



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

Global progress towards prohibiting all corporal punishment

Prepared by the Global Initiative to End All Corporal Punishment of Children
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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 February 2010, 25 states plus the interim government of Southern Sudan have achieved full prohibition, where all corporal punishment of children is unlawful, including by parents within the family home. In at least a further 24, governments have made a commitment to enacting full prohibition and/or draft legislation which would achieve full prohibition is under consideration in parliament.

With the exception of alternative care settings, which include 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: 107 have prohibited it in schools, at least 150 have prohibited it as a sentence of the courts and 109 as a disciplinary measure in penal institutions.

But the following table also indicates the work still to be done to ensure children’s rights to equality under the law and to legal protection from all forms of corporal punishment are fully met. Prohibition is still to be achieved in the home in 172 states, in schools in 90 states, as a sentence of the courts in at least 43 states, as a disciplinary measure in penal institutions in at least 78 states, and in all alternative care settings in at least 158 states.

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 or email info@endcorporalpunishment.org.

Summary of progress towards prohibition of all corporal punishment of children					
	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Prohibited	25	107	150	109	36
Not prohibited¹	172	90	43	78	158
Legality unknown	-	-	4	10	3

Please note: The following information has been compiled from many sources, including reports to and by the United Nations human rights treaty bodies. Information in square brackets is unconfirmed. We are very grateful to government officials, UNICEF and other UN agencies, NGOs and human rights institutions, and many individuals who have helped to provide and check information. Please let us know if you believe any of the information to be incorrect: info@endcorporalpunishment.org.

¹ This includes SOME entries. A state is only counted as YES when the prohibition applies to all types of setting within each category, e.g. for schools including public, private, etc.

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 ²	YES	YES	YES	YES
Bulgaria	YES ³	YES	YES	YES	YES
Costa Rica	YES ⁴	YES	YES	YES	YES
Croatia	YES ⁵	YES	YES	YES	YES
Cyprus	YES ⁶	YES	YES	YES	YES
Denmark	YES ⁷	YES	YES	YES	YES
Finland	YES ⁸	YES	YES	YES	YES
Germany	YES ⁹	YES	YES	YES	YES
Greece	YES ¹⁰	YES	YES	YES	YES
Hungary	YES ¹¹	YES	YES	YES	YES
Iceland	YES ¹²	YES	YES	YES	YES
Israel	YES ¹³	YES	YES	YES	YES
Latvia	YES ¹⁴	YES	YES	YES	YES
Luxembourg	YES ¹⁵	YES	YES	YES	YES
Netherlands	YES ¹⁶	YES	YES	YES	YES
New Zealand	YES ¹⁷	YES	YES	YES	YES
Norway	YES ¹⁸	YES	YES	YES	YES
Portugal	YES ¹⁹	YES	YES	YES	YES
Republic of Moldova	YES ²⁰	YES	YES	YES	YES
Romania	YES ²¹	YES	YES	YES	YES
Spain	YES ²²	YES	YES	YES	YES
Sweden	YES ²³	YES	YES	YES	YES
Ukraine	YES ²⁴	YES	YES	YES	YES
Uruguay	YES ²⁵	YES	YES	YES	YES
Venezuela	YES ²⁶	YES	YES	YES	YES

² Prohibited in 1989 by section 146a of General Civil Code

³ Prohibited in 2000 Child Protection Act (amended 2003) and 2003 Regulation on the Implementation of the Child Protection Act

⁴ Prohibited in 2008 amendments to the Code on Children and Adolescents and the Family Code

⁵ Prohibited explicitly in 1998 Family Act, replaced by 2003 Family Act

⁶ 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

⁷ Prohibited in 1997 amendment to 1995 Parental Custody and Care Act

⁸ Prohibited in 1983 Child Custody and Right of Access Act

⁹ Prohibited in 2000 amendment to Civil Code

¹⁰ Prohibited in 2006 Law 3500/2006 on the Combating of Intra-family Violence

¹¹ Prohibited in 2004 amendment to Hungarian Child Protection Act

¹² Prohibited in 2003 Children's Act

¹³ 2000 Supreme Court ruled against all violence in childrearing; "reasonable chastisement" defence removed from legislation in same year

¹⁴ Prohibited in 1998 Children's Rights Protection Law

¹⁵ Prohibited in 2008 Law on Children and the Family

¹⁶ Prohibited in 2007 amendment to the Civil Code

¹⁷ Prohibited in 2007 Crimes (Substituted Section 59) Amendment Act

¹⁸ Prohibited in 1987 amendment to 1981 Parent and Child Act; but Supreme Court decision 30 November 2005 interprets Penal Code as allowing "lighter smacks"; government is reviewing this provision proposals to clarify the prohibition under discussion (January 2009)

¹⁹ Prohibited in 2007 amendment to Penal Code

²⁰ Prohibited in 2008 amendments to the Family Code

²¹ Prohibited in 2004 Law on Protection and Promotion of the Rights of the Child

²² Prohibited in 2007 amendment to Civil Code

²³ Prohibited in 1979 amendment to Parenthood and Guardianship Code

²⁴ Prohibited in 2003 Family Code

²⁵ Prohibited in 2007 amendments to Civil Code and Children and Adolescents Code

Prohibition under autonomous government within state					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Sudan (Southern)	YES ²⁷	YES	YES	YES	YES

Prohibition by Supreme Court ruling					
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 ²⁸	YES	YES	YES	YES
Nepal ²⁹	NO ³⁰	NO ³¹	SOME ³²	NO ³³	NO ³⁴

States committed to full prohibition					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Afghanistan ³⁵	NO	YES	YES	NO ³⁶	NO
Bangladesh ³⁷	NO	NO ³⁸	NO	NO	NO
Bhutan ³⁹	NO	NO ⁴⁰	YES	NO	NO
Brazil ⁴¹	NO	NO	YES	NO	NO
Czech Republic ⁴²	NO	NO	YES	YES ⁴³	NO
Estonia ⁴⁴	NO	YES ⁴⁵	YES	YES ⁴⁶	NO
Ireland ⁴⁷	NO	YES	YES	YES	SOME ⁴⁸
Lithuania ⁴⁹	NO	YES ⁵⁰	YES	YES ⁵¹	NO

²⁶ Prohibited in 2007 amendment to Law for the Protection of Children and Adolescents

²⁷ Prohibited in 2005 Interim Constitution and 2008 Child Act

²⁸ 1996 Supreme Court ruling prohibited all violence in childrearing, but as at May 2009 not confirmed in legislation

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

³⁰ 2005 Supreme Court ruling removed legal defence available to parents, guardians and teachers

³¹ Draft legislation would prohibit (May 2008). See also previous note

³² Prohibited in state laws, but permitted in Maoist courts

³³ See note 29

³⁴ See note 29

³⁵ 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

³⁶ Children's Rehabilitation Centre policy states that corporal punishment should not be used, but no prohibition in law; as at September 2005 Regulations for the Children's Rehabilitation Centre under discussion

³⁷ 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

³⁸ Ministerial directives advise against use, but no prohibition in law

³⁹ 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

⁴⁰ Code of Conduct and ministerial directive state that corporal punishment should not be used but no prohibition in law

⁴¹ Draft legislation which would have prohibited in all settings was dropped in 2008; a major new campaign is to be launched in December 2009

⁴² Government committed to prohibition; as at March 2008, prohibition due to be considered by the Government Council for Human Rights

⁴³ But no explicit prohibition

⁴⁴ Government committed to prohibition and draft legislation which would prohibit in all settings is due to be submitted to parliament during 2009

⁴⁵ But no explicit prohibition

⁴⁶ But no explicit prohibition

⁴⁷ Government has stated long-term commitment to prohibition but given no indication of timing

⁴⁸ Prohibited in pre-school settings except for childminders caring for children of relatives, children of same family or up to three children from different families; guidance advises against its use in foster care and residential care services but there is no prohibition in legislation

⁴⁹ Government stated its intention to introduce prohibition in law during January 2006 examination by the Committee on the Rights of the Child; draft legislation under discussion (2009)

States committed to full prohibition (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Maldives ⁵²	NO ⁵³	NO ⁵⁴	NO ⁵⁵	NO ⁵⁶	NO ⁵⁷
Pakistan ⁵⁸	NO	SOME ⁵⁹	SOME ⁶⁰	NO ⁶¹	NO
Peru ⁶²	NO	NO ⁶³	YES	NO	NO
Poland ⁶⁴	NO ⁶⁵	YES	YES	YES	YES ⁶⁶
Serbia ⁶⁷	NO	YES	YES	YES	NO
Slovakia ⁶⁸	NO	YES ⁶⁹	YES	YES	YES
Slovenia ⁷⁰	NO	YES	YES	YES	SOME ⁷¹
Sri Lanka ⁷²	NO	NO ⁷³	YES	SOME ⁷⁴	NO
Taiwan ⁷⁵	NO	YES	YES	YES	NO ⁷⁶

Legal reform in progress but no explicit commitment to full prohibition

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Canada ⁷⁷	NO	YES ⁷⁸	YES	YES	SOME ⁷⁹

⁵⁰ But no explicit prohibition

⁵¹ But no explicit prohibition

⁵² Commitment to prohibition in all settings, including the home, made at July 2006 meeting of the South Asia Forum, following 2005 regional consultation of the UN Secretary General’s Study on Violence against Children, but Government has also stated commitment to retaining corporal punishment under Islamic law (2006)

⁵³ Draft Penal Code introduces justification of the use of force by parents, teachers and others for purposes of prevention and punishment of misconduct

⁵⁴ Ministry of Education advises against the use of corporal punishment but there is no explicit prohibition in legislation and draft Penal Code would introduce a justification for the use of corporal punishment by teachers (see previous note)

⁵⁵ Draft Penal Code authorises judicial corporal punishment

⁵⁶ See note 52

⁵⁷ See note 52

⁵⁸ Commitment to prohibition in all settings, including the home, made at July 2006 meeting of the South Asia Forum, following 2005 regional consultation of the UN Secretary General’s Study on Violence against Children; as at October 2009, draft legislation which would prohibit under discussion

⁵⁹ Directives in North West Frontier, Punjab and Sindh Provinces state that corporal punishment should not be used, but no prohibition in law

⁶⁰ Prohibited in 2000 Juvenile Justice System Ordinance but this not applicable in all areas

⁶¹ See previous note

⁶² Congress has pledged all party support for prohibition (December 2007), and legislation which would prohibit in all settings under discussion (2009)

⁶³ Decree states that corporal punishment should not be used but no explicit prohibition in legislation

⁶⁴ Commitment confirmed to Council of Europe Commissioner for Human Rights (June 2008); government has proposed draft legislation which was expected to be discussed by the Cabinet in January 2009

⁶⁵ Prohibited in 1997 Constitution, but not confirmed in law

⁶⁶ Prohibition in private institutions unconfirmed

⁶⁷ Government has stated commitment to prohibition (December 2007)

⁶⁸ Government stated commitment to full prohibition in 2005, expected to be included in new Family Code for public debate January/February 2007

⁶⁹ But no explicit prohibition

⁷⁰ Government stated intention to explicitly prohibit in the home during 2004 drafting of domestic violence law; Family Law Bill which would prohibit in the home under discussion (2009)

⁷¹ Prohibited in day care centres and residential schools

⁷² 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

⁷³ Ministerial circular states that corporal punishment should not be used but no prohibition in law

⁷⁴ Prohibited in prisons, but lawful in other penal institutions

⁷⁵ Government stated commitment to prohibition in August 2005

⁷⁶ But law prohibiting in schools possibly applies to day care centres and cram schools

⁷⁷ Bill S-209 which would repeal section 43 of the Criminal Code allowing the use of force “by way of correction” was introduced to Parliament in January 2009 and in June 2009 was referred to the Senate Standing Committee on Legal and Constitutional Affairs; 2004 Supreme Court ruling upheld parents’ right to administer corporal punishment to children aged

Legal reform in progress but no explicit commitment to full prohibition (ctd)					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Mongolia	NO ⁸⁰	YES	YES	NO	NO ⁸¹
Nicaragua ⁸²	NO	YES	YES	YES	NO
Philippines ⁸³	NO	YES	YES	YES	SOME ⁸⁴
South Africa ⁸⁵	NO	YES	YES	[NO] ⁸⁶	NO ⁸⁷

Others – prohibition incomplete and no commitment to reform					
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 ⁸⁸	NO
Algeria	NO	YES	YES	[NO]	NO
Andorra	NO	YES ⁸⁹	YES	YES	NO
Angola	NO	YES	YES ⁹⁰	NO	NO
Antigua & Barbuda	NO	NO	NO ⁹¹	NO	NO
Argentina	NO	NO	YES	NO ⁹²	NO
Armenia	NO	YES	YES	YES	NO
Australia	NO ⁹³	SOME ⁹⁴	YES	SOME ⁹⁵	SOME ⁹⁶
Azerbaijan	NO	YES	YES	YES	NO
Bahamas	NO	NO	YES	[YES]	NO
Bahrain	NO	YES	YES	???	NO
Barbados	NO	NO	NO	NO	[SOME ⁹⁷]

2-12 years, but not using objects and not involving slaps or blows to the head; Senate Standing Committee on Human Rights recommended repeal of the defence by 2009

⁷⁸ 2004 Supreme Court ruling limited use of force by teachers to restraint and removal and excluded corporal punishment; as at October 2009, this not confirmed in legislation relating to private schools, or to any schools in Alberta and Manitoba; Alberta Minister for Education has stated prohibition will be considered when Education Act is reviewed

⁷⁹ Prohibited in state provided care in Alberta, British Columbia and Manitoba; in Ontario prohibited in provincially-licensed childcare programmes and foster homes and for all children receiving services from a child protection agency or other service provider licensed or approved by the province; in Quebec no right of correction under the Civil Code but right of correction in Federal Criminal Code applies

⁸⁰ Draft amendments to the Family Law to prohibit corporal punishment in the family and care institutions under discussion (2010)

⁸¹ See previous note

⁸² As at October 2009, proposals had been submitted to prohibit all corporal punishment in the draft Family Code

⁸³ Anti-Corporal Punishment Bill which would prohibit in all settings is under discussion (October 2009)

⁸⁴ Prohibited in residential institutions and day care centres

⁸⁵ Efforts to prohibit corporal punishment by parents through the legislature failed in 2007; a national advocacy campaign continues to promote law reform

⁸⁶ Corporal punishment was prohibited in industry and reform schools in regulations under the 1983 Child Care Act but these were possibly repealed when the 2005 Children's Act came into force

⁸⁷ Corporal punishment was prohibited in foster care and child care facilities in regulations under the 1983 Child Care Act but these were repealed when the 2005 Children's Act came into force; draft Regulations under the new Children's Act include explicit prohibition in foster care and child and youth care centres (2008)

⁸⁸ But no explicit prohibition

⁸⁹ No explicit prohibition, but education law and regulations recognise dignity of the child

⁹⁰ Prohibited for persons under 16 years; prohibition for 16 and 17 year olds unconfirmed

⁹¹ But provisions allowing whipping of a child in the Magistrate Code of Procedure were repealed in 2004

⁹² Draft juvenile justice bill (Bill 6789-D-05) which would prohibit corporal punishment under discussion (2007)

⁹³ In 2003, Law Reform Institute in Tasmania recommended abolition of reasonable correction defence from criminal and civil law but as at October 2009, no changes in the law had been made; 2002 law in New South Wales prohibits force to head or neck of child and to any part of the body where likely to cause harm lasting more than a short period

⁹⁴ Prohibited in Australian Capital Territory, New South Wales, Tasmania and Victoria; South Australian government has proposed prohibition in a bill to be introduced into Parliament by the end of 2009

⁹⁵ Prohibited in all states and territories except Australian Capital Territory and Western Australia

⁹⁶ Prohibited in all states and territories in child care centres except Northern Territory, Tasmania and Australian Capital Territory, and in residential centres and foster care except Northern Territory, Tasmania, Victoria, Western Australia and Australian Capital Territory

Prohibition incomplete and no commitment to reform (ctd)					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Belarus	NO	YES ⁹⁸	YES	YES ⁹⁹	SOME ¹⁰⁰
Belgium	NO	YES ¹⁰¹	YES	YES	SOME ¹⁰²
Belize	NO	NO ¹⁰³	YES	SOME ¹⁰⁴	SOME ¹⁰⁵
Benin	NO	NO ¹⁰⁶	YES	[YES]	NO
Bolivia	NO ¹⁰⁷	NO ¹⁰⁸	SOME ¹⁰⁹	NO ¹¹⁰	NO ¹¹¹
Bosnia & Herzegovina	NO	YES ¹¹²	YES	YES	NO
Botswana	NO	NO	NO ¹¹³	NO	NO
Brunei Darussalam	NO	NO	NO	NO	NO
Burkina Faso	NO	YES	YES	YES ¹¹⁴	SOME ¹¹⁵
Burundi	NO	NO	YES	NO	NO
Cambodia	NO	YES	YES	YES	NO ¹¹⁶
Cameroon	NO	YES	YES	[YES]	NO
Cape Verde	NO	NO ¹¹⁷	YES	NO	[YES]
Central African Rep.	NO	NO	???	???	NO
Chad	NO	YES	YES	NO	NO
Chile	NO	NO ¹¹⁸	YES	YES	NO
China	NO ¹¹⁹	YES	YES	YES	NO
Colombia	NO	NO ¹²⁰	SOME ¹²¹	NO ¹²²	NO
Comoros	NO	NO	[YES] ¹²³	NO	NO
Congo, Republic of	NO	[YES]	YES	NO	NO
Cook Islands	NO	NO ¹²⁴	YES	NO	NO
Cote d'Ivoire	NO	NO ¹²⁵	YES	YES ¹²⁶	NO
Cuba	NO	NO	YES	NO	NO
DPR Korea	NO	NO ¹²⁷	YES ¹²⁸	[YES]	NO

⁹⁷ 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

⁹⁸ But no explicit prohibition

⁹⁹ But no explicit prohibition

¹⁰⁰ Considered unlawful in boarding institutions, but there is no explicit prohibition; not prohibited in foster care

¹⁰¹ But no explicit prohibition

¹⁰² Prohibited in institutions and foster care by decrees in some communities; not prohibited in non-institutional childcare

¹⁰³ Draft Education Rules which would prohibit in state schools under discussion (October 2009)

¹⁰⁴ Prohibited in "Youth Hostel" detention centre but lawful in prisons and by law enforcement officials

¹⁰⁵ Prohibited in residential care facilities and in day care centres

¹⁰⁶ Government circular advises against the use of corporal punishment in formal education, but no prohibition in law

¹⁰⁷ Legislation prohibits only corporal punishment which is considered harmful

¹⁰⁸ See previous note

¹⁰⁹ Prohibited in state laws, but lawful in indigenous and tribal justice systems

¹¹⁰ See note 106

¹¹¹ See note 106

¹¹² No explicit prohibition, but unlawful under child protection laws

¹¹³ Children's Bill (2008) would make judicial corporal punishment of children unlawful but this would not apply to customary courts

¹¹⁴ But possibly no explicit prohibition

¹¹⁵ Prohibited in institutions; not prohibited in foster care

¹¹⁶ Minimum standards state that corporal punishment should not be used, but no prohibition in legislation

¹¹⁷ Ministry of Education guidelines advise against the use of corporal punishment, but no prohibition in law

¹¹⁸ Legislation prohibits only corporal punishment resulting in injury

¹¹⁹ But corporal punishment of the female child is prohibited in the Shenzhen Special Economic Zone

¹²⁰ Legislation prohibits only corporal punishment resulting in injury

¹²¹ Prohibited in laws of the Republic, but under Constitutional case law permitted among indigenous Indian communities

¹²² See note 119

¹²³ Possibly lawful under Shari'a law and in traditional justice systems

¹²⁴ Education bill 2009 would prohibit

¹²⁵ Ministerial circular states that corporal punishment should not be used, but no prohibition in law

¹²⁶ But no explicit prohibition

Prohibition incomplete and no commitment to reform (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
DR Congo	NO	YES	YES	NO	NO
Djibouti	NO	[YES]	[YES]	NO	NO
Dominica	NO	NO	NO	NO	NO
Dominican Republic	NO	YES	YES	[YES]	NO
Ecuador	NO	YES	SOME ¹²⁹	YES	SOME ¹³⁰
Egypt	NO	YES	YES	YES ¹³¹	NO
El Salvador	NO	YES	YES	YES	NO
Equatorial Guinea	NO	NO	???	???	NO
Eritrea	NO	NO ¹³²	NO ¹³³	???	NO
Ethiopia	NO	YES	YES	YES	SOME ¹³⁴
Fiji	NO ¹³⁵	YES ¹³⁶	YES	YES	NO
France	NO	NO ¹³⁷	YES	YES ¹³⁸	NO
Gabon	NO	YES	???	???	NO
Gambia	NO	NO	YES	NO	NO
Georgia	NO ¹³⁹	YES ¹⁴⁰	YES	YES	SOME ¹⁴¹
Ghana	NO	NO ¹⁴²	YES	NO	NO
Grenada	NO	NO	NO	NO	SOME ¹⁴³
Guatemala	NO	NO	SOME ¹⁴⁴	[YES]	NO
Guinea	NO	YES	[NO]	???	NO
Guinea-Bissau	NO	YES	YES	[YES]	???
Guyana	NO	NO	NO	NO	NO
Haiti	NO ¹⁴⁵	YES	YES	YES	YES
Honduras	NO	YES	YES	[YES]	NO
India ¹⁴⁶	NO	YES	SOME ¹⁴⁷	SOME ¹⁴⁸	NO
Indonesia	NO	NO	SOME ¹⁴⁹	NO	NO

¹²⁷ Policy states that corporal punishment should not be used, but no prohibition in law; possibly prohibited in the Education Law (2005)

¹²⁸ But corporal punishment is possibly an element of “public education” sanctions

¹²⁹ Prohibited in state law but permitted under traditional law in indigenous communities; draft law for indigenous justice under discussion (2005)

¹³⁰ Prohibited in institutions but lawful in other childcare settings

¹³¹ But possibly permitted in social welfare institutions

¹³² Policy states that corporal punishment should not be used, but no prohibition in law

¹³³ Lawful under Transitional Penal Code but prohibited in Draft Penal Code

¹³⁴ Prohibited in institutions by Constitution, but “reasonable chastisement” defence available

¹³⁵ In 2006, the prime minister and other high level offices called for prohibition, but as at October 2009 legal reform had not progressed

¹³⁶ Ruled unconstitutional in 2002 High Court ruling, but as at October 2009 legislation not amended

¹³⁷ 1889 High Court ruling allowed “right to correction” for teachers; 2000 ruling stated that habitual and non-educational corporal punishment not covered by this

¹³⁸ But no explicit prohibition

¹³⁹ In 2000 under examination by the Committee on the Rights of the Child government stated intention to prohibit in the family, and response to governmental questionnaire of the UN Secretary General’s Study on Violence against Children indicated all corporal punishment is prohibited, but no explicit prohibition in legislation

¹⁴⁰ But no explicit prohibition

¹⁴¹ Prohibited in institutional care establishments

¹⁴² Ministerial directive advises against the use of corporal punishment (information unconfirmed), but no prohibition in law

¹⁴³ Prohibited in child care homes by licensing requirements

¹⁴⁴ Unlawful in state laws but permitted in traditional justice systems

¹⁴⁵ Possibly prohibited by 2001 law, but no unequivocal confirmation

¹⁴⁶ Government has committed to prohibition in schools and other settings outside the home; 2003 National Charter for Children recognises children’s right to protection from corporal punishment

¹⁴⁷ Prohibited in state laws, but used in traditional justice systems

¹⁴⁸ Prohibited under the Juvenile Justice (Care and Protection of Children) Rules (2007), but these do not apply in Jammu and Kashmir

Prohibition incomplete and no commitment to reform (ctd)					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Iran, Islamic Rep. of	NO	YES	NO	NO	NO
Iraq	NO	NO ¹⁵⁰	YES	SOME ¹⁵¹	NO
Jamaica	NO	SOME ¹⁵²	YES	YES	YES
Japan	NO ¹⁵³	YES ¹⁵⁴	YES	YES ¹⁵⁵	NO
Jordan	NO ¹⁵⁶	YES	YES	YES	[YES]
Kazakhstan	NO	SOME ¹⁵⁷	YES	YES	SOME ¹⁵⁸
Kenya	NO ¹⁵⁹	YES	YES	YES ¹⁶⁰	NO ¹⁶¹
Kiribati	NO	YES ¹⁶²	NO ¹⁶³	NO	NO
Kuwait	NO	[YES]	YES ¹⁶⁴	NO	???
Kyrgyzstan	NO	YES	YES	YES	SOME ¹⁶⁵
Lao PDR	NO	YES	YES	YES ¹⁶⁶	NO
Lebanon	NO	NO ¹⁶⁷	YES	[YES]	NO
Lesotho	NO	NO ¹⁶⁸	NO ¹⁶⁹	NO	NO
Liberia	NO	NO	YES	NO	NO
Libyan Arab Jamahiriya	NO	YES	NO	???	???
Liechtenstein	NO	YES	YES	YES	SOME ¹⁷⁰
Madagascar	NO	NO	YES	NO	NO
Malawi	NO	YES ¹⁷¹	YES ¹⁷²	YES ¹⁷³	SOME ¹⁷⁴
Malaysia	NO	NO	NO ¹⁷⁵	NO ¹⁷⁶	NO
Mali	NO ¹⁷⁷	YES	YES	YES ¹⁷⁸	NO

¹⁴⁹ Prohibited in Criminal Code but permitted under Shari'a law in Aceh province and in regional regulations based on Islamic Law in other areas

¹⁵⁰ Reportedly prohibited in regulations, but Penal Code confirms right of teachers to discipline children within limits prescribed by law or custom

¹⁵¹ Prohibited in prisons and detention centres, but possibly lawful in other institutions accommodating children in conflict with the law

¹⁵² Prohibited in schools for children up to the age of 6 years; legislation to prohibit in all schools is being drafted (February 2009)

¹⁵³ But prohibited in Kawasaki City by local ordinance

¹⁵⁴ Prohibited in 1947 School Education Law but 1981 Tokyo High Court judgment stated that some physical punishment may be lawful in some circumstances

¹⁵⁵ But no explicit prohibition

¹⁵⁶ In September 2006, government stated corporal punishment by parents prohibited in new legislation, but no explicit prohibition and Penal Code allows for parental discipline within limits established by "general custom" (article 62)

¹⁵⁷ Prohibited in regular schools but not in military schools

¹⁵⁸ Prohibited in children's villages, youth homes and other institutions, but no prohibition in foster care or kinship care

¹⁵⁹ Draft legislation removing the right "to administer reasonable punishment" has been submitted to the Attorney General (April 2009)

¹⁶⁰ But some legislation still to be repealed (May 2009); see also previous note

¹⁶¹ See note 158

¹⁶² Statutory provisions allowing for corporal punishment repealed but no explicit prohibition in legislation

¹⁶³ Government committed to prohibition (2006)

¹⁶⁴ But reintroduction possibly proposed

¹⁶⁵ Prohibited in residential institutions

¹⁶⁶ But no explicit prohibition

¹⁶⁷ Government committed to law reform (2006)

¹⁶⁸ Prohibited in Education Bill (2009)

¹⁶⁹ Prohibited in the Child Protection and Welfare Bill, under discussion July 2008

¹⁷⁰ Prohibited in state alternative care settings but not in privately run alternative care settings

¹⁷¹ Considered unlawful under the Constitution, but no explicit prohibition; Government has recommended explicit prohibition in revised Education Act

¹⁷² Prohibited in Constitution, but permitted in other legislation; as at January 2009, the Penal Code Amendment Bill and the Child (Care, Protection and Justice) Bill, which would prohibit corporal punishment, under discussion

¹⁷³ See previous note

¹⁷⁴ Considered unlawful in state institutions under the Constitution but no explicit prohibition

¹⁷⁵ Government committed to prohibition (2007)

¹⁷⁶ See previous note

¹⁷⁷ Draft Family Code (2009) removes the right of correction but does not explicitly prohibit corporal punishment

Prohibition incomplete and no commitment to reform (ctd)

State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Malta	NO	YES ¹⁷⁹	YES	YES	NO
Marshall Islands	NO	YES	YES	YES	NO
Mauritania	NO	NO ¹⁸⁰	NO	NO	NO
Mauritius	NO	YES	YES	NO	NO
Mexico	NO ¹⁸¹	NO	YES	NO	NO
Micronesia, Fed. States	NO	[YES]	YES	NO	NO
Monaco	NO	YES ¹⁸²	YES	YES ¹⁸³	NO
Montenegro	NO	YES	YES	YES	NO
Morocco	NO	NO ¹⁸⁴	YES	YES	NO ¹⁸⁵
Mozambique	NO	NO ¹⁸⁶	YES	YES	NO
Myanmar	NO	NO ¹⁸⁷	YES ¹⁸⁸	NO	NO
Namibia	NO	YES ¹⁸⁹	YES ¹⁹⁰	YES ¹⁹¹	SOME ¹⁹²
Nauru	NO	[NO]	[YES]	NO	NO
Niger	NO	NO	YES	NO	NO
Nigeria	NO	NO	SOME ¹⁹³	[NO]	NO
Niue	NO	NO	YES	???	[NO]
Oman	NO	YES	???	NO	NO
Palau	NO	NO	YES	NO	NO
Palestine	NO	SOME ¹⁹⁴	NO	[YES] ¹⁹⁵	NO
Panama	NO ¹⁹⁶	NO ¹⁹⁷	YES	YES	NO ¹⁹⁸
Papua New Guinea	NO	NO ¹⁹⁹	YES	YES	SOME ²⁰⁰
Paraguay	NO	NO ²⁰¹	YES	YES	NO
Qatar	NO	NO ²⁰²	NO	NO	NO
Republic of Korea	NO	NO ²⁰³	YES	YES	[SOME] ²⁰⁴
Russian Federation	NO	YES	YES	YES	NO
Rwanda	NO	NO ²⁰⁵	YES	NO	NO

¹⁷⁸ But no explicit prohibition

¹⁷⁹ But no explicit prohibition

¹⁸⁰ Ministerial Order states that corporal punishment should not be used, but no prohibition in legislation

¹⁸¹ But “right of correction” removed from the Civil Code of the Federal Territory

¹⁸² But no explicit prohibition

¹⁸³ But no explicit prohibition

¹⁸⁴ Ministerial direction advises against the use of corporal punishment, but no prohibition in law

¹⁸⁵ No prohibition in foster care; possibly no prohibition in other alternative care settings

¹⁸⁶ Government directive advises against the use of corporal punishment, but no prohibition in law

¹⁸⁷ Government directive advises against the use of corporal punishment, but no prohibition in law

¹⁸⁸ But some legislation not amended/repealed

¹⁸⁹ Unlawful under 1991 Supreme Court ruling but legal defence available

¹⁹⁰ Unlawful under 1991 Supreme Court ruling but as at February 2010 some legislation yet to be repealed

¹⁹¹ See previous note

¹⁹² Unlawful in state institutions under 1991 Supreme Court ruling but some legislation yet to be repealed; Child Care and Protection Bill 2009 would prohibit in all settings

¹⁹³ 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

¹⁹⁴ Prohibited in UNRWA schools; in public schools, Ministerial direction advises against the use of corporal punishment, but no prohibition in law

¹⁹⁵ But some legislation not repealed

¹⁹⁶ Legislation prohibits only corporal punishment which results in injury

¹⁹⁷ See previous note

¹⁹⁸ See note 195

¹⁹⁹ Government directive advises against the use of corporal punishment, but no prohibition in law

²⁰⁰ 2007 Lukautim Pikinini (Child Welfare) Act prohibits corporal punishment of children “in the care of the Director”, but whether this covers all possible alternative care settings unconfirmed

²⁰¹ Legislation protects dignity but does not explicitly prohibit corporal punishment

²⁰² Ministerial Decree states that corporal punishment should not be used, but no explicit prohibition in legislation

²⁰³ Prohibited in draft legislation (March 2009)

²⁰⁴ Possibly prohibited in child care institutions

Prohibition incomplete and no commitment to reform (ctd)					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Saint Kitts & Nevis	NO	NO	NO	NO	NO
Saint Lucia	NO	NO	YES	NO	NO
Saint Vincent & Grenadines	NO	NO	NO	NO	NO
Samoa	NO	NO ²⁰⁶	YES	[NO]	NO
San Marino	NO ²⁰⁷	YES	YES	YES	NO
Sao Tome & Principe	NO	[YES]	SOME ²⁰⁸	???	NO
Saudi Arabia	NO	NO ²⁰⁹	NO	NO	NO
Senegal	NO	YES	YES	YES ²¹⁰	NO
Seychelles	NO	NO ²¹¹	YES	[YES]	[YES]
Sierra Leone	NO ²¹²	NO ²¹³	YES	NO	NO
Singapore	NO	NO	NO	NO	SOME ²¹⁴
Solomon Islands	NO	NO	YES	YES	NO
Somalia	NO	NO	NO ²¹⁵	NO	NO
Sudan (Northern)	NO	NO ²¹⁶	NO ²¹⁷	NO	NO
Suriname	NO	[YES]	YES	YES	NO
Swaziland	NO	NO ²¹⁸	NO ²¹⁹	NO ²²⁰	NO ²²¹
Switzerland	NO ²²²	YES ²²³	YES	YES	YES
Syrian Arab Republic	NO	NO ²²⁴	YES	???	NO
Tajikistan	NO	NO	YES	NO	NO
Thailand	NO	YES	YES ²²⁵	YES ²²⁶	NO
TFYR Macedonia	NO	YES	YES	YES	YES
Timor-Leste, DR	NO	NO ²²⁷	YES	YES	NO ²²⁸
Togo	NO ²²⁹	YES	YES	YES	YES
Tonga	NO	YES	NO	NO	NO
Trinidad & Tobago	NO	NO ²³⁰	YES	NO ²³¹	NO ²³²

²⁰⁵ Legislation in preparation (2005)

²⁰⁶ Policy states that corporal punishment should not be used, but no prohibition in law; possibly prohibited in the Education Bill (2006), as at March 2009 not in force

²⁰⁷ Government has stated Penal Code provision for “abuse of the powers of correction or discipline” (article 234) effectively prohibits corporal punishment, but no explicit prohibition in law

²⁰⁸ Prohibited for persons under the age of 17 years, but possibly lawful for those aged 17 years

²⁰⁹ Ministerial circulars advise against the use of corporal punishment, but no prohibition in law

²¹⁰ But no explicit prohibition

²¹¹ Policy states that corporal punishment should not be used, but no prohibition in law

²¹² Sierra Leone Truth and Reconciliation Commission recommended prohibition in the home and schools (2004), but 2007 Child Rights Act reaffirms right to correct

²¹³ See previous note

²¹⁴ Prohibited in child care centres

²¹⁵ Ordered by Islamic courts

²¹⁶ Prohibited in draft Child Act under discussion (May 2009)

²¹⁷ Possibly prohibited in draft Child Act under discussion (May 2009)

²¹⁸ Proposals have been made to prohibit in draft legislation (May 2008)

²¹⁹ See previous note

²²⁰ See note 217

²²¹ See note 217

²²² 2003 Federal Court ruling stated repeated and habitual corporal punishment unacceptable, but did not rule out right of parents to use corporal punishment; draft legislation to prohibit rejected by Parliament in 2008

²²³ Prohibited by federal law pursuant to cantonal legislation; 1991 Federal Court ruled it permissible in certain circumstances, but this considered impossible under current legislation

²²⁴ Ministry of Education advises against its use but no explicit prohibition in law

²²⁵ But some legislation not yet amended (May 2008)

²²⁶ See previous note

²²⁷ Government committed to prohibition (2005)

²²⁸ Policy advises against the use of corporal punishment in child care centres, orphanages and boarding houses, but no prohibition in law

²²⁹ Possibly prohibited in Children’s Code 2007

²³⁰ Prohibited by 2000 Children (Amendment) Act, as at August 2009 not in force; prohibited in 2009 Children Bill

Prohibition incomplete and no commitment to reform (ctd)					
State	Prohibited in the home	Prohibited in schools	Prohibited in penal system		Prohibited in alternative care settings
			As sentence for crime	As disciplinary measure	
Tunisia	NO	NO ²³³	YES	YES	NO
Turkey	NO	NO	YES	YES	NO
Turkmenistan	NO ²³⁴	YES	YES	YES	NO ²³⁵
Tuvalu	NO	NO	SOME ²³⁶	NO	NO
Uganda	NO ²³⁷	NO ²³⁸	YES	YES	NO ²³⁹
United Arab Emirates	NO	YES ²⁴⁰	NO	NO	NO
UK	NO ²⁴¹	YES	YES	YES ²⁴²	SOME ²⁴³
United Rep. of Tanzania	NO ²⁴⁴	NO ²⁴⁵	SOME ²⁴⁶	NO ²⁴⁷	NO ²⁴⁸
USA	NO	SOME ²⁴⁹	YES	SOME ²⁵⁰	SOME ²⁵¹
Uzbekistan	NO	YES	[YES]	YES	NO
Vanuatu	NO	YES	SOME ²⁵²	YES ²⁵³	NO
Viet Nam	NO	NO	YES	YES	NO
Western Sahara	NO	[NO]	[YES]	[YES]	[NO]
Yemen	NO ²⁵⁴	YES	NO	NO	NO ²⁵⁵
Zambia	NO	YES ²⁵⁶	YES ²⁵⁷	YES ²⁵⁸	NO ²⁵⁹
Zimbabwe	NO	NO	NO	NO	NO

²³¹ Children Bill 2009 which would prohibit under discussion (August 2009)

²³² Policy advises against the use of corporal punishment in health care and psychiatric institutions, but no prohibition in law

²³³ Ministerial circular states that corporal punishment should not be used, but no prohibition in law

²³⁴ 2002 Rights of the Child (Guarantees) Act prohibits corporal punishment considered to be harmful

²³⁵ See previous note

²³⁶ Unlawful under the Penal Code and the Code of Criminal Procedure, but Island Courts may order corporal punishment

²³⁷ Recommendations have been made to include prohibition in all settings in draft Child Law (May 2008)

²³⁸ Ministerial circular advises against the use of corporal punishment in state schools, but no prohibition in law; possibly prohibited in Education Bill (May 2008); see previous note

²³⁹ See note 236

²⁴⁰ But no explicit prohibition in relation to private schools

²⁴¹ Scotland: 2003 Criminal Justice (Scotland) Act restricts common law defence by introducing concept of “justifiable assault” of children and defining blows to head, shaking and use of implements as unjustifiable; England and Wales: 2004 Children Act maintains “reasonable punishment” defence for cases of common assault; similar provision introduced in Northern Ireland by the 2006 Law Reform (Miscellaneous Provisions) (Northern Ireland) Order

²⁴² But no explicit prohibition in secure training centres

²⁴³ Prohibited in residential care institutions and foster care arranged by local authorities or voluntary organisations, and in day care institutions and childminding in England and Wales and Scotland; guidance advises against the use of corporal punishment in day care institutions and childminding in Northern Ireland, but no prohibition in law; not prohibited in private foster care

²⁴⁴ Draft legislation which would prohibit under discussion in Zanzibar (January 2010)

²⁴⁵ See previous note

²⁴⁶ Prohibited in Zanzibar, but lawful in mainland Tanzania

²⁴⁷ See note 244

²⁴⁸ See note 244

²⁴⁹ Prohibited in public and private schools in Iowa and New Jersey, in public schools in a further 28 states and District of Columbia

²⁵⁰ Prohibited in 31 states

²⁵¹ Prohibited in all alternative care settings in 32 states and in some settings in other states and the District of Columbia

²⁵² Used in rural areas for punishment of young boys and girls found to have broken village or custom rules

²⁵³ But no explicit prohibition

²⁵⁴ Proposals have been made to restrict, but not prohibit, corporal punishment (May 2008)

²⁵⁵ See previous note

²⁵⁶ Provisions allowing corporal punishment repealed, but no explicit prohibition and legal defence available; prohibited in the draft Constitution (May 2008)

²⁵⁷ Ruled unconstitutional by Supreme Court in 1999, but as at February 2010 some legislation not amended

²⁵⁸ See previous note; prohibited in draft Constitution (May 2008)

²⁵⁹ Prohibited in institutions and possibly other care settings in draft Constitution (May 2008)