Corporal punishment of children in Mexico

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Child population 40,052,000 (UNICEF, 2020)

Mexico's commitment to prohibiting corporal punishment

Mexico indicated its commitment to prohibiting corporal punishment when in 2011 the Government adopted the Central American Regional Roadmap on Violence against Children, which recommends full prohibition. The National Action Plan 2017-2018, adopted within the framework of the Global Partnership to End Violence Against Children, identifies the explicit prohibition of corporal punishment in all settings as part of the strategy to end all forms of violence against children. Mexico's commitment to prohibiting all corporal punishment of children was reaffirmed when it accepted recommendations to do so during its Universal Periodic Review of 2018. Bills have been introduced at federal and state levels to prohibit all corporal punishment of children. In December 2020, the General Law on the Rights of Children and Adolescents 2014 was amended to prohibit corporal punishment of children and adolescents in all settings. However, the Law will come into force only after it is domesticated by all federal entities.

Summary of necessary legal reform to achieve full prohibition

Prohibition is still to be achieved in the home, alternative care settings and day care.

Article 423 of the Federal Civil Code 1928 confirms the "right to correct" of persons with parental authority. This defence and similar provisions in state legislation should be repealed. The near universal social acceptance of corporal punishment in childrearing necessitates clarity in law that no level of corporal punishment is acceptable. The law should prohibit all corporal punishment and other cruel or degrading forms of punishment, in the home and all other settings where adults have parental authority.

Alternative care settings – Corporal punishment should be prohibited in all alternative care settings (foster care, institutions, places of safety, emergency care, etc).

Day care – Corporal punishment should be prohibited in all early childhood care (nurseries, crèches, kindergartens, preschools, family centres, etc) and all day care for older children (day centres, after-school childcare, childminding, etc).

Note: Mexico is a federal republic consisting of 32 federal entities – 31 states and a Federal District, Mexico City, which is the seat of the federal Government. Each state is autonomous and has its own constitution.

Current legality of corporal punishment

Home

The Government has signalled its commitment to prohibiting all corporal punishment of children. In 2009, the Government accepted recommendations to ensure that children are fully protected from corporal punishment made during the Universal Periodic Review (UPR).[1] At the second cycle UPR of Mexico in 2013, the Government noted its use of the Peaceful Resolution of Family Conflict Model as part of it System for the Comprehensive Development of the Family (SNDF)[2] but made no reference to law reform to prohibit all corporal punishment. In 2011, the Regional Roadmap on Violence against Children was adopted by the Central American Governments of Cuba, Mexico and the Dominican Republic: it includes a recommendation to adopt national legislation to explicitly prohibit all corporal punishment and to repeal provisions allowing for "moderate" punishment/correction.[3] Mexico is also a Pathfinder country with the Global Partnership to End Violence Against Children: in August 2017 it launched its End Violence National Action Plan 2017-2018 which identifies explicit prohibition of corporal punishment in all settings as a priority. In 2018, Mexico accepted UPR recommendations to prohibit corporal punishment of children.[4]

Law reform to date has not yet achieved full prohibition across the country. The General Law on the Rights of Children and Adolescents 2014 was published in the Official Gazette on 4 December 2014. It states in article 105: "The federal and state laws shall under the provisions of this Act and within the scope of their powers undertake the necessary measures that effect is given to the following obligations: (1) That those exercising parental authority, guardianship or custody of children and adolescents, care and look after them and protect them against all forms of abuse; respect their dignity and provide guidance to them, so that they know their rights and learn to defend and respect those of others; … (4) That those dealing with children and adolescents refrain from any violence against them, including corporal punishment." Article 103 of sets out the duties of those exercising parental authority, including to create "an emotional, caring and non-violent environment", to "protect against all forms of violence" and to "refrain from any attack on [children's] physical and mental integrity", adding that "the exercise of parental authority, guardianship or custody of children and adolescents cannot be justification for breaching the obligation under [the latter]". However, the "right of correction" in the Federal Civil Code was not explicitly repealed.

In December 2020, the General Law on the Rights of Children and Adolescents 2014 was amended to prohibit corporal punishment of children and adolescents in all settings. However, the amended Law will come into force only after all states of the country have enacted laws prohibiting corporal punishment of children in all settings. In 2023, in reporting to the Committee on the Rights of the Child, the Government confirmed that "amendments to the Federal Civil Code and the General Act on the Rights of Children and Adolescents were adopted to prohibit corporal and humiliating punishment as a corrective or disciplinary method for children and adolescents in all settings". The Government also stated that the Civil Codes and Family Codes of 21 states explicitly provided for the prohibition of corporal punishment, "referring to the right to correct, guide, educate or raise children and adolescents".[5]

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[1] 29 May 2009, A/HRC/11/27, Report of the working group, paras. 93(30)
[2] 11 December 2013, A/HRC/25/7, Report of the working group, para. 142
[3] Regional Road Map on Violence against Children, adopted in 2011, 1 and 2 December in Santo Domingo, as a follow-up to the recommendations of the UN Study on Violence against Children, available at http://srsg.violenceagainstchildren.org/sites/default/files/political_declarations/Hoja%20de%20Ruta%20Final%20EVCN%20Centroamericano%20Dic%202012.pdf, accessed 21 February 2015
[4] 27 December 2018, A/HRC/40/8, Report of the Working Group, paras. 132(226) and 132(234); 12 February 2019, A/HRC/40/8/Add.1 Advance version, Report of the Working Group: Addendum
[5] 12 September 2023, CRC/C/MEX/6-7, Combined sixth and seventh periodic report, para 123.

The “right to correct” of persons with parental authority is confirmed in the Civil Code. In 1997, the Federal Civil Code 1928 was amended so that the exercise of the right to correct should not involve the use of force which endangers the physical or mental integrity of children, and new provisions against family violence were added. In 2012, despite the Federal Civil Code undergoing several amendments, those provisions remained. Article 422 of the Code states (unofficial translation): “Persons with parental power or custody of a child are required to educate them suitably.” Article 423 states: “For the purpose of the preceding article, those who exercise parental authority or have children in their custody have the power to correct [‘la facultad de corregirlos’] them and the obligation to observe behaviour which sets a good example. The power to correct does not imply the infliction on children of force which violates their physical or psychological integrity in accordance with the provisions of article 323ter of this Code.” Article 323ter states that family members should avoid behaviours that lead to domestic violence. Domestic violence is defined in the article as “the use of physical or moral force, or serious omissions, repeatedly by one family member on another, which violates their physical and/or psychological integrity, regardless of whether or not it results in injury, provided that the attacker and the attacked family members live at the same address and there is a relationship of kinship, marriage or cohabitation.” These provisions appear to protect children from physical punishment inflicted “repeatedly”, but it is not clear that isolated punitive assault on a child would not be tolerated.

In 2000 and 2011, the Constitution 1917 was amended with regard to children’s rights. As amended, article 1 states: “In the United Mexican States, all human rights recognised in the Constitution and international treaties to which the Mexican State is a party shall be enjoyed…. The rules on human rights shall be interpreted in accordance with the Constitution and the international treaties of the field at all times encouraging people the broadest protection….” Article 4 states: “All decisions and actions of the State and shall comply with the principle of the best interests of children, so ensuring their full rights. Boys and girls have the right to satisfy their needs for food, health, education and recreation for their development. This principle should guide the design, implementation, monitoring and evaluation of public policies aimed at children. The parents, guardians and custodians have an obligation to preserve and enforce these rights and principles. The State shall grant facilities for individuals to contribute to the fulfillment of child rights.”

The first chamber of the Supreme Court issued a decision in 2016 on parental authority and the right of correction which stated that parental authority cannot be used as a justification for using violence as discipline. The decision draws on the definition of corporal punishment given by the UN Committee on the Rights of the Child’s General Comment No. 8 and highlights that all forms of corporal punishment, including cruel and degrading punishment, are incompatible with the Convention. This is however an “isolated thesis” – it is not an established binding jurisprudence – and it must be highlighted that, unlike common law systems, case law in a civil law system such as Mexico’s is below legislation in the hierarchy of norms.

In August 2017, two Bills were introduced in Parliament to prohibit corporal punishment of children. The Bill amending article 423 of the Federal Civil Code was approved by the Chamber of Deputies in December 2017 and passed on to the Senate for examination. The Bill has the apparent aim to prohibit corporal punishment and all other humiliating and degrading treatment of children but seems to qualify corporal punishment as “repeated” use of force. It amends article 423 as follows (unofficial translation, emphasis added): “For the effects of the previous article, those who exercise parental authority or have minors under their custody, have the power to correct them and the obligation to respect their physical and psychological integrity, as well as observe a behaviour that serves as a good example. The power to correct does not imply for any reason the use of corporal punishment or cruel, degrading or humiliating treatment that threaten their physical or mental integrity in the terms of the provisions of article 323ter of this Code.” The Bill amending article 323ter of the Federal Civil Code and article 105 of the General Law on the Rights of Children and Adolescents 2014 includes an explicit prohibition of corporal and humiliating punishment in those laws, but it does not repeal the mention of the “right to correct”. It is still pending in the Senate.

Another Bill was adopted in the Senate in November 2019, which aimed to amend article 44 of the General Law on the Rights of Children and Adolescents 2014 through a new paragraph stating “The use of corporal punishment in all settings, as a method to correct or discipline children, is prohibited” (unofficial translation). In September 2020, the Senate approved the above-mentioned Bill to prohibit corporal punishment of children in all settings. The amended the General Law on the Rights of Children and Adolescents 2014 forbids “the mother, father or any person in the family to use corporal

punishment or any type of humiliating treatment and punishment as a form of correction or discipline of children or adolescents"[6] (unofficial translation). It defines corporal punishment as "any act committed against girls, boys and adolescents in which physical force is used, including blows with the hand or with any object, pushing, pinching, biting, pulling hair or ears, forcing them to maintain uncomfortable postures, burns, ingestion of boiling food or other products or any other act that has the object of causing pain or discomfort, however light."[7] (unofficial translation). In December 2020, the Lower House of Congress unanimously approved the amendments of the General Law on the Rights of Children and Adolescents 2014 to prohibit corporal punishment of children in all settings. We are investigating whether the amended Law on the Rights of Children and Adolescents 2014 addresses the "right to correct" in article 423 of the Federal Civil Code.

Given that Mexico is a federal country, state congresses are now required to domesticate their local legislations to prohibit corporal and humiliating punishment. As of December 2020, 21 out of 32 states had local civil or family laws that prohibit the use of punishment against children or adolescents. The amended General Law on the Rights of Children and Adolescents will come into force only after the remaining 11 states have enacted laws prohibiting corporal punishment in all settings.

The majority of states have enacted provisions similar to the federal law in their Civil Codes and other legislation – i.e. confirming a "right of correction" within limits which in many cases are linked to legal definitions of domestic violence. Children are variously protected from the use of force which causes harm (e.g. Baja California Family Violence Prevention and Care Act 2003, Chihuahua Civil Code 2004, Hidalgo Law on Domestic Violence 2010, Nayarit Civil Code 1981), from the repeated use of force (Morelos Family Code 2006), from violations of their integrity (e.g. Chihuahua Law on the Rights of Adolescents 2013, Hidalgo Family Law 2007, Michoacan de Ocampo Family Code 2008, Nayarit Civil Code 1981, Nayarit Law on the Protection of the Rights of Children and Adolescents 2005) and/or from abuse (e.g. Chihuahua Criminal Code 2006). But the near universal acceptance of physical punishment in childhood means that it is not typically perceived as harmful or abusive or to violate integrity unless it is severe or causes obvious injury: prohibition requires clarity in law that no corporal punishment should be used.

Corporal punishment is prohibited in the state of Guanajuato which in 2015 amended article 477 of its Civil Code to state (unofficial translation): "Those who exercise parental authority have an obligation of care, development and integral education of the people on which this exercise rests. Those exercising parental authority may not impose corporal punishment or any other humiliating treatment as a form of disciplinary correction. The authorities will assist those exercising parental authority, in a prudent and moderate manner, whenever they are required to do so." Legislation to prohibit corporal punishment is under consideration in the state of Quintana Roo,[8] and reportedly in the state of Oaxaca.[9]

There are possible other exceptions where state laws may prohibit corporal punishment in the home: we are currently seeking further information. For example, in Guerrero, the Civil Code 1993 states that "the right to punish does not imply the right to hit or abuse the child" (art. 589); the explanatory notes on the Criminal Code 1986 state that the offence of harm is defined as "causing harm to the wellbeing" of a person, a definition which "sets itself apart from the casuistic and redundant system that characterises most of the Criminal Codes of the Republic", and that in this connection it was decided not to provide an exemption for those with parental authority or guardianship who cause minor injuries to a child because "this right [to correction] is not to be exercised in this way". In Zacatecas, the definition of domestic violence in the Family Violence Act 2003 appears comprehensive and applies to isolated as well as repeated acts, including when argued they are inflicted under the right of correction (art. 283bis). In other states, corporal punishment is clearly lawful under an unqualified "right of correction" (e.g. Jalisco Civil Code 1995, Jalisco Criminal Code 1982).

In a September 2019 submission to the UN Human Rights Committee ahead of Mexico's periodic examination, the National Human Rights Commission of Mexico[10] recommended that Mexico take

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[6] https://mexiconewsdaily.com/news/senate-approves-new-law-prohibiting-corporal-punishment-against-children/
[7] https://mexiconewsdaily.com/news/lower-house-approves-law-prohibiting-corporal-punishment-of-children/
[8] See https://congresoqroo.gob.mx/iniciativas/, accessed 13 August 2018
[9] See http://oaxacapolitico.com/oaxaca/politica/busca-diputada-oaxaquena-prohibir-y-sancionar-castigo-corporal-en-infantes, accessed 13 August 2018
[10] September 2019, Proposed Recommendations of the National Human Rights Commission of Mexico (CNDH) for the consideration of the UN Human Rights Committee for the review of Mexico's sixth report, paras. 31, 32, 33 and 34

“necessary legislative measures, at the federal and local levels, to prohibit punishment against children and adolescents” as well as awareness programs for fathers, mothers and caregivers on the negative impact of corporal punishment.

Alternative care settings

Corporal punishment is unlawful in institutional forms of care under article 105 of the General Law on the Rights of Children and Adolescents 2014, which establishes the obligations of “directors and staff of health, social assistance, academic, sports, religious or other institutions” to “refrain from any form of violence, abuse, prejudice, aggression, damage, abuse, harassment and exploitation” and of “those who have dealings with children and adolescents to refrain from any violence against them, including corporal punishment” (unofficial translation). We have yet to confirm that these obligations extend to informal alternative care settings (e.g. private foster care arrangements) and that they are not undermined by the “right of correction” of those with parental authority (see under “Home”).

Day care

Corporal punishment is unlawful in institutional day care under article 105 of the General Law on the Rights of Children and Adolescents 2014, which establishes the obligations of “directors and staff of health, social assistance, academic, sports, religious or other institutions” to “refrain from any form of violence, abuse, prejudice, aggression, damage, abuse, harassment and exploitation” and of “those who have dealings with children and adolescents to refrain from any violence against them, including corporal punishment” (unofficial translation). We have yet to confirm that these obligations extend to informal day care arrangement (e.g. childminding) and that they are not undermined by the “right of correction” of those with parental authority (see under “Home”).

The Childcare Services Law 2011 states that providers of childcare services must “ensure the recognition of the dignity of children, the creation of the necessary conditions of respect, protection and full exercise of their rights” (art. 19, unofficial translation) but it does not explicitly prohibit corporal punishment.

Schools

Corporal punishment is unlawful in schools. Article 57 of the General Law on the Rights of Children and Adolescents 2014 states that authorities must establish mechanisms to prevent violence against children in schools, prepare protocols on school violence for staff and those exercising parental authority, ensure that “school discipline is administered in a manner compatible with human dignity, preventing the imposition of disciplinary measures that are not previously established, contrary to human dignity or threaten the life or physical or mental integrity of children and adolescents” and “eradicate discriminatory or exclusionary pedagogical practices that violate human dignity or integrity, especially humiliating and degrading treatment” (unofficial translation). It also refers to those exercising parental authority in education in relation to article 103 of the Law, which provides for the duty to create “an emotional, caring and non-violent environment”, to “protect against all forms of violence” and to “refrain from any attack on [children’s] physical and mental integrity”.

Article 263(IX) of the National Law for a Comprehensive Juvenile Justice System 2016 puts an obligation on educational institutions to eliminate “severe disciplinary measures, in particular corporal punishment” (unofficial translation), as part of the social prevention of violence and crime.

The federal General Law on Education 1993 states that in educating children “measures will be taken that ensure the learner the protection and care necessary to preserve their physical, psychological and social integrity on the basis of respect for their dignity, and that the implementation of school discipline is compatible with their age” (art. 42). Similar provisions are found in state education laws (e.g. Hidalgo Law on Education 2011, Nayarit Law on Protection of the Rights of Children and Adolescents 2005, Michoacan de Ocampo Law on the Rights of Children and Adolescents 2011).

Penal institutions

Corporal punishment is unlawful as a disciplinary measure in penal institutions under the National Law for a Comprehensive Juvenile Justice System 2016, which repealed the federal Law for the Treatment of Juvenile Offenders 1991 as well as the provisions on juvenile justice in the various state laws. Article 15 of the Law explicitly prohibits "corporal punishment, imprisonment in a dark cell, and solitary confinement, as well as any other penalties or disciplinary measures contrary to the human rights of the adolescent person" (unofficial translation). Juveniles' right to protection from corporal punishment and any "kind of measure that violates their rights or jeopardizes their physical or mental health" (unofficial translation) is also recognised in article 46(V).

The Federal Justice for Adolescents Act was promulgated in 2012 and comes into force in December 2014: it explicitly prohibits corporal punishment of children (art. 11). A new Code of Criminal Procedure was adopted in March 2014.

Sentence for crime

The federal Constitution 1917 explicitly prohibits corporal punishment (art. 22): "Punishment by mutilation and infamy, branding, flogging, beating with sticks, torture of any kind, excessive fines, confiscation of property and any other unusual or extreme penalties are prohibited." There is no provision for judicial corporal punishment in federal or state criminal laws.

Universal Periodic Review of Mexico's human rights record

Mexico was examined in the first cycle of the Universal Periodic Review process in 2009 (session 4). The following recommendations were made and were accepted by the Government:[11]

> "Curb prevalence of corporal punishment on children, in keeping with Mexico's international advocacy against such offences (Bangladesh), and take measures to ensure that children are fully protected from corporal punishment and other forms of violence or exploitation (Sweden)"

The second cycle UPR took place in 2013 (session 17). During the review, the Government was asked about its actions taken regarding the prohibition of corporal punishment[12] but there is no record of any response. No recommendations were made specifically on corporal punishment, but the following recommendations relevant to prohibition of corporal punishment were made and were accepted by the Government:[13]

> "To always protect the rights of children (Djibouti)
>
> "Continue its promotion of legislation and actions aimed at eliminating discrimination and strengthening the protection of the rights of disadvantaged groups such as women, children and indigenous peoples (China);
>
> "Set up a comprehensive system to protect children's rights and develop a national strategy to prevent and address all forms of violence (Iran (Islamic Republic of));
>
> "Continue its efforts to ensure the protection of children's rights, including by fully implementing the 2012 federal justice for adolescents act and considering implementing of restorative justice system (Indonesia)"

The Government stated that it "is determined to build a society of rights, convinced that this is an unavoidable duty of any democratic State".[14]

Third cycle examination took place in 2018 (session 31). The following recommendations were made:[15]

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[11] 29 May 2009, A/HRC/11/27, Report of the working group, para. 93(30)
[12] 11 December 2013, A/HRC/25/7, Report of the working group, para. 129
[13] 11 December 2013, A/HRC/25/7, Report of the working group, paras. 148(37), 148(41), 148(81) and 148(110); 14 March 2014, A/HRC/25/7/Add.1, Report of the working group: Addendum, paras. 16, 20, 33 and 42
[14] 27 March 2014, A/HRC/25/2 Advance Unedited Version, Draft report of the Human Rights Council on its twenty-fifth session, para. 325
[15] 27 December 2018, A/HRC/40/8, Report of the Working Group, paras. 132(226) and 132(234)

"Prohibit corporal punishment of children in the General Act on the Rights of Children and Adolescents and the civil and family codes of the 32 federative entities (Hungary);

"Strengthen efforts to prohibit corporal and psychological punishment of children (Syrian Arab Republic)"

The Government supported the recommendations.[16]

Recommendations by human rights treaty bodies

Committee on the Rights of the Child

(16 September 2024, CRC/C/MEX/CO/6-7, Advance unedited version, Concluding observations on sixth/seventh report, para. 28)

"Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee urges the State party to:
a) Ensure that corporal punishment of children is prohibited in all settings, including home, schools or educational institutions, day cares, penal and alternative care facilities;
b) Expedite the amendments related to prohibition of corporal and humiliating punishment in all states in order for the General Act on the Rights of Children and Adolescents to come into effect;
c) Repeal the parental authorities' "right to correct" from Article 423 of the Federal Civil Code 1928, which contradicts the provisions banning corporal punishment;
d) Conduct awareness-raising campaigns for parents and professionals working with and for children to promote behavioural change, within the family and the community, with regard to corporal punishment and promote positive parenting."

Committee on the Rights of the Child

(8 June 2015, CRC/C/MEX/CO/4-5 Advance Unedited Version, Concluding observations on fourth/fifth report, paras. 31 and 32)

"While welcoming the GARCA provisions providing for the adoption of legislation and policy, at federal and state levels, to prevent, address and sanction violence against children, the Committee is concerned about the effective implementation of these provisions and that extensive impunity prevails for violence against children. It is also particularly concerned about:

a) the prevalence of torture and other cruel or degrading treatment or punishment of children, particularly migrant children, children in street situations, children in police custody and detention;

b) the high incidence of corporal punishment of children, domestic violence and gender-based violence and the lack of access to justice for child victims....

"In the light of its general comments No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee urges the State party to adopt, at federal and state level, comprehensive laws and policies to prevent and sanction all forms of violence and protect and assist child victims. The State party should also: ...

b) ensure that corporal punishment in all settings is explicitly prohibited at federal and state level and the 'right to correct' repealed from the federal and state civil codes. The State party should also raise awareness of positive, non-violent and participatory forms of child-rearing...."

Committee on the Rights of the Child

(7 April 2011, CRC/C/OPAC/MEX/CO/1, Concluding observations on initial report (OPAC), para. 18)

[16] 12 February 2019, A/HRC/40/8/Add.1 Advance version, Report of the Working Group: Addendum

“The Committee recommends that the State party:...

d) prohibit corporal punishment, taking into account the Committee’s general comment no. 8 (2007) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment....”

Committee on the Rights of the Child

(8 June 2006, CRC/C/MEX/CO/3, Concluding observations on third report, paras. 35, 36, 72 and 73)

“The Committee is deeply concerned about the fact that corporal punishment is still lawful in the home, and is not explicitly prohibited in the schools, in penal institutions and in alternative care settings. It is further concerned that children have limited protection from violence and abuse under the law, and consequently that corporal punishment is widely used within the family, and in schools and other institutions.

“The Committee recommends that the State party, taking into account its general comment No. 8 (2006) on the Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment:

a) amend all relevant federal and state laws to ensure that corporal punishment is explicitly prohibited in all settings, including the family, schools, penal institutions, and alternative care settings, and ensure the effective implementation of these laws;

b) take effective measures, including through public awareness campaigns, to promote alternative, positive, participatory and non-violent forms of discipline.

“While welcoming the measures taken to encourage indigenous children to attend schools, the Committee remains deeply concerned at the limited enjoyment of rights by indigenous children, especially indigenous migrant workers....

“The Committee recommends that the State party take all necessary measures to protect the rights of indigenous children against discrimination and to guarantee their enjoyment of the rights enshrined in domestic law and in the Convention. The Committee further recommends that the State party provide indigenous communities in their own language as well as in a child-friendly format, with sufficient information regarding ... child abuse and neglect, including corporal punishment....”

Committee on the Rights of the Child

(10 November 1999, CRC/C/15/Add.112, Concluding observations on second report, para. 25)

“... Concern is also expressed that domestic legislation, at both the federal and state levels, does not explicitly prohibit the use of corporal punishment in schools. In the light of, inter alia, articles 19 and 39 of the Convention, the Committee recommends that the State party continue taking effective measures, including setting up multidisciplinary treatment and rehabilitation programmes, to prevent and combat child abuse and ill-treatment of children within the family, at school and in society at large. It suggests that law enforcement should be strengthened with respect to such crimes, that adequate procedures and mechanisms to deal effectively with complaints of child abuse should be reinforced in order to provide children with prompt access to justice and that the use of corporal punishment at home, in schools and other institutions, be explicitly prohibited by law. Furthermore, educational programmes should be established to combat traditional attitudes within society regarding this issue. The Committee encourages the State party to consider seeking international cooperation to this effect from, inter alia, UNICEF and international non-governmental organizations.”

Prevalence/attitudinal research in the last ten years

Research conducted in 2015 as part of UNICEF’s Multiple Indicator Cluster Surveys (MICS) programme, found on average 63% of 1-14 year-old children experienced some form of violent discipline (psychological aggression and/or physical punishment) in the month prior to the survey. On average 53% of children experienced psychological aggression, 38% physical punishment and 6% severe

physical punishment (hit or slapped on the face, head or ears, or hit repeatedly). Only 31% of children experienced only non-violent forms of discipline.

(Instituto Nacional de Salud Pública & UNICEF México (2016), Encuesta Nacional de Niños, Niñas y Mujeres en México 2015 - Encuesta de Indicadores Múltiples por Conglomerados 2015, Resultados Principales, Ciudad de México, México: Instituto Nacional de Salud Pública & UNICEF México)

A 2012 study of men's childhood experiences of violence in Brazil, Chile, Croatia, India, Mexico and Rwanda, which involved men aged 18-59 living in urban settings, found a high prevalence of corporal punishment in all six countries. In Mexico, of the 982 men who participated, 26% reported having been spanked or slapped by a parent in the home during childhood, 16% threatened with physical punishment in the home and 16% humiliated by someone in their family in front of other people; 67% reported having been beaten or physically punished at school by a teacher. Men who had experienced violence, including corporal punishment, during childhood, were more likely to perpetrate intimate partner violence, hold inequitable gender attitudes, be involved in fights outside the home or robberies, pay for sex and experience low self-esteem and depression, and were less likely to participate in domestic duties, communicate openly with their partners, attend pre-natal visits when their partner is pregnant and/or take paternity leave.

(Contreras, M. et al (2012), Bridges to Adulthood: Understanding the Lifelong Influence of Men's Childhood Experiences of Violence, Analyzing Data from the International Men and Gender Equality Survey, Washington DC: International Center for Research on Women (ICRW) and Rio de Janeiro: Instituto Promundo)

A report on institutions including psychiatric hospitals and shelters in Mexico found that children and adults with disabilities are kept in permanent restraints, and that this constitutes cruel, inhuman or degrading treatment or punishment and sometimes torture.

(Rosenthal, E. et al (2010), Abandoned & Disappeared: Mexico's Segregation and Abuse of Children and Adults with Disabilities, Disability Rights International & Comisión Mexicana de Defensa y Promoción de los Derechos Humanos)

End Corporal Punishment acts as a catalyst for progress towards universal prohibition and elimination of corporal punishment of children. We support and analyse national progress, monitor legality and implementation worldwide, partner with organisations at all levels, and engage with human rights treaty body systems. End Corporal Punishment is hosted by the World Health Organization and supported by a multi-partner Advisory Committee.