



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](http://www.endcorporalpunishment.org)), October 2011

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 October 2011, 31 states have achieved prohibition in all settings, including the 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 actively under consideration. With the exception of alternative care, which includes 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, but there is much still to be done. 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](http://www.endcorporalpunishment.org) or email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org).

Assessing global progress towards prohibition is a complex task. When a state reforms the law to prohibit corporal punishment in the home, the legislation must be closely examined to ensure there are no legal defences for its use by parents/carers (such as a “right of correction” or a right to administer “reasonable” punishment), and that it prohibits all forms of corporal punishment, however light. The Global Initiative also seeks official confirmation from governments and other sources that the new law is unequivocally interpreted as prohibiting all corporal punishment in childrearing.

With regard to settings outside the home, in many states legislation explicitly prohibits corporal punishment in schools and other institutions. In some states, the illegality of corporal punishment is based on particular combinations of criminal laws on assault and the absence of a legal defence, together with other legislation protecting children in the setting and relevant case law, etc. Alternatively, there may be a high-level court judgment which makes corporal punishment unlawful but which has yet to be confirmed in legislation. Of states in which corporal punishment is lawful in schools or other institutions, some simply lack legislation prohibiting corporal punishment and some will explicitly authorise its use in those settings. There are also states which have prohibited corporal punishment in some but not all aspects of a setting (e.g. prohibiting it only in primary schools). The table illustrates some of the complexities: for full details see the individual country reports at [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org); to provide us with further information please email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org).

<b>Summary of progress towards prohibition of all corporal punishment of children</b>					
	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
<b>Prohibited</b>	31	121	154	114	37
<b>Not prohibited</b>	167	77	43	79	161
<b>Legality unknown</b>	-	-	1	5	-

## 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 <sup>1</sup>	YES	YES	YES	YES
Bulgaria	YES <sup>2</sup>	YES	YES	YES	YES
Costa Rica	YES <sup>3</sup>	YES	YES	YES	YES
Croatia	YES <sup>4</sup>	YES	YES	YES	YES
Cyprus	YES <sup>5</sup>	YES	YES	YES	YES
Denmark	YES <sup>6</sup>	YES	YES	YES	YES
Finland	YES <sup>7</sup>	YES	YES	YES	YES
Germany	YES <sup>8</sup>	YES	YES	YES	YES
Greece	YES <sup>9</sup>	YES	YES	YES	YES
Hungary	YES <sup>10</sup>	YES	YES	YES	YES
Iceland	YES <sup>11</sup>	YES	YES	YES	YES
Israel	YES <sup>12</sup>	YES	YES	YES	YES
Kenya	YES <sup>13</sup>	YES <sup>14</sup>	YES	YES <sup>15</sup>	YES <sup>16</sup>
Latvia	YES <sup>17</sup>	YES	YES	YES	YES
Liechtenstein	YES <sup>18</sup>	YES	YES	YES	YES
Luxembourg	YES <sup>19</sup>	YES	YES	YES	YES
Netherlands	YES <sup>20</sup>	YES	YES	YES	YES
New Zealand	YES <sup>21</sup>	YES	YES	YES	YES
Norway	YES <sup>22</sup>	YES	YES	YES	YES
Poland	YES <sup>23</sup>	YES	YES	YES	YES
Portugal	YES <sup>24</sup>	YES	YES	YES	YES
Rep. of Moldova	YES <sup>25</sup>	YES	YES	YES	YES
Romania	YES <sup>26</sup>	YES	YES	YES	YES

<sup>1</sup> Prohibited in 1989 by section 146a of General Civil Code

<sup>2</sup> Prohibited in 2000 Child Protection Act (amended 2003) and 2003 Regulation on the Implementation of the Child Protection Act

<sup>3</sup> Prohibited in 2008 amendments to the Code on Children and Adolescents and the Family Code

<sup>4</sup> Prohibited explicitly in 1998 Family Act, replaced by 2003 Family Act

<sup>5</sup> 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

<sup>6</sup> Prohibited in 1997 amendment to 1995 Parental Custody and Care Act

<sup>7</sup> Prohibited in 1983 Child Custody and Right of Access Act

<sup>8</sup> Prohibited in 2000 amendment to Civil Code

<sup>9</sup> Prohibited in 2006 Law 3500/2006 on the Combating of Intra-family Violence

<sup>10</sup> Prohibited in 2004 amendment to Child Protection Act

<sup>11</sup> Prohibited in 2003 Children's Act

<sup>12</sup> 2000 Supreme Court ruled against all violence in childrearing; "reasonable chastisement" defence removed from legislation in same year

<sup>13</sup> Prohibited in 2010 Constitution; some legislation still to be formally repealed

<sup>14</sup> See note on home

<sup>15</sup> See note on home

<sup>16</sup> See note on home

<sup>17</sup> Prohibited in 1998 Children's Rights Protection Law

<sup>18</sup> Prohibited in 2008 Children and Youth Act

<sup>19</sup> Prohibited in 2008 Law on Children and the Family

<sup>20</sup> Prohibited in 2007 amendment to the Civil Code

<sup>21</sup> Prohibited in 2007 Crimes (Substituted Section 59) Amendment Act

<sup>22</sup> 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

<sup>23</sup> Prohibited in 2010 amendments to Family Code

<sup>24</sup> Prohibited in 2007 amendment to Penal Code

<sup>25</sup> Prohibited in 2008 amendments to the Family Code

<sup>26</sup> Prohibited in 2004 Law on Protection and Promotion of the Rights of the Child

<b>States with full prohibition <i>ctd</i></b>					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
South Sudan, Rep	YES <sup>27</sup>	YES	YES	YES	YES
Spain	YES <sup>28</sup>	YES	YES	YES	YES
Sweden	YES <sup>29</sup>	YES	YES	YES	YES
Togo	YES <sup>30</sup>	YES	YES	YES	YES
Tunisia	YES <sup>31</sup>	YES	YES	YES	YES
Ukraine	YES <sup>32</sup>	YES	YES	YES	YES
Uruguay	YES <sup>33</sup>	YES	YES	YES	YES
Venezuela	YES <sup>34</sup>	YES	YES	YES	YES

<b>Prohibition by Supreme Court ruling</b>					
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 <sup>35</sup>	YES	YES	YES	YES
Nepal <sup>36</sup>	NO <sup>37</sup>	NO <sup>38</sup>	YES	NO <sup>39</sup>	NO <sup>40</sup>

<b>States committed to full prohibition</b>					
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 <sup>41</sup>	NO	YES	NO <sup>42</sup>	NO <sup>43</sup>	NO
Bangladesh	NO <sup>44</sup>	YES <sup>45</sup>	NO	NO	NO
Bhutan <sup>46</sup>	NO <sup>47</sup>	NO <sup>48</sup>	YES	[YES] <sup>49</sup>	NO <sup>50</sup>
Brazil <sup>51</sup>	NO <sup>52</sup>	NO <sup>53</sup>	YES	NO <sup>54</sup>	NO <sup>55</sup>

<sup>27</sup> Prohibited in 2011 Transitional Constitution, confirming prohibition in 2005 Interim Constitution and 2008 Child Act enacted prior to independence

<sup>28</sup> Prohibited in 2007 amendment to Civil Code

<sup>29</sup> Prohibited in 1979 amendment to Parenthood and Guardianship Code

<sup>30</sup> Prohibited in 2007 Children's Code

<sup>31</sup> Prohibited in 2010 amendment to Penal Code

<sup>32</sup> Prohibited in 2003 Family Code

<sup>33</sup> Prohibited in 2007 amendments to Civil Code and Children and Adolescents Code

<sup>34</sup> Prohibited in 2007 amendment to Law for the Protection of Children and Adolescents

<sup>35</sup> 1996 Supreme Court ruling prohibited all violence in childrearing, but as at October 2011 not confirmed in legislation

<sup>36</sup> 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

<sup>37</sup> 2005 Supreme Court ruling removed legal defence for corporal punishment by parents, guardians and teachers

<sup>38</sup> See note on home

<sup>39</sup> See note on home

<sup>40</sup> See note on home

<sup>41</sup> 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

<sup>42</sup> Lawful under Islamic law

<sup>43</sup> Possibly prohibited in the Law on Juvenile Rehabilitation Centres adopted in 2009

<sup>44</sup> 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

<sup>45</sup> Unlawful under 2011 Supreme Court ruling, not yet confirmed in legislation

<sup>46</sup> 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

<sup>47</sup> 2011 Child Care and Protection Act prohibits only corporal punishment which reaches a certain degree of severity

<sup>48</sup> Code of Conduct and ministerial directives state corporal punishment should not be used but no prohibition in law; see also note on home

<sup>49</sup> Possibly prohibited in Child Care and Protection Act

<sup>50</sup> See note on home

<sup>51</sup> In July 2010, President Luiz Inacio Lula da Silva, before leaving office, submitted a bill to Congress which would prohibit in all settings

<b>States committed to full prohibition <i>ctd</i></b>					
<b>State</b>	<b>Prohibited in the home</b>	<b>Prohibited in schools</b>	<b>Prohibited in penal system</b>		<b>Prohibited in alternative care settings</b>
			<b>As sentence for crime</b>	<b>As disciplinary measure</b>	
Czech Republic <sup>56</sup>	NO	YES <sup>57</sup>	YES	YES <sup>58</sup>	NO
Estonia <sup>59</sup>	NO	YES <sup>60</sup>	YES	YES <sup>61</sup>	NO
Ireland <sup>62</sup>	NO	YES	YES	YES	SOME <sup>63</sup>
Lithuania <sup>64</sup>	NO	YES <sup>65</sup>	YES	YES <sup>66</sup>	NO
Maldives <sup>67</sup>	NO <sup>68</sup>	NO <sup>69</sup>	NO <sup>70</sup>	NO <sup>71</sup>	NO <sup>72</sup>
Pakistan <sup>73</sup>	NO	NO <sup>74</sup>	SOME <sup>75</sup>	SOME <sup>76</sup>	NO <sup>77</sup>
Peru <sup>78</sup>	NO	YES <sup>79</sup>	YES	NO	NO
Serbia <sup>80</sup>	NO	YES	YES	YES	SOME <sup>81</sup>
Slovakia <sup>82</sup>	NO <sup>83</sup>	YES	YES	YES	YES
Slovenia <sup>84</sup>	NO <sup>85</sup>	YES	YES	YES <sup>86</sup>	SOME <sup>87</sup>
Sri Lanka <sup>88</sup>	NO	NO <sup>89</sup>	YES	SOME <sup>90</sup>	NO <sup>91</sup>

<sup>52</sup> Draft legislation which would prohibit in all settings under discussion (2011)

<sup>53</sup> See note on home

<sup>54</sup> See note on home

<sup>55</sup> See note on home

<sup>56</sup> Government committed to prohibition; prohibition under discussion (2011)

<sup>57</sup> But no explicit prohibition

<sup>58</sup> But no explicit prohibition

<sup>59</sup> Government committed to prohibition; legislation which would prohibit being drafted (2011)

<sup>60</sup> But no explicit prohibition

<sup>61</sup> But no explicit prohibition

<sup>62</sup> Government has stated long term commitment to prohibition but given no indication of timing

<sup>63</sup> Prohibited in pre-school settings except for childminders caring for children older than 5 and for children of relatives, children of same family or up to three children from different families; prohibited in special care units; guidance advises against its use in foster care and residential care services but there is no prohibition in legislation

<sup>64</sup> Government stated intention to prohibit during January 2006 examination by Committee on the Rights of the Child; proposed new legislation to prohibit rejected March 2010, new bill introduced December 2010

<sup>65</sup> But no explicit prohibition

<sup>66</sup> But no explicit prohibition

<sup>67</sup> 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

<sup>68</sup> Draft Penal Code would include justification for use of force by parents, teachers and others for prevention and punishment of misconduct

<sup>69</sup> Ministry of Education advises against corporal punishment but no explicit prohibition in legislation; legislation which would prohibit under discussion (2011); see also note on home

<sup>70</sup> Draft Penal Code would authorise judicial corporal punishment

<sup>71</sup> See note on home

<sup>72</sup> See note on home

<sup>73</sup> 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

<sup>74</sup> Legislation which would prohibit under discussion (2011)

<sup>75</sup> Prohibited in 2000 Juvenile Justice System Ordinance but this not applicable in all areas

<sup>76</sup> Prohibited in 2000 Juvenile Justice System Ordinance but this not applicable in all areas and other laws not amended/repealed

<sup>77</sup> Legislation which would prohibit under discussion (2011)

<sup>78</sup> Congress pledged all party support for prohibition (2007); legislation which would prohibit in all settings under discussion (2010)

<sup>79</sup> But no explicit prohibition

<sup>80</sup> Government committed to prohibition (2007)

<sup>81</sup> Prohibited in all day care which forms part of the education system, including nurseries, kindergartens, preschools, after school care, workshops and additional education activities

<sup>82</sup> Government committed to prohibition (2005)

<sup>83</sup> Law reform in 2009 prohibited only corporal punishment which reaches a certain degree of severity

<sup>84</sup> Government stated intention to explicitly prohibit in the home during 2004 drafting of domestic violence law

<sup>85</sup> Family Law Bill which would prohibit under discussion (2011)

<sup>86</sup> But no explicit prohibition

<sup>87</sup> Prohibited in educational day care centres and residential schools

<b>States committed to full prohibition <i>ctd</i></b>					
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 <sup>92</sup>	NO	YES	YES	YES	NO <sup>93</sup>

<b>Legal reform in progress but no explicit commitment to full prohibition</b>					
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	NO <sup>94</sup>	YES <sup>95</sup>	YES	YES	SOME <sup>96</sup>
Mongolia	NO <sup>97</sup>	YES	YES	NO	NO <sup>98</sup>
Nicaragua <sup>99</sup>	NO	YES	YES	YES	NO
Philippines <sup>100</sup>	NO	YES	YES	YES	SOME <sup>101</sup>
South Africa <sup>102</sup>	NO	YES	YES	YES	YES

<b>Others – prohibition incomplete and no commitment to reform</b>					
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 <sup>103</sup>	SOME <sup>104</sup>
Algeria	NO	YES	YES	NO	NO
Andorra	NO	YES <sup>105</sup>	YES	YES <sup>106</sup>	SOME <sup>107</sup>
Angola	NO <sup>108</sup>	[NO]	YES <sup>109</sup>	NO	[NO] <sup>110</sup>
Antigua and Barbuda	NO	NO	NO	NO	NO
Argentina	NO	YES <sup>111</sup>	YES	YES	NO
Armenia	NO	YES	YES	YES <sup>112</sup>	SOME <sup>113</sup>

<sup>88</sup> 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

<sup>89</sup> Ministerial circular states corporal punishment should not be used but no prohibition in law; legislation to prohibit is being drafted (2011)

<sup>90</sup> Prohibited in prisons, lawful in other penal institutions; legislation to prohibit is being drafted (2011)

<sup>91</sup> Legislation to prohibit in children's homes is being drafted (2011)

<sup>92</sup> Government committed to prohibition (2005)

<sup>93</sup> But law prohibiting in schools possibly applies to day care centres and cram schools

<sup>94</sup> 2004 Supreme Court ruling upheld parents' right to administer corporal punishment to children aged 2-12 but not using objects and not involving slaps or blows to the head; bills which would repeal the legal defence for corporal punishment have failed to be enacted but continue to be introduced in a sustained campaign for law reform.

<sup>95</sup> 2004 Supreme Court ruling limited use of force by teachers to restraint and removal and excluded corporal punishment, but this not confirmed in legislation relating to private schools, or to any schools in Alberta and Manitoba

<sup>96</sup> Prohibited in state provided care in Alberta, British Columbia and Manitoba; prohibited in foster care in Alberta, British Columbia, Manitoba and Ontario; 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

<sup>97</sup> Draft amendments to Family Law would prohibit (2010)

<sup>98</sup> Draft amendments to Family Law would prohibit in care institutions (2010)

<sup>99</sup> Proposals to prohibit all corporal punishment in draft Family Code under discussion (2009)

<sup>100</sup> Legislation which would prohibit under discussion (2011)

<sup>101</sup> Prohibited in residential institutions and day care centres

<sup>102</sup> Efforts to prohibit corporal punishment by parents failed in 2007; national campaign continues to promote law reform

<sup>103</sup> But no explicit prohibition

<sup>104</sup> Prohibited in mental health service provision

<sup>105</sup> But no explicit prohibition

<sup>106</sup> But no explicit prohibition

<sup>107</sup> Prohibited in La Gavernera children's centre; lawful in other care settings

<sup>108</sup> Corporal punishment of a certain severity would be unlawful under the 2010 Domestic Violence Act but no explicit prohibition of all corporal punishment

<sup>109</sup> Prohibited for persons under 16; prohibition for 16 and 17 year olds unconfirmed

<sup>110</sup> See note on home

<sup>111</sup> But no explicit prohibition

<b>Prohibition incomplete and no commitment to reform <i>ctd</i></b>					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Australia	NO <sup>114</sup>	SOME <sup>115</sup>	YES	SOME <sup>116</sup>	SOME <sup>117</sup>
Azerbaijan	NO	YES	YES	YES <sup>118</sup>	NO
Bahamas	NO	NO	[NO] <sup>119</sup>	[YES] <sup>120</sup>	SOME <sup>121</sup>
Bahrain	NO	YES	YES	NO	NO
Barbados	NO	NO	NO	NO	[SOME] <sup>122</sup>
Belarus	NO	YES <sup>123</sup>	YES	YES <sup>124</sup>	NO
Belgium	NO	YES <sup>125</sup>	YES	YES	SOME <sup>126</sup>
Belize	NO	YES	YES	SOME <sup>127</sup>	SOME <sup>128</sup>
Benin	NO	NO <sup>129</sup>	YES	[YES]	NO
Bolivia	NO <sup>130</sup>	YES	SOME <sup>131</sup>	NO <sup>132</sup>	NO <sup>133</sup>
Bosnia and Herzegovina	SOME <sup>134</sup>	YES	YES	YES	NO
Botswana	NO	NO	NO	NO	NO
Brunei Darussalam	NO	[NO]	NO	NO	NO
Burkina Faso	NO	YES	YES	YES <sup>135</sup>	SOME <sup>136</sup>
Burundi	NO	[YES]	YES	NO	NO
Cambodia	NO	YES	YES	YES	NO <sup>137</sup>
Cameroon	NO	[YES]	YES	[YES]	NO
Cape Verde	NO	YES	YES	YES	[SOME] <sup>138</sup>
Central African Republic	NO	NO	YES	NO	NO
Chad	NO	YES	YES	NO	NO
Chile	NO	NO <sup>139</sup>	YES	YES	NO
China	NO <sup>140</sup>	YES	YES	YES	NO

<sup>112</sup> But no explicit prohibition

<sup>113</sup> Unlawful in care institutions under the Rights of the Child Act, but possibly no explicit prohibition

<sup>114</sup> In 2003, Law Reform Institute in Tasmania recommended abolition of reasonable correction defence from criminal and civil law but as at July 2011 law reform not achieved; 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

<sup>115</sup> Prohibited in Australian Capital Territory, New South Wales, Tasmania and Victoria

<sup>116</sup> Prohibited in all states and territories except Australian Capital Territory and Western Australia

<sup>117</sup> Prohibited in all states and territories in child care centres except Northern Territory, Tasmania and Australian Capital Territory, in all day care in Victoria and New South Wales, and in residential centres and foster care except Northern Territory, Tasmania, Victoria, Western Australia and Australian Capital Territory

<sup>118</sup> But possibly no explicit prohibition

<sup>119</sup> Judicial corporal punishment prohibited in 1984 but reintroduced in 1991; not prohibited in 2006 Child Protection Act

<sup>120</sup> But as at May 2011, some legislation still to be repealed

<sup>121</sup> Prohibited in residential institutions, lawful in other forms of care

<sup>122</sup> 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

<sup>123</sup> But possibly no explicit prohibition

<sup>124</sup> But no explicit prohibition

<sup>125</sup> But no explicit prohibition

<sup>126</sup> Prohibited in institutions in some communities; not prohibited in non-institutional childcare

<sup>127</sup> Prohibited in "Youth Hostel" detention centre but lawful in other penal institutions

<sup>128</sup> Prohibited in residential care facilities and in day care centres

<sup>129</sup> Government circular advises against corporal punishment in formal education but no prohibition in law

<sup>130</sup> Legislation prohibits only corporal punishment which is considered harmful

<sup>131</sup> Prohibited in state laws but lawful in indigenous and tribal justice systems

<sup>132</sup> See note on home

<sup>133</sup> See note on home

<sup>134</sup> Prohibited in Republic of Srpska

<sup>135</sup> But possibly no explicit prohibition

<sup>136</sup> Prohibited in institutions; not prohibited in foster care

<sup>137</sup> Minimum standards state corporal punishment should not be used, but no prohibition in legislation

<sup>138</sup> Prohibited in public and private institutions under the Civil Code (information unconfirmed)

<sup>139</sup> Legislation prohibits only corporal punishment resulting in injury

<sup>140</sup> But corporal punishment of girls prohibited in Shenzhen Special Economic Zone

<b>Prohibition incomplete and no commitment to reform <i>ctd</i></b>					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Colombia	NO	NO <sup>141</sup>	SOME <sup>142</sup>	NO <sup>143</sup>	NO
Comoros	NO	NO	[YES] <sup>144</sup>	NO	NO
Congo, Rep	NO	[YES]	YES	NO	NO
Cook Islands	NO	YES	YES	NO	NO
Cote d'Ivoire	NO	NO <sup>145</sup>	YES	YES <sup>146</sup>	NO
Cuba	NO	NO	YES	YES	NO
Djibouti	NO	[YES]	[YES]	NO	NO
Dominica	NO	NO	NO	NO	SOME <sup>147</sup>
Dominican Republic	NO	YES	YES	YES	NO
DPR Korea	NO	NO <sup>148</sup>	[YES]	[YES]	NO
DR Congo	NO	YES	YES	NO	NO
Ecuador	NO	YES	SOME <sup>149</sup>	YES	NO
Egypt	NO	[NO] <sup>150</sup>	YES	YES	NO
El Salvador	NO	YES	YES	YES	NO
Equatorial Guinea	NO	NO	[YES]	???	NO
Eritrea	NO	[NO] <sup>151</sup>	[NO]	[NO]	NO
Ethiopia	NO	YES	YES	YES	SOME <sup>152</sup>
Fiji	NO	YES <sup>153</sup>	YES	YES	NO
France	NO <sup>154</sup>	YES <sup>155</sup>	YES	YES <sup>156</sup>	NO <sup>157</sup>
Gabon	NO	YES	YES	YES	NO
Gambia	NO	NO	YES	NO	NO
Georgia	NO	YES <sup>158</sup>	YES	YES <sup>159</sup>	[SOME] <sup>160</sup>
Ghana	NO	NO <sup>161</sup>	YES	SOME <sup>162</sup>	NO
Grenada	NO	NO	NO	NO	SOME <sup>163</sup>
Guatemala	NO	YES <sup>164</sup>	SOME <sup>165</sup>	YES	NO
Guinea	NO	YES	[NO]	???	NO
Guinea-Bissau	NO	YES	YES	[YES]	[NO]
Guyana	NO	NO	SOME <sup>166</sup>	SOME <sup>167</sup>	[SOME] <sup>168</sup>

<sup>141</sup> Legislation prohibits only corporal punishment resulting in injury

<sup>142</sup> Prohibited in laws of the Republic, lawful in indigenous communities

<sup>143</sup> See note on schools

<sup>144</sup> Possibly lawful under Shari'a law and in traditional justice systems

<sup>145</sup> Ministerial circular states corporal punishment should not be used but no prohibition in law

<sup>146</sup> But no explicit prohibition

<sup>147</sup> Prohibited in early childhood education facilities

<sup>148</sup> Policy states corporal punishment should not be used but no prohibition in law; possibly prohibited in 2005 Education

Law

<sup>149</sup> Prohibited in state law but permitted in indigenous communities

<sup>150</sup> Ministerial directive states corporal punishment should not be used but no prohibition in law (information unconfirmed)

Penal institutions: But possibly permitted in social welfare institutions

<sup>151</sup> Policy states corporal punishment should not be used but possibly no prohibition in law

<sup>152</sup> Prohibited in institutions by Constitution but "reasonable chastisement" defence available

<sup>153</sup> Ruled unconstitutional in 2002 High Court ruling, but as at October 2011 legislation not amended

<sup>154</sup> Bill No. 2971 to abolish all physical and psychological violence against children by persons with parental authority under discussion (2011)

<sup>155</sup> But no explicit prohibition

<sup>156</sup> But no explicit prohibition; see also note on home

<sup>157</sup> See note on home

<sup>158</sup> But no explicit prohibition

<sup>159</sup> But no explicit prohibition

<sup>160</sup> Prohibited in institutional care establishments (unconfirmed)

<sup>161</sup> Ministerial directive possibly advises against corporal punishment but no prohibition in law

<sup>162</sup> Prohibited in prisons; no explicit prohibition in borstal institutions and industrial institutions

<sup>163</sup> Prohibited in child care homes by licensing requirements

<sup>164</sup> But no explicit prohibition

<sup>165</sup> Unlawful in state laws but permitted in traditional justice systems

<b>Prohibition incomplete and no commitment to reform <i>ctd</i></b>					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Haiti	NO <sup>169</sup>	YES	YES	YES	YES
Honduras	NO	YES	YES	NO	NO
India <sup>170</sup>	NO	SOME <sup>171</sup>	SOME <sup>172</sup>	SOME <sup>173</sup>	SOME <sup>174</sup>
Indonesia	NO	NO	SOME <sup>175</sup>	NO	NO <sup>176</sup>
Iran	NO	YES	NO	[YES]	NO
Iraq	NO	NO	YES	SOME <sup>177</sup>	NO
Jamaica	NO	SOME <sup>178</sup>	YES <sup>179</sup>	YES <sup>180</sup>	[YES] <sup>181</sup>
Japan	NO <sup>182</sup>	YES <sup>183</sup>	YES	NO	NO
Jordan	NO	YES	YES	YES	[SOME] <sup>184</sup>
Kazakhstan	NO	SOME <sup>185</sup>	YES	YES	SOME <sup>186</sup>
Kiribati	NO	YES <sup>187</sup>	NO <sup>188</sup>	NO	NO
Kuwait	NO	[YES]	[YES]	NO	NO
Kyrgyzstan	NO	YES	YES	YES	SOME <sup>189</sup>
Lao PDR	NO	[YES]	YES	YES <sup>190</sup>	NO
Lebanon	NO	NO <sup>191</sup>	YES	[YES]	NO
Lesotho	NO	NO <sup>192</sup>	NO <sup>193</sup>	NO	NO
Liberia	NO	NO	YES	?? <sup>194</sup>	NO
Libyan Arab Jamahiriya	NO	YES	NO	NO	[NO]
Madagascar	NO	[YES]	YES	NO	NO
Malawi	NO	YES <sup>195</sup>	YES	YES	SOME <sup>196</sup>
Malaysia	NO	NO	NO <sup>197</sup>	NO <sup>198</sup>	NO

<sup>166</sup> Prohibited for under 17s, lawful for 17 year olds

<sup>167</sup> See note on sentence

<sup>168</sup> Prohibited in some settings in the Child Care and Services Development Act (information unconfirmed)

<sup>169</sup> Possibly prohibited by 2001 law but no unequivocal information

<sup>170</sup> Government committed to prohibition in schools and other settings outside the home

<sup>171</sup> Prohibited for children aged 6-14; not prohibited in Jammu and Kashmir

<sup>172</sup> Prohibited in state laws but used in traditional justice systems

<sup>173</sup> Prohibited in 2007 Juvenile Justice (Care and Protection of Children) Rules except in Jammu and Kashmir

<sup>174</sup> Prohibited in care institutions in 2007 Juvenile Justice (Care and Protection of Children) Rules except in Jammu and Kashmir; lawful in non-institutional care

<sup>175</sup> Prohibited in Criminal Code but permitted under Shari'a law in Aceh province and in regional regulations based on Islamic law in other areas

<sup>176</sup> National Standards of Care for Childcare Institutions, adopted under Ministry of Social Affairs regulation 30/HUK/2011, state that corporal punishment should not be used but no prohibition in law

<sup>177</sup> Prohibited in prisons and detention centres, possibly lawful in other penal institutions

<sup>178</sup> Prohibited in schools for children up to age 6; prohibition in all schools under discussion (2011)

<sup>179</sup> Ruled unconstitutional in 1998 but some legislation yet to be repealed (2011)

<sup>180</sup> But some legislation still to be repealed (2011)

<sup>181</sup> Prohibited in state provided care but possibly not in care provided by other bodies

<sup>182</sup> But prohibited in Kawasaki City by local ordinance

<sup>183</sup> Prohibited in 1947 School Education Law but 1981 Tokyo High Court judgment stated some physical punishment may be lawful in some circumstances

<sup>184</sup> Possibly prohibited in institutions

<sup>185</sup> Prohibited in regular schools but not in military schools

<sup>186</sup> Prohibited in children's villages, youth homes and other institutions, but no prohibition in foster care or kinship care

<sup>187</sup> Statutory provisions allowing corporal punishment repealed but no explicit prohibition in law

<sup>188</sup> Government committed to prohibition (2006)

<sup>189</sup> Prohibited in residential institutions

<sup>190</sup> But no explicit prohibition

<sup>191</sup> Government committed to law reform (2006)

<sup>192</sup> Possibly prohibited in Education Act (2011)

<sup>193</sup> Possibly prohibited in Child Protection and Welfare Act (2011)

<sup>194</sup> Prohibited in prisons but legality in other penal institutions unknown

<sup>195</sup> But prohibition in private schools unconfirmed

<sup>196</sup> Prohibited in state-run institutions and day care settings

<sup>197</sup> Government committed to prohibition (2007)

<b>Prohibition incomplete and no commitment to reform <i>ctd</i></b>					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Mali	NO <sup>199</sup>	YES	YES	YES <sup>200</sup>	NO
Malta	NO	YES <sup>201</sup>	YES	[YES]	NO
Marshall Islands	NO	YES	YES	YES	NO
Mauritania	NO	NO <sup>202</sup>	NO	NO	NO
Mauritius	NO	YES	YES	NO	NO
Mexico	NO <sup>203</sup>	NO	YES	NO	NO
Micronesia	NO	[YES]	YES	NO	NO
Monaco	NO	YES <sup>204</sup>	YES	YES <sup>205</sup>	NO
Montenegro	NO	YES	YES	YES <sup>206</sup>	NO
Morocco	NO	NO <sup>207</sup>	YES	YES	NO
Mozambique	NO	NO <sup>208</sup>	YES	YES	NO
Myanmar	NO	NO <sup>209</sup>	YES <sup>210</sup>	NO	NO
Namibia	NO	YES	YES <sup>211</sup>	YES	SOME <sup>212</sup>
Nauru	NO	NO	[YES]	NO	NO
Niger	NO	NO	YES	NO	NO
Nigeria	NO	NO	SOME <sup>213</sup>	NO	NO
Niue	NO	NO	YES	???	[NO]
Oman	NO	YES	???	NO	NO
Palau	NO	NO	YES	NO	NO
Palestine	NO	SOME <sup>214</sup>	[NO] <sup>215</sup>	[NO] <sup>216</sup>	NO
Panama	NO <sup>217</sup>	NO <sup>218</sup>	YES	YES	NO <sup>219</sup>
Papua New Guinea	NO	NO	YES	NO	SOME <sup>220</sup>
Paraguay	NO	NO <sup>221</sup>	YES	YES	NO
Qatar	NO	NO <sup>222</sup>	NO	NO	NO
Republic of Korea	NO	[SOME] <sup>223</sup>	YES	YES	NO

<sup>198</sup> See note on sentence

<sup>199</sup> Draft Family Code would remove the right of correction but not explicitly prohibit corporal punishment (2009)

<sup>200</sup> But no explicit prohibition

<sup>201</sup> But no explicit prohibition

<sup>202</sup> Ministerial Order states that corporal punishment should not be used, but no prohibition in legislation

<sup>203</sup> But “right of correction” removed from Civil Code of Federal Territory

<sup>204</sup> But no explicit prohibition

<sup>205</sup> But no explicit prohibition

<sup>206</sup> But possibly no explicit prohibition

<sup>207</sup> Ministerial direction advises against corporal punishment but no prohibition in law

<sup>208</sup> Government directive advises against corporal punishment but no explicit prohibition

<sup>209</sup> Government directive advises against corporal punishment but no prohibition in law

<sup>210</sup> But some legislation not amended/repealed

<sup>211</sup> Unlawful under 1991 Supreme Court ruling but as at March 2011 some legislation yet to be repealed

Penal institutions: See note on sentence; Child Care and Protection Bill would prohibit (2011)

<sup>212</sup> Unlawful in state institutions under 1991 Supreme Court ruling but some legislation yet to be repealed; Child Care and Protection Bill would prohibit (2011)

<sup>213</sup> 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

<sup>214</sup> 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

<sup>215</sup> Possibly unlawful in the West Bank

<sup>216</sup> Possibly unlawful in East Jerusalem

<sup>217</sup> Legislation prohibits only corporal punishment which results in injury

<sup>218</sup> See note on home

<sup>219</sup> See note on home

<sup>220</sup> 2009 Lukautim Pikinini (Child) Act prohibits corporal punishment of children “in the care of the Director” but this does not apply to private care arrangements and forms of care run by non-government bodies

<sup>221</sup> Legislation protects dignity but does not explicitly prohibit corporal punishment

<sup>222</sup> Ministerial Decree states that corporal punishment should not be used but no explicit prohibition in legislation

<b>Prohibition incomplete and no commitment to reform <i>ctd</i></b>					
<b>State</b>	<b>Prohibited in the home</b>	<b>Prohibited in schools</b>	<b>Prohibited in penal system</b>		<b>Prohibited in alternative care settings</b>
			<b>As sentence for crime</b>	<b>As disciplinary measure</b>	
Russian Federation	NO	YES <sup>224</sup>	YES	YES <sup>225</sup>	NO
Rwanda	NO <sup>226</sup>	NO <sup>227</sup>	YES	NO <sup>228</sup>	NO <sup>229</sup>
Samoa	NO	YES	YES	[NO]	NO
San Marino	NO <sup>230</sup>	YES	YES	YES <sup>231</sup>	NO <sup>232</sup>
Sao Tome and Principe	NO	[YES]	[YES]	???	NO
Saudi Arabia	NO	NO <sup>233</sup>	NO	NO	NO
Senegal	NO	YES	YES	YES <sup>234</sup>	NO
Seychelles	NO	NO <sup>235</sup>	YES	[NO]	[NO]
Sierra Leone	NO	NO	YES	NO	NO
Singapore	NO	NO	NO	NO	SOME <sup>236</sup>
Solomon Islands	NO	NO	YES	YES	NO
Somalia	NO	[SOME] <sup>237</sup>	SOME <sup>238</sup>	SOME <sup>239</sup>	SOME <sup>240</sup>
St Kitts and Nevis	NO	NO	NO	NO	NO
St Lucia	NO	NO	YES	NO	NO
St Vincent and the Grenadines	NO	NO	NO	NO	NO
Sudan	NO	NO <sup>241</sup>	[YES] <sup>242</sup>	NO	NO
Suriname	NO	[YES]	YES	YES	NO
Swaziland	NO	NO	NO	NO	NO
Switzerland	NO <sup>243</sup>	YES <sup>244</sup>	YES	YES	YES
Syrian Arab Rep.	NO	NO <sup>245</sup>	YES	NO	NO
Tajikistan	NO	NO	YES	NO	NO
TFYR Macedonia	NO	YES	YES	YES <sup>246</sup>	NO
Thailand	NO	YES	YES <sup>247</sup>	YES <sup>248</sup>	NO
Timor-Leste	NO	NO <sup>249</sup>	YES	YES <sup>250</sup>	NO <sup>251</sup>

<sup>223</sup> Law prohibits direct corporal punishment (involving physical contact) but indirect (no contact) corporal punishment such as painful positions and punitive physical exercise permitted

<sup>224</sup> But possibly no explicit prohibition

<sup>225</sup> But no explicit prohibition

<sup>226</sup> Draft Child Protection Act would possibly prohibit (2010)

<sup>227</sup> Draft Child Protection Act would prohibit (2010)

<sup>228</sup> See note on schools

<sup>229</sup> See note on schools

<sup>230</sup> Government has stated intention to prohibit in all settings (2010)

<sup>231</sup> But no explicit prohibition

<sup>232</sup> See note on home

<sup>233</sup> Ministerial circulars advise against corporal punishment but no prohibition in law

<sup>234</sup> But no explicit prohibition

<sup>235</sup> Policy states corporal punishment should not be used but no prohibition in law

<sup>236</sup> Prohibited in child care centres

<sup>237</sup> Possibly prohibited in Somaliland

<sup>238</sup> Prohibited in Somaliland

<sup>239</sup> Prohibited in Somaliland

<sup>240</sup> Prohibited in Somaliland

<sup>241</sup> 2010 Child Act prohibits cruel punishment but no explicit prohibition of all corporal punishment

<sup>242</sup> Possibly lawful under Shari'a law

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

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

<sup>245</sup> Ministry of Education advises against its use but no explicit prohibition in law

<sup>246</sup> But no explicit prohibition

<sup>247</sup> But some legislation not amended (2010)

<sup>248</sup> See note on sentence

<sup>249</sup> Government committed to prohibition (2005)

<sup>250</sup> But no explicit prohibition

<b>Prohibition incomplete and no commitment to reform</b>					
<b>State</b>	<b>Prohibited in the home</b>	<b>Prohibited in schools</b>	<b>Prohibited in penal system</b>		<b>Prohibited in alternative care settings</b>
			<b>As sentence for crime</b>	<b>As disciplinary measure</b>	
Tonga	NO	YES	NO <sup>252</sup>	NO	NO
Trinidad and Tobago	NO	NO	NO <sup>253</sup>	NO	NO <sup>254</sup>
Turkey	NO	YES <sup>255</sup>	YES	YES <sup>256</sup>	NO
Turkmenistan	NO <sup>257</sup>	[YES] <sup>258</sup>	YES	[YES] <sup>259</sup>	NO <sup>260</sup>
Tuvalu	NO	NO	SOME <sup>261</sup>	NO	NO
Uganda	NO	NO <sup>262</sup>	YES	YES	NO
UK	NO <sup>263</sup>	YES	YES	YES	SOME <sup>264</sup>
United Arab Emirates	NO	YES <sup>265</sup>	NO	NO	NO
UR Tanzania	NO	NO	SOME <sup>266</sup>	SOME <sup>267</sup>	SOME <sup>268</sup>
USA	NO	SOME <sup>269</sup>	YES	SOME <sup>270</sup>	SOME <sup>271</sup>
Uzbekistan	NO	YES	[YES]	YES	NO
Vanuatu	NO	YES	SOME <sup>272</sup>	YES <sup>273</sup>	NO
Viet Nam	NO	NO	YES	YES	NO
Western Sahara	NO	[NO]	[YES]	[YES]	[NO]
Yemen	NO	YES	NO	YES	NO
Zambia	NO	YES	YES <sup>274</sup>	YES <sup>275</sup>	NO
Zimbabwe	NO	NO	NO	NO	NO

<sup>251</sup> Policy advises against corporal punishment in child care centres, orphanages and boarding houses, but no prohibition in law

<sup>252</sup> 2010 Court of Appeal ruling stated that whipping provisions in criminal law are likely to be unconstitutional but did not categorically declare corporal punishment unconstitutional

<sup>253</sup> Corporal Punishment (Offenders Not Over Sixteen) Act repealed in 2000 but as at January 2011 provision in Children Act authorising judicial whipping of children still in force

<sup>254</sup> Policy advises against corporal punishment in health care and psychiatric institutions but no prohibition in law

<sup>255</sup> But no explicit prohibition

<sup>256</sup> But possibly no explicit prohibition

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

<sup>258</sup> See note on home

<sup>259</sup> See note on home

<sup>260</sup> See note on home

<sup>261</sup> Unlawful under Penal Code and Code of Criminal Procedure but Island Courts may order corporal punishment

<sup>262</sup> Ministerial circular advises against corporal punishment but no prohibition in law; draft legislation which would prohibit under discussion (2011)

<sup>263</sup> Scotland: 2003 Criminal Justice (Scotland) Act restricts common law defence by introducing concept of “justifiable assault” of children and defining blows to the 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

Penal institutions: But no explicit prohibition in secure training centres

<sup>264</sup> Prohibited in residential care institutions and foster care arranged by local authorities or voluntary organisations in England, Wales, Scotland and Northern Ireland; not prohibited in private foster care in England, Wales, Scotland or Northern Ireland; prohibited in day care and childminding in England, Wales and Scotland; in Northern Ireland, guidance advises against corporal punishment in day care and childminding but no prohibition in law

<sup>265</sup> But no explicit prohibition in relation to private schools

<sup>266</sup> Prohibited in Zanzibar, lawful in mainland Tanzania

<sup>267</sup> Prohibited in approved schools and remand homes in Zanzibar, lawful in mainland Tanzania

<sup>268</sup> Prohibited in residential institutions in Zanzibar, lawful in other forms of care; not prohibited in mainland Tanzania

<sup>269</sup> Prohibited in public and private schools in Iowa and New Jersey, in public schools in a further 29 states and District of Columbia

<sup>270</sup> Prohibited in 32 states

<sup>271</sup> Prohibited in all alternative care settings in 31 states and in some settings in other states and the District of Columbia

<sup>272</sup> Used in rural areas for punishment of young boys and girls found to have broken village or custom rules

<sup>273</sup> But no explicit prohibition

<sup>274</sup> Ruled unconstitutional by Supreme Court in 1999 but some legislation not amended

<sup>275</sup> See note on sentence

*Analysis prepared by the Global Initiative to End All Corporal Punishment of Children*  
[www.endcorporalpunishment.org](http://www.endcorporalpunishment.org); [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)  
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