



Global Initiative to
End All Corporal Punishment
of Children

Progress towards prohibiting all corporal punishment in South Asia

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

Note: The above 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	YES	NO ²	NO ³	NO
Bangladesh ⁴	NO	YES ⁵	NO	NO	NO
Bhutan ⁶	NO	NO ⁷	YES	NO	NO
India ⁸	NO	SOME ⁹	SOME ¹⁰	SOME ¹¹	SOME ¹²
Maldives ¹³	NO ¹⁴	NO ¹⁵	NO ¹⁶	NO ¹⁷	NO ¹⁸

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 Lawful under Islamic law

³ Possibly prohibited in the Law on Juvenile Rehabilitation Centres adopted in 2009

⁴ 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

⁵ Unlawful under 2011 Supreme Court ruling, not yet confirmed in legislation

⁶ 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

⁷ Code of Conduct and ministerial directive state corporal punishment should not be used but no prohibition in law

⁸ Government committed to prohibition in schools and other settings outside the home

⁹ Prohibited for children aged 6-14; not prohibited in Jammu and Kashmir

¹⁰ Prohibited in state laws, but used in traditional justice systems

¹¹ Prohibited in 2007 Juvenile Justice (Care and Protection of Children) Rules except in Jammu and Kashmir

¹² Prohibited in care institutions in 2007 Juvenile Justice (Care and Protection of Children) Rules except in Jammu and Kashmir; lawful in non-institutional care

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Nepal ¹⁹	NO ²⁰	NO ²¹	YES	NO ²²	NO ²³
Pakistan ²⁴	NO	NO ²⁵	SOME ²⁶	SOME ²⁷	NO ²⁸
Sri Lanka ²⁹	NO	NO ³⁰	YES	SOME ³¹	NO

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¹³ 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

¹⁴ Draft Penal Code would include justification for use of force by parents, teachers and others for prevention and punishment of misconduct

¹⁵ Ministry of Education advises against corporal punishment but no explicit prohibition in legislation; see previous note

¹⁶ Draft Penal Code would authorise judicial corporal punishment

¹⁷ See note 14

¹⁸ See note 14

¹⁹ 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

²⁰ 2005 Supreme Court ruling removed legal defence for corporal punishment by parents, guardians and teachers

²¹ See previous note

²² See note 20

²³ See note 20

²⁴ 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

²⁵ Legislation which would prohibit under discussion (2011)

²⁶ Prohibited in 2000 Juvenile Justice System Ordinance but this not applicable in all areas

²⁷ Prohibited in 2000 Juvenile justice System Ordinance but this not applicable in all areas and other laws not amended/repealed

²⁸ Legislation which would prohibit under discussion (2011)

²⁹ 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

³⁰ Ministerial circular states corporal punishment should not be used but no prohibition in law

³¹ Prohibited in prisons; lawful in other penal institutions