrearing and education; and that the State party take a comprehensive approach to ensuring that the law prohibiting corporal punishment is widely enforced and known, including among children with regard to their right to protection from all forms of corporal punishment. There should be an absolute prohibition of corporal punishment in institutional settings, including for children with disabilities. The State party should provide effective and appropriate responses to corporal punishment, including investigations, prosecution and sanctioning of perpetrators.”

Chad

(4 June 2009, CAT/C/TCD/CO/1, Concluding observations on initial report, para. 32)

“While noting that corporal punishment in schools is prohibited in the State party’s legislation, the Committee remains concerned at the absence of legislation prohibiting it within the family, in alternative care institutions and as a disciplinary measure in penal institutions. The Committee is also concerned at the frequent resort to this practice in education, in particular in Koranic schools (art. 16).

The State party should extend legislation prohibiting corporal punishment to apply also to families, educational and religious establishments, alternative care institutions and places of juvenile detention.

The State party should ensure that the legislation prohibiting corporal punishment is strictly enforced, and should conduct awareness-raising and educational campaigns to that end.”

Costa Rica

(7 July 2008, CAT/C/CRI/CO/2, Concluding observations on second report, para. 23)

“The Committee notes with satisfaction that corporal punishment is banned in education and in juvenile prisons. However, in the family, article 143 of the Family Code states that parents have the right to correct children in a moderate manner, which has been interpreted as allowing the use of corporal punishment (art. 16).

The Committee takes note of the bill to abolish physical punishment of children and young people submitted to the Legislative Assembly by the Ombudsman, and the setting up of a group to discuss the issue. It encourages the State party to expedite the complete prohibition of corporal punishment of children.”

Djibouti

([November 2011], Advance Unedited Version, Concluding observations on initial report, para. 23; as at 5 December 2011 available only in French)

« Le Comité note avec préoccupation que les châtiments corporels ne sont pas interdits en tant que mesure de correction appliquée dans la famille, en vertu de l’interprétation des provisions du Code pénal (1995), le Code de la famille (2002) et la Constitution. (art. 16)

L’État partie devrait envisager de modifier son Code pénal et son Code de la famille révisé en vue d’interdire le recours aux châtiments corporels dans toutes situations, y compris dans la famille, et de sensibiliser le public à des formes positives, participatives et non violentes de discipline. »

Ecuador

(7 December 2010, CAT/C/ECU/CO/4-6, Concluding observations on fourth-sixth report, para. 18)

“... The Committee is also concerned that corporal punishment is legal within the home (arts. 1, 2, 4 and 16).

“The Committee urges the State party, in view of the seriousness of the acts concerned, to: ...

h) expressly prohibit corporal punishment of children in the home.”

Egypt

(23 December 2002, CAT/C/SR/29/4, Concluding observations on fourth report, para. 3)

“The Committee welcomes the following:

a) the enactment of legislation banning flogging as a disciplinary penalty for prisoners....”

Ethiopia

(20 January 2011, CAT/C/ETH/CO/1, Concluding observations on initial report, para. 28)

“The Committee notes with concern that, while corporal punishment is prohibited in schools, childcare institutions and as a penal or disciplinary sanction in the penal system, it is not prohibited as a disciplinary measure in the home or alternative care settings for purposes of 'proper upbringing', under article 576 of the revised Criminal Code (2005) and article 258 of the revised Family Code (2000) (arts. 2, 10 and 16).

The State party should consider amending its revised Criminal Code and Family Code, with a view to prohibiting corporal punishment in child-rearing in the home and alternative care settings and raise public awareness on positive, participatory and non-violent forms of discipline.”

Germany**

([November 2011, Advance Unedited Version, Concluding observations on fifth report, para. 32)

“While taking note that corporal punishment is prohibited in all circumstances in the German legal system (section 163 of the Code of Civil Law), the Committee expresses concern at the absence of information about the efforts to provide appropriate and ongoing public education and professional training on the prohibition of corporal punishment in all settings (art. 16).

The Committee recommends that the State party actively promote positive, participatory and non-violent forms of education and childrearing as an alternative to corporal punishment.”

Ghana

(June 2011, Advance Unedited Version, Concluding observations on initial report, para. 24)

“While noting that the Juvenile Justice Act (2003) and the Children’s Act (1988) explicitly prohibit corporal punishment as a disciplinary measure in prisons, the Committee expresses its concern at the still widespread use of corporal punishment, in particular within the family, schools and alternative care settings. (arts. 11 and 16)

“The State party should:

- a) explicitly prohibit corporal punishment of children in all settings, including through the repeal of all legal defences for ‘reasonable’ and ‘justifiable’ corporal punishment;
- b) engage in the promotion of alternative forms of discipline to be administered in a manner consistent with the child’s dignity and in conformity with the Convention;
- c) develop measures to raise awareness on the harmful effects of corporal punishment.”

Guyana

(7 December 2006, CAT/C/GUY/CO/1, para. 13)

“The disciplinary measures used in the treatment of prisoners are a matter of concern for the Committee, in particular section 37 of the Prison Act, 1998, which allows whipping, flogging and reduction of diet (arts. 2 and 11).

While taking note of the statement of the representative of the State party that these disciplinary measures have not been used, the State party should review all legal provisions which authorize these practices with a view to abolishing them as a matter of priority. The State party is reminded that treatment of prisoners should guarantee full respect for the dignity and human rights of all prisoners in conformity with the Standard Minimum Rules for the Treatment of Prisoners.”

Indonesia

(2 July 2008, CAT/C/IDN/CO/2, Concluding observations on second report, paras. 15 and 17)

“The Committee is deeply concerned that local regulations, such as the Aceh Criminal Code, adopted in 2005, introduced corporal punishment for certain new offences. The Committee is concerned that the enforcement of such provisions is under the authority of a “morality police”, the Wilayatul Hisbah, which exercises an undefined jurisdiction and whose supervision by public State institutions is unclear. Furthermore, the Committee is concerned that the necessary legal fundamental safeguards do not exist for persons detained by such officials, including the absence of a right to legal counsel, the apparent presumption of guilt, the execution of punishment in public and the use of physically abusive methods (such as flogging or caning) that contravene the Convention and national law. In addition, it is reported that the punishments meted out by this policing body have a disproportionate impact on women (arts. 2 and 16).

The State party should review all its national and local criminal legislations, especially the 2005 Aceh Criminal Code, that authorize the use of corporal punishment as criminal sanctions, with a view to abolishing them immediately, as such punishments constitute a breach of the obligations imposed by the Convention.... State institutions should supervise the actions of the Wilayatul Hisbah and ensure that fundamental legal safeguards apply to all persons who are accused of violating matters of its concern.

The State party should further ensure that a legal aid mechanism exists to guarantee that any person has an enforceable right to a lawyer and other due process guarantees, so that all suspects have the possibility of defending themselves and of lodging complaints of abusive treatment in violation of national law and the Convention.

The State party should review, through its relevant institutions, including governmental and judicial mechanisms at all levels, all local regulations in order to ensure they are in conformity with the Constitution and with ratified legal international instruments, in particular the Convention.

“While noting the State party’s intention to raise the minimum age of criminal responsibility to 12 years, the Committee is deeply concerned that it remains established at 8 years of age, that detained children are not fully segregated from adults, that a large number of children are sentenced to jail terms for minor offences and that corporal punishment is lawful and frequently used in juvenile prisons, such as in the Kutoarjo prison....

The State party should, as a matter of urgency, raise the minimum age of criminal responsibility in order to bring it into line with the generally accepted international norms on the subject and to abolish all corporal punishment of children....”

Ireland

(June 2011, Advance Unedited Version, Concluding observations on initial report, para. 24)

“While taking note that corporal punishment is prohibited in schools and in the penal system, the Committee is gravely concerned that corporal punishment is lawful in the home under the common law right to use ‘reasonable and moderate chastisement’ in disciplining children and also in certain alternative care settings. (articles 2 and 16)

The Committee recommends that the State party prohibits all corporal punishment of children in all settings and conduct public campaigns to educate parents and the general public about its harmful effects and promote positive non-violent forms of discipline as an alternative to corporal punishment.”

Jordan

(20 July 1995, A/50/44, paras. 159-182, Concluding observations on initial report, paras. 169 and 177)

“The Committee expresses concern about the continuing application of the death penalty, as well as corporal punishment, which could constitute in itself a violation in terms of the Convention.

“The Committee expects Jordan to review its policy relating to corporal punishment.”

Kuwait

(28 June 2011, Concluding observations on second report, para. 11)

“While noting that for the period of 2001 – 2011 there were 632 trials on cases of torture, ill-treatment and corporal punishment, and that in 248 cases sentences perpetrators were punished, the Committee however notes that the State party failed to provide information on the exact types of penalties applied to the convicted perpetrators (arts. 4, 12 and 13).

The Committee requests the State party to provide information, including statistics, on the number of complaints filed against public officials on torture and ill-treatment, as well as about the results of the proceedings, at both the penal and disciplinary levels, with examples of relevant sentences.”

Kyrgyzstan

(18 November 1999, A/54/44, Concluding observations on initial report, paras. 74 and 75)

“The Committee expresses its concern about the following:

b) the numerous and continuing reports of allegations of torture in breach of article 1 of the Convention; and other cruel, inhuman or degrading treatment or punishment (sometimes involving children) by law enforcement personnel, contrary to article 16 of the Convention.

“The Committee recommends that:

b) in view of the numerous reports of allegations of torture and ill-treatment by law-enforcement personnel, the State party take all necessary effective steps to prevent these events from occurring.”

Libyan Arab Jamahiriya

(11 May 1999, A/54/44, paras. 176-189, Concluding observations on third report, paras. 180 and 189)

“The Committee notes with satisfaction that application of corporal punishment has not been used in recent years.

“Although corporal punishment has not been practised in recent years, it should be abolished by law.”

Madagascar

([November 2011], Advance Unedited Version, Concluding observations on initial report, para. 13; as at 5 December 2011 available only in French)

« Le Comité est préoccupé par les informations relatives au nombre élevé des mariages précoces ou forcés et des cas de maltraitance et de violence domestique. Il est également préoccupé par l'absence de plaintes due à la pression sociale et familiale en dépit de la loi n° 2000-21 qui érige la violence familiale et les sévices sexuels en infractions pénales (art. 2, 12, 13 et 16)....

Le Comité encourage l'État partie à adopter une loi pour prévenir et punir le viol conjugal et à interdire les châtiments corporels à l'encontre des enfants. Il invite l'État partie à inclure dans les formations

des agents d'application de la loi, la détection de violence envers les femmes et les enfants. »

Mauritius

(15 June 2011, Concluding observations on third report, para. 17)

“While taking note of the information supplied by the State party, according to which section 13 of the Child Protection Act makes an offence to expose any child to harm, the Committee is concerned that corporal punishment is not fully prohibited in the legislation of the State party, including in penal institutions and in alternative care settings ... (art. 16).

The State party should adopt legislation to prohibit corporal punishment, in particular in social institutions and in alternative care settings. To that end, the State party should incorporate this issue in its Children's Bill under preparation. The State party should also pursue awareness-campaigns on the negative effects of corporal punishment. Finally, it should strengthen its efforts to combat child abuse, including by investigating, prosecuting and punishing those responsible. The State party should provide the Committee with statistical data regarding cases of child abuse, the investigations, prosecutions, sentences imposed and redress or rehabilitation offered to victims.”

Monaco

(17 June 2011, CAT/C/MCO/4-5, Concluding observations on fourth/fifth report, para. 11)

“The Committee notes that Bill No. 869, on efforts to combat and prevent specific forms of violence against women, children and persons with disabilities, was submitted to the National Council in October 2009. It remains concerned, however, at the delay in the process of adopting this important legislation (arts. 2, 13, 14 and 16).

The State party should ensure that Bill No. 869 is adopted quickly in order to prevent and combat all forms of violence against women, children and persons with disabilities. It should also ensure that corporal punishment for children is explicitly prohibited in all areas of life and that domestic violence is punished. The Committee further recommends that the State party should organize training or awareness-raising campaigns aimed specifically at informing victims of domestic violence about their rights.”

Mongolia

([November 2010], CAT/C/MNG/CO/1/CRP.1 Advance Unedited Version, Concluding observations on initial report, para. 23)

“The Committee is concerned at information about the high prevalence of corporal punishment of children in schools, children's institutions and in the home, in particular in rural areas. (art. 16)

The State party should take urgent measures to explicitly prohibit corporal punishment of children in all settings. The State party should also ensure through appropriate public education and professional training, positive, participatory and non-violent forms of discipline.”

Montenegro

(19 January 2009, CAT/C/MNE/CO/1, Concluding observations on initial report, para. 22)

“The Committee notes that corporal punishment of children is not explicitly prohibited in the home and in alternative care settings (art. 16).

Taking into account the recommendation in the United Nations Secretary General's Study on Violence Against Children (A/61/299), the State party should adopt and implement legislation prohibiting corporal punishment in all settings, supported by the necessary awareness-raising and educational campaigns.”

Morocco

([November 2011], Advance Unedited Version, Concluding observations on fourth report, para. 23; as at 5 December 2011, available only in French)

« Le Comité note avec préoccupation l'absence de disposition dans la législation marocaine prohibant le recours aux châtiments corporels dans le cadre de la famille, de l'école et des institutions de protection de l'enfance. (art. 16)

L'Etat partie devrait modifier sa législation afin d'interdire les recours aux châtiments corporels dans l'éducation des enfants, dans les familles et dans les centres de protection de l'enfance. Il devrait aussi sensibiliser le public à des formes positives, participatives et non violentes de discipline. »

Namibia

(6 May 1997, A/52/44, paras. 227-252, Concluding observations on initial report, para. 250)

“The Committee recommends the prompt abolition of corporal punishment insofar as it is legally still possible under the Prisons Act of 1959 and the Criminal Procedure Act of 1977.”

Netherlands

(3 August 2007, CAT/C/NET/CO/4, Concluding observations on fourth report, para. 3)

“The Committee notes with satisfaction the ongoing efforts undertaken by the State party to combat torture and to guarantee the rights of persons not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment in the Kingdom of the Netherlands, in particular: ...

b) the entry into force of an amendment of the Dutch Civil Code in April 2007 which prohibits physical and mental violence ‘for educational purposes,’ including in the family environment”

New Zealand

(11 June 2004, CAT/C/CR/32/4, Concluding observations on third report, para. 6)

“The Committee recommends that the State party:

e) implement the recommendations made by the Committee on the Rights of the Child (CRC/C/15/Add.216, paras. 30 and 50) ...”

(14 May 2009, CAT/C/NZL/CO/5 Unedited Version, Concluding observations on fifth report, para. 3)

“The Committee notes with appreciation: ...

f) the enactment of the Crimes Amendment Act 2007 which repeals the legal defence for the use of reasonable force ‘by way of correction’ in section 59 of the Crimes Act 1961 and prohibits corporal punishment....”

Paraguay

([November 2011], Advance Unedited Version, Concluding observations on fourth-sixth report, para. 26; as at 5 December 2011, available only in Spanish)

“El Comité toma nota de las medidas adoptadas para prohibir castigos corporales a niños que se encuentren con sus madres privadas de libertad y en hogares de abrigo. El Comité toma nota asimismo de la información proporcionada por la delegación del Estado parte sobre la existencia de un anteproyecto de ley para prohibir el castigo corporal. Sin embargo, al Comité le preocupa que el castigo corporal no se encuentre prohibido aún en el ámbito doméstico (art. 16).

El Comité recomienda que el Estado parte prohíba expresamente el castigo corporal de niños en todas las circunstancias, con inclusión del ámbito doméstico.”

Portugal

(19 February 2008, CAT/C/PRT/CO/4, Concluding observations on fourth report, para. 15)

“The Committee is concerned about reports received of numerous cases of domestic violence affecting women and children, as well as a high number of deaths among women due to such violence. Moreover, the Committee is deeply concerned at the Supreme Court decision of 5 April 2006, according to which ‘moderate corporal punishment of a minor by a duly entitled person for solely appropriate educational purposes is not illegal’ in the family context (art. 16).

The State party should strengthen its efforts to establish a national strategy to prevent and combat domestic violence against women and children. It should take the necessary legislative measures to prohibit corporal punishment of children in the family. The State party should: guarantee that women and children who have been victims of violence have access to complaints mechanisms; punish the perpetrators of these acts in an appropriate manner; and facilitate the physical and psychological rehabilitation of the victims.

The State party should also ensure that public law enforcement agents receive ongoing and targeted training on the issue of violence against women and children.”

Qatar

(25 July 2006, CAT/C/QAT/CO/1, Concluding observations on initial report, para. 12)

“Certain provisions of the Criminal Code allow punishments such as flogging and stoning to be imposed as criminal sanctions by judicial and administrative authorities. These practices constitute a breach of the obligations imposed by the Convention. The Committee notes with interest that authorities are presently considering amendments to the Prison Act that would abolish flogging.

The State Party should review the legal provisions of the Criminal Code which authorize the use of such prohibited practices as criminal sanctions by judicial and administrative officers, with a view to abolishing them immediately.”

Saudi Arabia

(12 June 2002, CAT/C/CR/28/5, Concluding observations on initial report, paras. 3, 4 and 8)

“The Committee welcomes the following:

c) the State party’s expression that its domestic law provides that no exceptional circumstances, including superior orders, may be invoked as a defence to a charge of torture, the reassurance that

statements obtained by torture are inadmissible in proceedings, and the oral assurance that confessions are revocable at any point of proceedings. The State party's reassurance that corporal punishments are not imposed upon minors was noted;...

“The Committee is concerned about the following:

b) the sentencing to, and imposition of, corporal punishments by judicial and administrative authorities, including, in particular, flogging and amputation of limbs, that are not in conformity with the Convention.

“The Committee recommends, in particular, that the State party:

b) re-examine its imposition of corporal punishments, which are in breach of the Convention....”

Serbia

(19 January 2009, CAT/C/SRB/CO/1, Concluding observations on initial report, para. 20)

“The Committee notes that corporal punishment of children is not explicitly prohibited in all settings and that it is a common and accepted means of childrearing (art. 16).

The State party, taking into account the recommendation in the United Nations Secretary General's Study on Violence Against Children, should adopt and implement legislation prohibiting corporal punishment in all settings, including the family, supported by the necessary awareness-raising and public education measures.”

Slovenia

(June 2011, Advanced Unedited Version, Concluding observations on third report, para. 15)

“While noting the legal and administrative measures undertaken by the State party to combat gender-based violence and violence against children, the Committee remains concerned about the prevalence of violence against women and girls. The Committee is also concerned that corporal punishment of children remains lawful at home. (arts. 2, 12 and 16)

The Committee recommends that the State party enhances its efforts to prevent, prosecute and punish all forms of violence against women and children, including domestic violence, and ensure effective and full implementation of the existing laws and the national strategies adopted to that end, including the National Programme of Family Violence Prevention for the period 2009-2014. The Committee also recommends that the State party accelerate the adoption of the draft Marriage and Family Act, which prohibits corporal punishment of children in the home. Furthermore, the State party is encouraged to conduct broader awareness-raising campaigns and training on domestic violence for law enforcement agencies, judges, lawyers and social workers who are in direct contact with the victims as well as for the public at large.”

South Africa

(7 December 2006, CAT/C/ZAF/CO/1, Concluding observations on initial report, para. 25)

“While noting that the State party's legislation, as well as the jurisprudence of the Constitutional Court (*S v. Williams and Others*, of 1995), prohibits corporal punishment, the Committee remains concerned at even its infrequent use in some schools and other public institutions and at the absence of an oversight mechanism to monitor these institutions (art. 16).

The State party should ensure that legislation banning corporal punishment is strictly implemented, in

particular in schools and other welfare institutions for children, and establish a monitoring mechanism for such facilities.”

Sri Lanka

(15 December 2005, CAT/C/LKA/CO/1/CRP.2, Concluding observations on second report, para. 3)

“The Committee notes with satisfaction the following positive developments:

g) the recent abolition of corporal punishment by Act No. 23 of 2005.”

([November 2011], Advance Unedited Version, Concluding observations on third/fourth report, para. 30)

“The Committee notes that, while corporal punishment is prohibited as a penal sentence under the Corporal Punishment (Repeal) Act No. 23 of 2005, it is not prohibited as a disciplinary measure in penal institutions for juvenile offenders, in the home or alternative care settings, under article 82 of the Penal Code. The Committee also notes with concern that, despite the issuance of Circular No. 2005/17, by the Ministry of Education in 2005, stating that corporal punishment should not be used in schools, there is no prohibition in law and its use is still widespread. (arts. 10 and 16)

The State party should consider amending its Penal Code, with a view to prohibiting corporal punishment in all settings and raising public awareness.”

Switzerland

(25 May 2010, CAT/C/CHE/CO/6, Concluding observations on sixth report, para. 23)

“While taking note of information supplied by the State party, according to which the jurisprudence of the Federal Tribunal confirms the ban on corporal punishment, including for educational purposes, and that corporal punishment is also covered by article 126 (2) of the Criminal Code, the Committee notes with concern that corporal punishment is not specifically prohibited under the legislation of the State party (art. 16).

The State party should specifically prohibit corporal punishment in its legislation. To that end, the Committee urges the State party to relaunch the 06.419 Vermont-Mangold parliamentary initiative, aimed at enacting legislation to protect children from corporal punishment and other affronts to their dignity, which was shelved by Parliament. The Committee also calls upon the State party to carry out public-awareness campaigns on the negative effects of violence against children, especially corporal punishment.”

TFYR Macedonia

(21 May 2008, CAT/C/MKD/CO/5, Concluding observations on second report, para. 21)

“The Committee notes that corporal punishment of children is not explicitly prohibited in all settings and it is a common and accepted means of childrearing.

The State party, taking also into account the recommendation in the United Nations Secretary General’s Study on Violence Against Children, should adopt and implement legislation prohibiting corporal punishment in all settings, supported by the necessary awareness-raising and public education measures.”

Togo

(28 July 2006, CAT/C/TGO/CO/1, Concluding observations on initial report, para. 19)

“The Committee has noted the worrying detention conditions prevailing in Togo, in particular in Lomé and Kara prisons. The most widespread problems are overcrowding and a shortage of food, poor hygiene and a lack of material, human and financial resources. The treatment of prisoners remains a matter of concern to the Committee. Cases of corporal punishment for disciplinary offences have been reported. Often women and children are not held separately from men and adults, and persons awaiting trial are not separated from those serving sentence (art. 11).

The State party should put an end to practices that run counter to the Standard Minimum Rules for the Treatment of Prisoners. It should also take immediate steps to reduce overcrowding in prisons and the number of people held in pretrial detention, and to ensure that women and children are held separately from men and adults and that persons awaiting trial are separated from those serving sentence.”

Turkey

([November 2010], CAT/C/TUR/CO/3 Advance Unedited Version, Concluding observations on third report, para. 22)

“The Committee, while noting the amendment to the Civil Code in 2002 which removed parents’ right of correction, is concerned at the lack of an explicit prohibition of corporal punishment in the home and in alternative settings in the domestic legislation as well as at reports that corporal punishment is widely used by parents and is still considered to have educational value in schools. (art. 16)

The Committee should clarify beyond doubt the legal status of corporal punishment in schools and penal institutions and, as a matter of priority, prohibit it in the home, alternative settings and, if appropriate, schools and penal institutions.”

Uganda

(21 June 2005, CAT/CO/34/UGA, Concluding observations on initial report, para. 3)

“The Committee notes with satisfaction the following positive developments:

b) the abolition of corporal punishment following Criminal Appeal No. 16 of 1999 (Supreme Court) *Kyamanywa vs. Uganda*....”

Yemen

(5 February 2004, CAT/C/CR/31/4, Concluding observations on initial report, paras. 6 and 7)

“The Committee expresses its concern about the following:

b) the nature of some criminal sanctions, in particular flogging and amputation of limbs, which may be in breach of the Convention....

“The Committee recommends that the State party:

b) take all appropriate measures to ensure that criminal sanctions are in full conformity with the Convention....”

(25 May 2010, CAT/C/YEM/CO/2/Rev.1, Concluding observations on second report, para. 18)

“The Committee remains concerned that certain criminal sanctions (or hadd penalties) such as

floggings, beatings and even amputation of limbs are still prescribed by law and practised in the State party, in violation of the Convention. The Committee is also concerned at reports that courts across the country impose sentences of flogging almost daily for alleged alcohol and sexual offences, and that such floggings are carried out immediately, in public, without appeal. It is also concerned at the wide discretionary powers of judges to impose these sanctions and that they may be imposed in a discriminatory way against different groups, including women (arts. 1, 2 and 16).

The State party should put an end immediately to such practices and modify its legislation accordingly, especially with regard to the discriminatory effects of such criminal sanctions on different groups, including women, in order to ensure its full compatibility with the Convention.”

Zambia

(23 November 2001, CAT/C/XXVII/Concl.4, Concluding observations on initial report, para. 3)

“The Committee notes, with satisfaction, the following elements,

e) the legal prohibition of corporal punishment.”

(26 May 2008, CAT/C/ZMB/CO/2, Concluding observations on second report, paras. 3 and 21)

“The Committee welcomes the following positive developments:

d) the abolition of corporal punishment through the enactment of the Criminal Procedure Code (Amendment) Act No. 9 of 2003, the Penal Code (Amendment) Act No. 10 of 2003, the Education Act (Amendment) Act No. 11 of 2003, and the Prisons (Amendment) Act No. 16 of 2004 ...

“While noting that the State party’s legislation prohibits corporal punishment in schools, the Committee remains concerned about the absence of legislation prohibiting such punishment in the family and in institutions other than schools, and that corporal punishment is de facto widely practised and accepted as a means of upbringing (art. 16).

The State party should extend legislation prohibiting corporal punishment to the family and to institutions other than schools, ensure that legislation prohibiting corporal punishment is strictly enforced and undertake awareness-raising and educational campaigns to that effect.”

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December 2011