

# **Report of the Middle East & North Africa Region technical workshop: *Law reform to prohibit all forms of corporal punishment of children,* June 30 – July 2, 2010, Beirut, Lebanon**

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## **Context and summary**

This three-day workshop was held by Save the Children in partnership with the Global Initiative to End All Corporal Punishment of Children, the League of Arab States and the Higher Council for Childhood in Lebanon. Around 70 participants attended, from Governments and non-government organisations (NGOs) across the Middle East and North Africa. It was also attended by Ms Marta Santos Pais, Special Representative of the Secretary General on Violence against Children, Professor Paulo Sérgio Pinheiro, the Independent Expert who led the UN Secretary General's Study on Violence against Children, and representatives from the League of Arab States.

The workshop followed a two day meeting of the League of Arab States which focused on the region's follow-up to the UN Study on Violence against Children. It provided an opportunity for participants to focus on the recommendation of the Study to prohibit as a matter of priority all forms of corporal punishment of children in all settings. The objectives of the workshop were:

- to promote effective follow-up to the UN Secretary General's Study on Violence against Children;
- to promote the human rights imperative to prohibit all corporal punishment of children, including in the home;
- to increase knowledge about the context and process of law reform and how to achieve it, exploring the challenges; and
- to develop national strategies for pursuing law reform in each participating state.

During the first two days, attended by both Government and civil society representatives, presentations and discussions addressed the human rights imperative to prohibit all corporal

punishment, and global and regional progress to date. The key elements of law reform were described and guidance given on how to develop national strategies to achieve prohibition in all settings. There was in depth discussion about the challenges faced and how to overcome them, and exploration of how action can be taken at a regional as well as a national level. This collaborative work culminated in presentations by participants of national strategies for law reform drafted during the workshop, to be further developed and implemented on returning to their respective countries. The third day of the workshop was attended by civil society representatives only, and focused on the significant role they can play in promoting law reform and on ways of overcoming the particular challenges they face.

This report summarises the key presentations made during the workshop in relation to law reform, and the development of national strategies to promote prohibition. It also takes account of the issues raised during detailed discussions, including the challenges faced and ways to overcome them. It is intended as an account of the workshop and as a reference document for promoting and achieving prohibition of all corporal punishment of children in the region.

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## **Opening remarks**

The opening remarks of the workshop drew attention to the high commitment in the region to addressing the problem of corporal punishment, including through law reform. Minister of Social Affairs in Lebanon, Dr Selim el Sayegh, noted the drafting of new laws in Lebanon and emphasised the importance of close collaboration between Government and NGOs and of engaging the media in generating support for law reform. Director of the Family and Children Department in the League of Arab States, Ms Mona Kamel, stated that corporal punishment is a permanent item on the Arab League agenda.

Marilena Viviani, Deputy Regional Director, UNICEF – Middle East and North Africa Region, drew attention to the existence of laws throughout the region which authorise corporal punishment, and the necessity of repealing these and enacting explicit prohibition. She reminded participants of the distinction between physical punishment, which is rejected, and discipline, which is necessary in childrearing. Sanna Johnson, Regional Director Middle East and North Africa, Save the Children Sweden, noted the strong commitment to child rights in the region and drew attention to the obligation to prohibit all corporal punishment of children under the Convention on the Rights of the Child.

Peter Newell, Coordinator of the Global Initiative to End All Corporal Punishment of Children, observed that while the region faces particular challenges, the problem of corporal punishment is a global one: “Violent and humiliating punishment of children is part of the culture of any and every country until it has been systematically challenged by law reform linked to public and parents education.”

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## **The human rights imperative to prohibit corporal punishment – and progress to date**

Ms Marta Santos Pais, Special Representative of the Secretary General on Violence against Children, spoke about the importance of law reform in addressing violence against children.

“Legislation is a key component of any comprehensive strategy to prevent and address all forms of violence against children, in all contexts and at all times. It is the solemn expression of political commitment of a country to work towards violence prevention and response, and to protect children’s dignity and physical integrity. It encourages positive

discipline and the education of children through non-violent means. It safeguards the protection of victims and helps to shape their recovery and reintegration.

“... all states should urgently review and reform their legislation to ensure the legal prohibition of all forms of violence against children, including corporal punishment within the family and domestic violence, and to link law reform with the promotion of positive, non-violent forms of discipline.”

Ms Pais drew attention to the obligation under human rights instruments to prohibit and eliminate violence against children, including the recommendation to prohibit corporal punishment of children in all settings in the Cairo Declaration on the Convention [on the Rights of the Child] and Islamic Jurisprudence adopted by the Organisation of the Islamic Conference in November 2009. Noting the progress that has been made globally in prohibiting corporal punishment in all settings and the positive approach of the League of Arab States to implementing the recommendations of the UN Study on Violence against Children, she urged participants to pursue law reform and to be guided in the process by the general principles of the Convention on the Rights of the Child – particularly the concept of the best interests of the child, the right of the child to participate, and the right to protection from discrimination. Efforts should also be directed to ensuring effective implementation of legislation.

Sonia Vohito, Project Leader for the joint work of the Global Initiative to End All Corporal Punishment of Children and the African Child Policy Forum, described how the Global Initiative produces its country reports on the legality of corporal punishment in all states, with particular reference to the those prepared as working documents for the workshop. Sources of information include Government and NGO reports to treaty monitoring bodies (including the Committee on the Rights of the Child and other bodies listed at [www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx](http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx)) and records associated with their examination of states parties, documents associated with the Universal Periodic Review process (see [www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx)), legal information on the world wide web, media reports, individuals in Government and NGOs, and responses to the country assessment questionnaires distributed prior to the workshop. There are often contradictions between the sources of information, and the Global Initiative always seeks to examine the legislation itself in ascertaining whether or not corporal punishment of children has been prohibited. All country reports are available at [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org).

Dr Bernard Gerbaka, Coordinator of the Violence Against Children Committee in the Higher Council for Childhood in Lebanon, presented the results of a comparative study on corporal punishment in the region. His research documented the legality of corporal punishment in each state and sought to identify non-legislative measures designed to protect children from violence (e.g. the provision of telephone helplines), measures of success (e.g. statistical data on child mortality), and information on active advocacy on the issue. He spoke about the need for a region-wide plan for implementing prohibition of corporal punishment in schools, as well as the necessity of addressing the gap between standards and reality and the lack of transparency at national level.

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### **The elements of legal reform**

Dr Sharon Owen, Research Coordinator of the Global Initiative to End All Corporal Punishment of Children, outlined what is involved in legal reform to prohibit all corporal punishment of children. The first step is a comprehensive review of existing legislation relating to all settings – the home, schools, alternative care settings (institutional and non-institutional forms of care), the penal system

(corporal punishment as a disciplinary measure in penal institutions and as a sentence of the courts), situations of child labour, and any other state or private institutions caring for or providing treatment for children. In some states Governments have issued policies, guidance or circulars stating that corporal punishment should not be used, but these do not amount to prohibition, which must be achieved through legislation which has been passed by Parliament and can be enforced. The review should identify:

- all legal defences and justifications for corporal punishment, such as confirmation of a “right to discipline” children or to use “reasonable punishment” or “reasonable chastisement” (as in English common law);
- all laws which explicitly authorise or regulate corporal punishment, e.g. in schools or as a sentence of the courts; and
- laws which are “silent” on the issue but which should include explicit prohibition, e.g. education law which does not prohibit corporal punishment.

The second step is to draft new legislation to prohibit corporal punishment, and should be carried out as soon as possible after the review. All defences and authorisations of corporal punishment should be repealed (removed) from the legislation. This will ensure that laws on assault apply equally to assaults against children. But to send a clear message which provides a firm legal framework for public education and awareness raising and the promotion of non-violent discipline and childrearing the law should also explicitly prohibit corporal punishment. The definition of corporal punishment adopted by the Committee on the Rights of the Child in paragraph 11 of General Comment No. 8 on “The right to protection from corporal punishment and other cruel or degrading forms of punishment” is an important reference point (available at [www2.ohchr.org/english/bodies/crc/comments.htm](http://www2.ohchr.org/english/bodies/crc/comments.htm)). For further information, see the Global Initiative handbook *Prohibiting corporal punishment of children: A guide to legal reform and other measures* (at [www.endcorporalpunishment.org/pages/pdfs/LegalReformHandbook.pdf](http://www.endcorporalpunishment.org/pages/pdfs/LegalReformHandbook.pdf)).

Mr Khalil Mustapha, from the Ministry of Children and Family Affairs in Egypt, presented the findings of his research into legislation allowing corporal punishment in states in the region. He stressed that corporal punishment is widespread not primarily because of culture or tradition but because it is authorised in laws across the region. While many states have taken measures to end corporal punishment in schools – though often by policy rather than law – violence continues because national legislation confirms a “right to discipline” children, including in Lebanon, United Arab Emirates, Syria, Bahrain, Kuwait, Jordan, Iraq, Sudan, Tunisia and Egypt.

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### **Developing national strategies to achieve law reform**

A number of sessions during the workshop were designed to enable participants to work together to develop a national strategy for promoting law reform in their respective states to prohibit all corporal punishment, including in the home. To introduce the task, efforts to achieve this in Lebanon and Tunisia were described.

Dr Elie Mekhael, of the Higher Council for Childhood in Lebanon, outlined the Lebanese strategy for achieving full prohibition. The strategy has four main elements:

(1) a comprehensive review of existing law, including international human rights standards, followed by the drafting of legislation to repeal all legal defences for the use of corporal punishment and to enact explicit prohibition (e.g. by amending Law 422 and the Penal Code);

- (2) a review and strengthening of all policies relevant to childhood;
- (3) systematic awareness raising on the negative effects of corporal punishment and the promotion of positive discipline; and
- (4) capacity building among institutions and the media, including through two short films which have been developed to convey appropriate messages about discipline in schools and in the home.

Dr Aida Ghorbel, from the Ministry of Women, Family, Children and Elderly Affairs in Tunisia, described legislation in Tunisia which protects the child from violence and abuse, and law reform measures being undertaken to remove the legal defence for the use of corporal punishment from article 319 of the Penal Code. (Note: Tunisia has since achieved this.)

Participants then focused on drafting (or developing further) national strategies to achieve law reform in their respective states. It was explained that the aim of the national strategy is to achieve law reform to prohibit corporal punishment of children in all settings, including the home. Participants were asked to identify in their strategies the changes in legislation that are necessary and the steps that can be taken to achieve these changes, and to ensure that each strategy:

- 1) is based on a full understanding of the current legal status of corporal punishment of children in all settings and the laws which need to be repealed/amended, including:
  - a. legal defences for the use of corporal punishment by parents, teachers etc, in criminal and any other law;
  - b. laws/regulations authorising/regulating the infliction of corporal punishment, e.g. in relation to schools, penal systems, etc;
- 2) identifies any existing and emerging opportunities for law reform. These could include, for example, ongoing reviews or development of laws (e.g. development of a new children's law or child protection law or sectoral laws relating to the family, education, juvenile justice, etc.). The strategy should:
  - a. identify the relevant Government departments or bodies that will need to be involved and any existing initiatives to challenge corporal punishment within Government or Parliament;
  - b. identify all organisations and individuals likely to support law reform and help with achieving it. These may include governmental bodies, UN agencies, INGOs, NGOs and a range of civil society organisations, leaders and prominent individuals;
  - c. consider the law reform process in the country and how prohibition of corporal punishment can be achieved (the process and timescale of passing a law through Parliament).
- 3) identifies any obstacles and challenges to achieving law reform and proposals for overcoming them.

Strategies drafted for the following states were discussed and presented: Bahrain, Egypt, Iraq, Jordan, Lebanon, Morocco, Mauritania, the Occupied Palestinian Territories, Qatar, Syria, Saudi Arabia, Tunisia, United Arab Emirates and Yemen.

Commenting on the strategies that emerged, Professor Paulo Pinheiro and Mr Peter Newell made the following observations:

- Law reform must be explicit and must cover all settings.

- There should be no compromise – in order to send a clear message, the law must be clear that no type or degree of corporal punishment is lawful or acceptable.
- No progress can be made until existing laws have been reviewed and new legislation drafted.
- Change *is* possible.
- The process can benefit from the involvement of high profile public figures.
- A good way to build on the achievements of this workshop is to replicate it at state level.
- The focus is on law reform because a proper legal framework lays the foundation for ending all violence against children.
- The Global Initiative is always available to provide technical advice and assistance: email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org).

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### **Working together across the region to challenge corporal punishment and strengthen national campaigns**

Building on the commitment of the League of Arab States to fulfilling the recommendation of the UN Study on Violence against Children to prohibit and eliminate corporal punishment of children, this session presented examples of the work of regional bodies in the Americas and Europe.

Professor Pinheiro, Rapporteur on the Rights of the Child in the Inter-American Commission on Human Rights (IACHR), described the work of the Commission in promoting prohibition of all corporal punishment in member states of the Organisation of American States (OAS).

In December 2008, the Commission asked the Inter-American Court on Human Rights to issue an advisory opinion on the compatibility of corporal punishment of children with the American Convention on Human Rights and the American Declaration of Human Rights. The outcome was a Resolution adopted by the Court which clarifies that corporal punishment is a violation of human rights. The Court emphasised that children “have rights and are not just an object of protection”, that they have the same rights as all human beings, that the state must protect these rights in the private as well as the public sphere, and that this requires law reform in addition to other measures. The full Resolution of the Court is available at [www.endcorporalpunishment.org/pages/pdfs/ResolutionIACHR.pdf](http://www.endcorporalpunishment.org/pages/pdfs/ResolutionIACHR.pdf).

In August 2009, the office of the Rapporteur on the Rights of the Child in the IACHR published a thematic report on the issue which calls on all OAS member states “to act immediately on the problem of corporal punishment by placing explicit and absolute legal bans on its use in all contexts and, in parallel, by adopting such preventive, educational, and other measures that may be necessary to ensure the eradication of this form of violence, which poses a serious challenge to the wellbeing of children in the Hemisphere” (para. 3). The report analyses state responsibility regarding corporal punishment by private citizens and in relation to those with parental authority. It makes detailed recommendations to member states about achieving full prohibition and concludes with a “commitment to cooperating with States in the promotional activities they undertake at the domestic and regional levels in order to eradicate corporal punishment as a way of disciplining children and adolescents” (para. 120). The full report is available at [www.cidh.oas.org/Ninez/CastigoCorporal2009/CastigoCorporal.TOC.htm](http://www.cidh.oas.org/Ninez/CastigoCorporal2009/CastigoCorporal.TOC.htm).

Three OAS member states have prohibited all corporal punishment – Costa Rica (in 2008), Uruguay (in 2007) and Venezuela (2007). In July 2010 President Lula of Brazil launched a high profile campaign for law reform. For further information see [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org).

Mr Peter Newell, Coordinator of the Global Initiative to End All Corporal Punishment of Children, described regional efforts in Europe to promote prohibition of all corporal punishment. The European Court of Human Rights has progressively ruled against corporal punishment, in most cases against the UK. The first case in 1972 concerned corporal punishment as a sentence of the courts against a 15-year-old boy in the Isle of Man. The Court found that the punishment amounted to a breach of article 3 of the European Convention on Human Rights (prohibition of torture and inhuman or degrading treatment or punishment). There followed a series of judgments concerning corporal punishment in schools which eventually led to its prohibition in the UK in state schools in 1987 and gradually in all schools by 2003. A 1998 judgment focused on corporal punishment in the home and resulted in a narrowing of the applicability of the “reasonable chastisement/punishment” defence in the UK, though the defence has not yet been completely abolished.

The European Committee of Social Rights monitors implementation of the European Social Charter and the Revised Social Charter. The Committee is clear that compliance with the Charters requires prohibition of all corporal punishment and pursues this issue in its examination of states. The situation in a number of states has been found to be not in conformity with the Charters on the grounds that corporal punishment is not prohibited in the home.

The Council of Europe has a very clear position against corporal punishment of children, and pursues prohibition and elimination in all 47 member states through the “Building a Europe for and with children” programme. In 2008, the Council launched the *Raise your hand against smacking* campaign, which focuses on ensuring that member states reform their laws to prohibit all corporal punishment of children, including in the home, and on promoting positive parenting. The “Building a Europe for and with children” website is [www.coe.int/T/TransversalProjects/Children/default\\_EN.asp](http://www.coe.int/T/TransversalProjects/Children/default_EN.asp). For details of the campaign against corporal punishment, including publications, campaign materials and information on progress towards prohibition in individual states, see [www.coe.int/t/dg3/corporalpunishment/default\\_EN.asp](http://www.coe.int/t/dg3/corporalpunishment/default_EN.asp).

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## **Challenges and how to overcome them**

Participants identified a number of challenges to promoting and achieving prohibition of corporal punishment of children in all settings. These included lack of information, lack of expertise, insufficient financial resources, public attitudes and the widespread acceptance of corporal punishment in childrearing and education, lack of knowledge about alternatives to corporal punishment, the culture of violence, lack of anger management skills, early marriage and other practices which increase the risk of corporal punishment, lack of clarity and agreement about terminology, attitudes towards authority in interpersonal relationships and in society generally, lack of support from the media, and religious arguments against prohibition.

These challenges are not specific to the region but are faced in all regions, and there is a growing bank of experience and expertise in how to overcome them. The workshop itself provided a way of addressing some of the concerns, e.g. in sharing knowledge about the reasons for pursuing law reform, what it means in practice, identifying available resources, forming networks and drawing on the growing expertise and experience within and between states.

Seham Negm, Regional Coordinator of MENA Education For All Forum, spoke about the need to support children in schools in the context of the goals and objectives of Education For All. The emphasis on building partnerships and strengthening collaboration between civil society and

educational decision makers at national and regional levels, provides an opportunity to support and reinforce efforts to prohibit and eliminate all corporal punishment in schools.

Other points raised during the discussions were:

- The first step in making progress must always be reaching agreement on the current law and what needs changing.
- Law reform itself does not require huge financial resources. Awareness raising and education may need additional finance, but messages can be built into existing contact points between the state and parents, e.g. in ongoing health and education campaigns, during birth registration, school enrolment, etc. But law reform itself is the foundation for public and professional education about non-violence towards children, and does not necessarily require huge public debate before being achieved. In devising a strategy for law reform, consideration should be given as to whether public education comes at the outset or following law reform. A key task is to convince parliamentarians that the law should be reformed to prohibit corporal punishment – “diplomacy is more important than money”.
- There should be an emphasis on building alliances and partnerships in the promotion of law reform, including judges, lawyers, NGOs, religious leaders, etc. Challenges are more easily overcome when addressed by coalitions than by individuals.
- Awareness raising and education within the media will help to gain their support for law reform and so to generate public support.
- Governments should be reminded that in ratifying human rights instruments, especially the Convention on the Rights of the Child, they have an obligation to reform the law.
- Many countries face specific challenges, e.g. multiple legal systems and languages. It is important to imagine the future and identify the steps necessary to make change possible.
- Resistance to the idea of prohibition is very often rooted in the deeply personal nature of the issue. Most adults were themselves physically punished as children and most have hit their own children. Other difficulties in convincing people of the need for prohibition seem to centre around religious beliefs (see below). The Global Initiative publishes a booklet on how to respond to the common arguments against prohibition, available at [www.endcorporalpunishment.org/pages/pdfs/FAQ-Adults-English.pdf](http://www.endcorporalpunishment.org/pages/pdfs/FAQ-Adults-English.pdf) (and as a child-friendly version at [www.endcorporalpunishment.org/pages/pdfs/FAQ-Children-English.pdf](http://www.endcorporalpunishment.org/pages/pdfs/FAQ-Children-English.pdf)). There is also guidance on responding to specific questions about prohibition in schools ([www.endcorporalpunishment.org/pages/pdfs/SchoolsBriefing.pdf](http://www.endcorporalpunishment.org/pages/pdfs/SchoolsBriefing.pdf)). For further information and advice please email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org).

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### **Religious perspectives**

Efforts to achieve law reform to prohibit corporal punishment – in all regions of the world – typically encounter resistance based on religious beliefs and particular interpretations of religious texts. But those who support prohibition and elimination of corporal punishment of children can similarly draw on the teaching and interpretations of religious texts by prominent faith leaders. During the workshop, two leaders spoke at length about how their respective faiths required that children grow and develop without suffering physical punishment at the hands of those who care for them.



Sheikh Oussama Haddad, Head of religious education in the Islamic Awqaf, spoke about the issue from the perspective of Islam. He stated that violence against children is a consequence of the weakness and lack of cultural awareness of religious morals and ethical values. Teaching children from the perspective of Islam involves the concept of “honour with discipline”. Discipline is about guidance and education with respect for the child’s personality, giving love, compassion and kindness and not depriving or disgracing the child. It is about not insulting the child and not lying to the child. Dealing gently with children and playing with them fosters harmony and interdependence within the family.

Under Islamic law, violence against children is wrong – a fundamental tenet is “Do no harm”. Children should be protected from all forms of neglect, cruelty and exploitation. Happiness in the home – between adults and in relationships with children – does not come about by violence but results from kindness. Discipline should be based on kindness and gentleness, not punishment, distress and bullying. Parents should talk to their children about what is troubling them and learn about their hopes, dreams and aspirations. It is not good to whip children. God does not have mercy on those who do not have mercy on their children.

The following measures should be taken to eliminate corporal punishment of children:

- awareness raising and education about children’s rights and the responsibilities of those who educate them;
- developing appropriate regulations and legislation on how to treat children in schools;
- using the media to raise public awareness about the relevant religious, social and ethical concepts;
- strengthening the role of the media in the fight against corporal punishment of children;
- ensuring the availability of services to assist in the resolution of family disputes;
- ensuring school curricula and teacher training include information on non-violent ways to resolve disputes and on positive disciplinary methods;
- addressing domestic violence between adults – because it gives the wrong example for children;
- addressing the problem of movies that encourage violence.

Father Abdo Raad, President of the National Council of Social Service in Lebanon, spoke from the perspective of the Catholic church. He cited Biblical references to violence and to disciplining children which are frequently used to justify the use of corporal punishment, but noted that these are all to be found in the Old Testament. In contrast, the New Testament focuses on the love of Jesus Christ who is firmly against all forms of violence. With Christ, the world witnessed a revolution – reject violence, embrace love. The words of Jesus are a foundation for human rights, justice, the dignity of the individual and non-violence. The New Testament does not specifically address discipline of children but the attitude of Jesus is clear and rejects all ill-treatment.

Similarly, in the church today there is no explicit guidance regarding corporal punishment in the teachings of the Second Vatican Council, the Catechism, the Encyclicals and other contemporary teachings, but there are many grounds to support positive discipline of children. For example, the teachings of the Second Vatican Council emphasise the importance of the family and schools in bringing up children to know love and to respect God and human dignity. Canon law does not refer to violent punishment but supports the use of dialogue in parenting. The Catechism (section 1700ff) emphasises the human dignity of the person because of being created in the image of God, and highlights the importance of education for the development of a child’s conscience (s1784). Parents

should see their children as children of God and should respect them as human beings (s2222). The home should be a place of tenderness, forgiveness and respect (s2223).

Father Raad concluded that the church is not opposed to the enactment of laws prohibiting all corporal punishment of children. He also stressed the importance of relevant research, of educating parents and of ensuring that alternative disciplinary measures are in place in schools.

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### **The role of civil society**

The third day of the workshop involved civil society only. Participants reflected on their experiences of working with Governments during the previous two days and how this could be developed further in pursuing law reform in their respective states. The majority felt that there were good and serious intentions in Governments to address the issue of corporal punishment, although there were many challenges and much work still to be done. Issues raised during the previous two days were further explored and discussed, particularly in relation to clarifying what is meant by law reform and how prohibition should be implemented with regard to the home and other settings.

### **National child protection systems and prohibition of corporal punishment**

Dominique Louise Sbardella, Regional Child Protection and Emergency Program Advisor, Save the Children Sweden, described the elements of an effective child protection system and stressed the importance of a sound legal framework which includes prohibition of all corporal punishment. Prohibition in law is a foundation for efforts aimed at eliminating corporal punishment in practice and ensuring children are not subjected to any form of violence. Ms Sbardella listed the following steps to eliminating corporal punishment from children's lives:

- developing the legal framework, including prohibition of all corporal punishment in all settings;
- preparing caregivers and children for the change;
- ensuring respect for the law through law enforcement officials and monitoring mechanisms; and
- creating services for prevention, identification of children at risk and those who have experienced violence, supporting child survivors, supporting caregivers to change their behaviours, providing alternative care services, and monitoring and documenting.

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### **Working with Government and Parliament**

Since it is Parliament that must accept new legislation or changes to existing legislation, it is important to build interest and support in Parliament as early as possible. But if Government has a majority in Parliament, then it is important to work with Government from the outset because legislation introduced to Parliament by the Government is likely to be passed.

In working with Governments, NGOs should:

- identify the Government department(s) responsible for legislation on corporal punishment and one or more responsible ministers and senior officials;
- identify an organisation or an alliance of organisations which are well respected by Government;

- identify any well-informed children and young people who could be involved in approaches to Government and in meetings;
- write to the responsible minister(s) and senior official(s) to raise the issue and request a meeting to discuss it. This first approach could refer to recommendations made to the state by the Committee on the Rights of the Child and to the Committee's 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 recommendations of the UN Secretary General's Study on Violence against Children to prohibit all corporal punishment, the current legality of corporal punishment of children in the state in all settings (home, school, penal system, alternative care settings) and the reforms needed to achieve full prohibition, and to any new relevant research;
- keep following up letters, calls, requests, etc.

In working with Parliament, NGOs should:

- begin as early as possible;
- identify members of Parliament – as senior as possible – who are sympathetic to prohibition;
- discuss strategies for increasing support *before* encouraging open debate in Parliament, to avoid provoking opposition prematurely;
- raise the issue in Parliament e.g. through using the system of written or oral Parliamentary questions and/or organising meetings/inquiries which create opportunities for dialogue;
- be aware of any possible opportunities for law reform;
- ensure they are well informed and understand the existing law and the changes needed to achieve clear prohibition;
- ensure they understand how legislation may be introduced into Parliament and the process by which bills (draft laws) become law, so that they can monitor the progress of the bill and be ready to intervene as necessary, e.g. providing information, advice and encouragement to those supporting the bill within Parliament;
- develop a set of strong arguments for prohibition, and test them among sympathisers in Parliament;
- be prepared to respond to "frequently asked questions" about prohibition;
- draft clear and succinct briefings (more detail can be sent if requested), taking account of comments from sympathetic Parliamentarians;
- develop a database of members of Parliament, including contact details for them and their staff so that they can be emailed/faxed/hand delivered with briefings quickly and efficiently; and
- avoid briefing known opponents of law reform.

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### **Resources to support the promotion of law reform**

There are many resources available to support the promotion of law reform. Two key websites are those of the Global Initiative to End All Corporal Punishment of Children ([www.endcorporalpunishment.org](http://www.endcorporalpunishment.org)) and the Churches' Network for Non-violence ([www.churchesfornon-violence.org/](http://www.churchesfornon-violence.org/)). A list of resources was distributed during the workshop (for a copy, email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)).

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### **Next steps**

There are many opportunities for promoting law reform in the region, with laws under revision and new legislation under discussion in many states. The national strategies drafted during the workshop are intended to be further developed and implemented with a view to making full use of these opportunities. The strong commitment by Governments, civil society, and the League of Arab States to prohibiting and eliminating corporal punishment of children provides a positive context for this work.