



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

## **BRIEFING ON REPUBLIC OF CONGO FOR THE COMMITTEE ON THE RIGHTS OF THE CHILD, PRESESSIONAL WORKING GROUP – June 2013**

*From Peter Newell, Coordinator, Global Initiative*

[info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)

**This briefing describes the legality of corporal punishment of children in the Republic of Congo. In light of the Committee’s General Comment No. 8 on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment” and its previous recommendations to Congo on the issue, we hope the Committee will:**

- **in its List of Issues for the Republic of Congo, raise the issue of corporal punishment of children, in particular asking what measures have been taken and are further planned to ensure that legislation prohibiting corporal punishment in all settings is fully implemented?**
- **in its concluding observations on the second to fourth report of the Republic of Congo, welcome the prohibition of corporal punishment in all settings, including the home, and recommend that all measures are taken to ensure that the prohibiting legislation is fully implemented and enforced.**

### **1 The Republic of Congo’s report to the Committee on the Rights of the Child**

1.1 The second to fourth state party report to the Committee on the Rights of the Child describes law reform in 2010 which achieved prohibition of corporal punishment in families and all settings, noting that corporal punishment had previously been prohibited in primary schools and the penal system. However, the report indicates that awareness raising and public and professional education is yet to be carried out effectively to ensure compliance with the law and change in the social acceptance of violent punishment of children.

## **2 The legality of corporal punishment of children in the Republic of Congo**

- 2.1 In the Republic of Congo, corporal punishment is prohibited in all settings, including the home. Article 53 of Law No. 4-2010 on the Protection of the Child 2010 states: “It is forbidden to use corporal punishment to discipline or correct the child.”
- 2.2 Prior to reform in 2010, corporal punishment was prohibited only in primary schools and as a sentence for crime.

## **3 Recommendations by human rights treaty bodies and during the UPR**

- 3.1 *CRC*: In 2006, the Committee on the Rights of the Child expressed concern at the legality of corporal punishment and recommended prohibition in all settings. The Committee also recommended awareness raising and educational campaigns among parents, guardians and professionals, the promotion of positive non-violent forms of discipline, measures for the prevention, recovery and reintegration of child victims, and the provision of child sensitive complaints mechanisms for children.<sup>1</sup>
- 3.2 *UPR*: The Republic of Congo was reviewed in the first cycle of the Universal Periodic Review in 2009 (session 5). No recommendations were made specifically concerning corporal punishment of children, but the Government accepted a number of recommendations concerned with strengthening protection for child rights.<sup>2</sup>

*Briefing 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)  
March 2013

---

<sup>1</sup> 20 October 2006, CRC/C/COG/CO/1, Concluding observations on initial report, paras. 37, 38 and 39

<sup>2</sup> 5 June 2009, A/HRC/12/6, Report of the working group, paras. 79(26), 79(27), 79(29), 79(30) and 79(47)