



WORLDWIDE PROGRESS TOWARDS ELIMINATING CORPORAL PUNISHMENT: ALL REGIONS SUPPORT ACTION TO END LEGALISED VIOLENCE AGAINST CHILDREN

BRIEFING FOR UN GENERAL ASSEMBLY OCT 2005

At last, societies are recognising children's right to equal protection from being hit and humiliated. Hitting people is wrong – and children are people too. Corporal punishment of children breaches their fundamental rights to respect for their human dignity and physical integrity. Its legality breaches their right to equal protection under the law.

These rights are upheld for everyone – including children – in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The Convention on the Rights of the Child (CRC) re-emphasises that children, too, are holders of human rights. The Convention requires states to protect children from “all forms of physical or mental violence” while in the care of parents or others (article 19).








The Committee on the Rights of the Child – the monitoring treaty body for the CRC - consistently interprets the Convention as requiring prohibition of all corporal punishment, including in the family, linked to awareness-raising and public education. This interpretation is supported by other human rights Treaty Bodies, both international and regional, and by high-level court judgments in a growing number of states.

States' human rights obligations to end all currently legalised violence against children are clear and immediate; there can be no justification for delay. Humanity and logic suggest that children should be the first, not the last, members of human societies to be effectively protected from assault and deliberate humiliation.

The case against corporal punishment does not have to be proved. We do not look for evidence of harm to justify prohibition and other measures to end domestic violence against women or elderly people. The issue is one of fundamental rights. But in any case there is overwhelming evidence to support the human rights imperative for eliminating corporal punishment. Hitting babies and children is dangerous. Harsh and humiliating forms of discipline are associated with the development of violent and anti-social attitudes and actions in childhood and later life and also with psychological difficulties for the victims.

Hitting children is a lesson in bad behaviour; it teaches them that adults who demand their respect believe that violence is a legitimate way to sort out conflicts or impose authority.

GLOBAL PROGRESS TOWARDS ENDING ALL CORPORAL PUNISHMENT

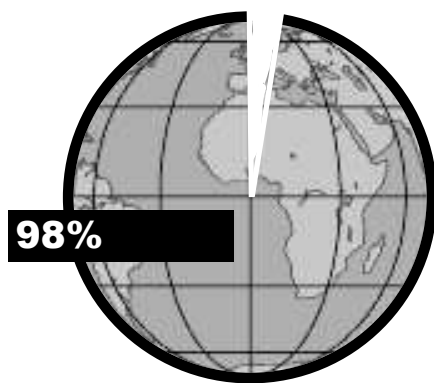
-  All nine of the Regional Consultations held in 2005 for the UN Secretary General's Study on Violence against Children recommended prohibition of all corporal punishment
-  17 states have prohibited all corporal punishment, including in the family
-  100 states have prohibited school corporal punishment and 97 have prohibited corporal punishment in their penal systems for young offenders
-  Seven European states are committed to abolition in the near future; there are bills to prohibit all corporal punishment before parliament in four Latin American countries, in Canada and New Zealand
-  For more than a decade, the Committee on the Rights of the Child has consistently interpreted the CRC as requiring prohibition and other measures to eliminate all corporal punishment
-  Other human rights treaty bodies, including the Committee on Economic, Social and Cultural Rights, the Human Rights Committee and the Committee Against Torture have condemned corporal punishment of children
-  Networks of children's ombudspersons in Europe and Latin America have called on governments to reform their laws urgently to give children equal protection

“Striking a human being is prohibited in European society and children are human beings. The social and legal acceptance of corporal punishment of children must be ended”

Council of Europe
Parliamentary Assembly recommendation 2004

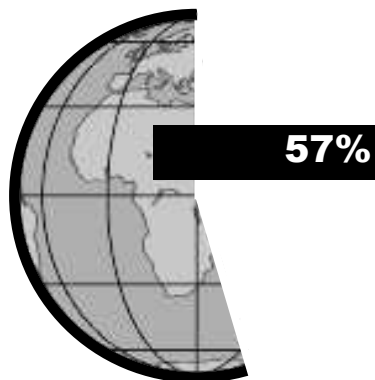
PROMOTING POSITIVE DISCIPLINE

In states in all continents there are developed programmes and materials to promote positive, non-violent forms of discipline and child-rearing for parents, other carers and teachers. In some states, the government has taken a lead with public education. In others, non-governmental organisations, human rights institutions and private sector publishers and media have taken initiatives (for links to a variety of programmes and materials, see www.endcorporalpunishment.org).

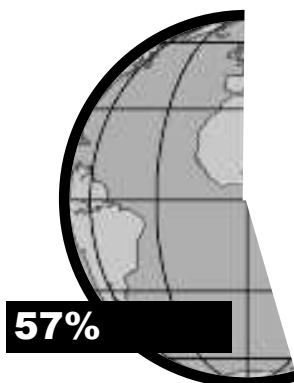


IN THE HOME
Percentage of world child population **not** protected from all violence

AT SCHOOL
Percentage of world child population **not** protected from all violence



IN THE PENAL SYSTEM
Percentage of world child population **not** protected from all violence



For state-by-state analysis of the legality and prevalence of corporal punishment...

And for "Ending legalised violence against children" reports produced for each UN study regional consultation...

go to www.endcorporalpunishment.org

THE GLOBAL INITIATIVE TO END ALL CORPORAL PUNISHMENT OF CHILDREN

The Global Initiative was launched during the Commission on Human Rights in Geneva in 2001. It aims to act as a catalyst to encourage more action and progress towards ending all corporal punishment in all continents; to encourage governments and other organisations to "own" the issue and work actively on it; to support national campaigns with relevant information and assistance. The context for all its work is implementation of the Convention on the Rights of the Child. We believe ending all corporal punishment is fundamental to improving the status of children and realising their rights to respect for their human dignity and physical integrity and to equal protection under the law.

Supporters of the aims of the Global Initiative (see full list at www.endcorporalpunishment.org) include UNICEF, UNESCO, members of the Committee on the Rights of the Child, human rights institutions, NGOs and professional organisations including the International Society for the Prevention of Child Abuse and Neglect. Individuals supporting the aims include Archbishop Desmond Tutu, Mary Robinson and Thomas Hammarberg (newly elected Human Rights Commissioner for the Council of Europe).

WHAT THEY SAY...

"The recourse to physical punishment by adults reflects a denial of the recognition, by the Convention on the Rights of the Child, of the child as a subject of human rights. If we want to remain faithful to the spirit of the Convention, strongly based on the dignity of the child as a full-fledged bearer of rights, then any act of violence against him or her must be banned..."

Mary Robinson, former UN High Commissioner for Human Rights, 2001

"Many citizens and politicians express deep concern about increasing violence in their societies. The credibility of this concern is questionable as long as they are not willing to seriously and systematically address the use of violence against children. And nobody should suggest that a little bit of violence is acceptable. That applies equally for adults and children."
Jaap E. Doek, Chairperson, UN Committee on the Rights of the Child, 2004

"I challenge states to stop defending – or disguising as discipline – deliberate violence against children and to accept that children, like adults, have the fundamental human right not to be assaulted. In the face of such a fundamental right states cannot remain indifferent – it is their duty to interfere: hitting children is no more acceptable than hitting anyone else. There can be no divide in the respect of human rights"
Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe, 2002