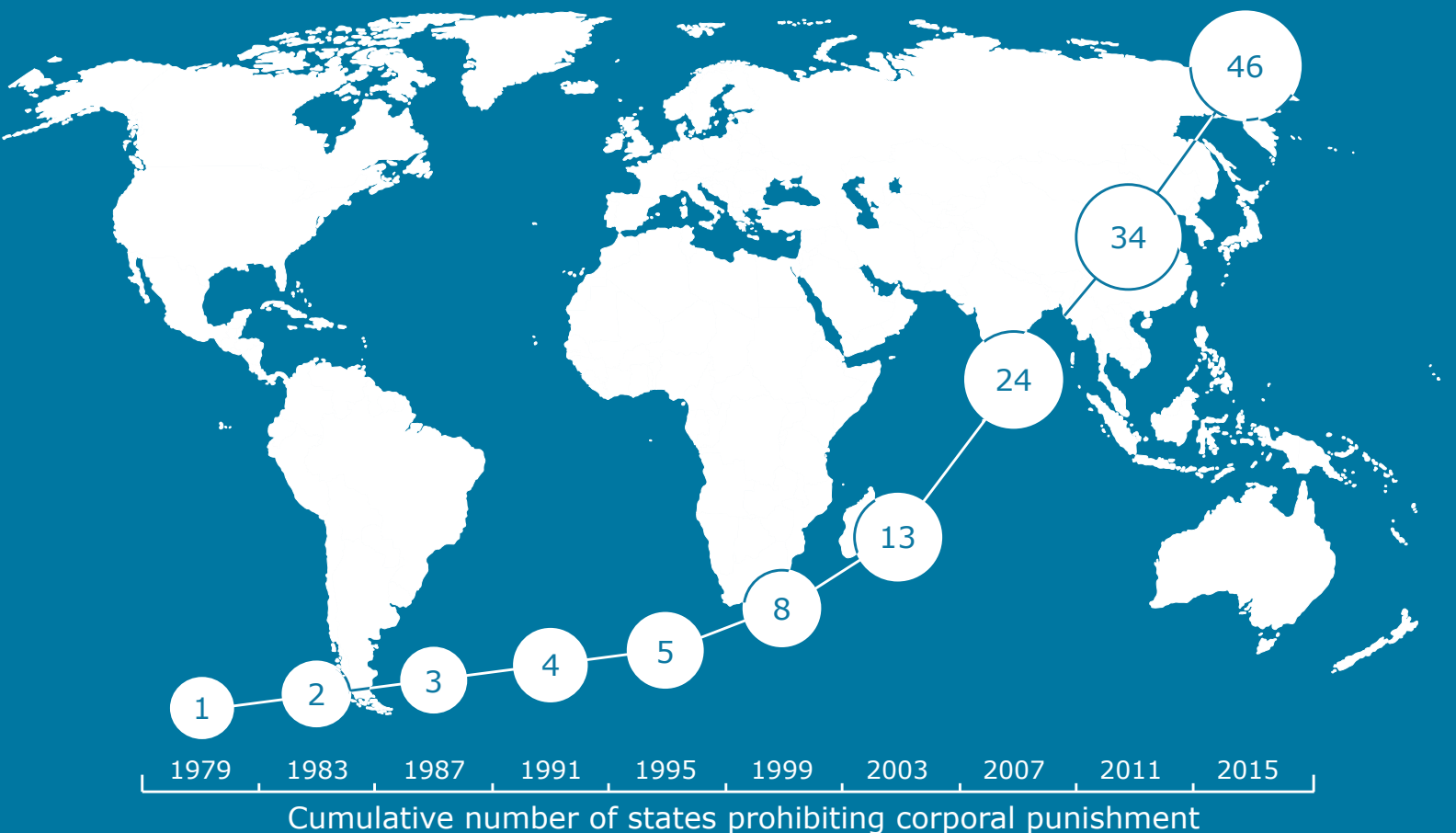


EVALUATION OF THE GLOBAL INITIATIVE TO END ALL CORPORAL PUNISHMENT OF CHILDREN

APRIL 2015



Foreword



I became aware of the Global Initiative to End All Corporal Punishment of Children (GI) during the Global Study on Violence against Children, which I led, between 2002 and 2006. Peter Newell was a member of the International NGO Advisory Panel to the Study and a member of my Editorial Board, and the GI played a significant role in the prominence accorded to the issue of corporal punishment in my Report to the UN on the Study and in the World Report on Violence against Children. In the recommendations arising from the Study, I urged all governments to, as a matter of urgency, prohibit all corporal punishment of children, and set a deadline of 2009 for universal prohibition.

Of course, that deadline has not been met; nonetheless, it is pleasing to note that 32 states have prohibited all corporal punishment since the World Report was published.

With nearly a quarter of the countries of the world having prohibited all corporal punishment of children, we have come a long way, but there is still a long way to go. This evaluation is timely and shows clearly that the GI has played a catalytic role in the escalation in the rate of prohibition. It shows also that the work of the GI is not yet done, and the outcome of the evaluation clearly recommends that it should be enabled to continue its good work.

A handwritten signature in blue ink, which appears to read 'Paulo Sérgio Pinheiro'.

Paulo Sérgio Pinheiro, The Independent Expert who led the UN Secretary General's Study on Violence against Children

Independent evaluator and author of this report

Carol Bower has worked in the field of violence against children since 2000, when she became the Executive Director of Resources Aimed at Preventing Child Abuse and Neglect (RAPCAN), a child rights NGO based in Cape Town, South Africa. Carol was a member of the NGO Advisory Panel to the UN Secretary General's Study on Violence against Children. Subsequent to setting up her own consultancy in 2006, she has undertaken various projects in the child rights field, including evaluations, desk reviews, law reform and policy development. Her major professional interests are preventing sexual and physical violence against children.

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Acronyms

ACERWC	African Committee of Experts on the Rights and Welfare of the Child
APPROACH	Association for the Protection of All Children
AU	African Union
CARICOM	Caribbean Community
CAT	Committee Against Torture
CESCR	Committee on Economic, Social and Cultural Rights
CEDAW	Committee on the Elimination of Discrimination Against Women
CNNV	Churches' Network for Non-violence
COE	Council of Europe
CRIN	Child Rights International Network
CRPD	Committee on the Rights of Persons with Disabilities
DCI	Defence for Children International
ECSR	European Committee of Social Rights
EPOCH	End Physical Punishment of Children
EWV	EPOCH WORLDWIDE
GI	Global Initiative to End All Corporal Punishment of Children
HRC	Human Rights Committee
IACHR	Inter-American Commission on Human Rights
INGO	International non-governmental organisation
MENA	Middle East and North Africa
NGO	Non-governmental organisation
NHRI	National Human Rights Institution
OAS	Organisation of American States
OHCHR	Office of the High Commissioner for Human Rights
OIC	Organisation of Islamic Cooperation
OMCT	World Organisation Against Torture
SAARC	South Asian Association for Regional Cooperation
SAIEVAC	South Asia Initiative to End Violence against Children
SCI	Save the Children International
SCS	Save the Children Sweden
Sida	Swedish International Development Cooperation Agency
TB	Treaty body
UN	United Nations
UNCRC	Convention on the Rights of the Child
UNCROC	UN Committee on the Rights of the Child
UNICEF	UN Children's Fund
UNSG	UN Secretary General
UPR	Universal Periodic Review

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EXECUTIVE SUMMARY

The Global Initiative to End All Corporal Punishment of Children (GI) was launched in 2001. Since, there has been a sea-change in attitudes towards children's right to protection from all forms of violence, including from corporal punishment in the home, and a dramatic increase in the number of countries which have either prohibited all corporal punishment of children or committed to do so.

This evaluation is intended to inform further progress towards universal prohibition and elimination of violent punishment of children and effective advocacy on children's rights, including their right to protection from all forms of violence.

At the outset, an Advisory Group was set up for the evaluation, comprising high-level members of the international child rights community, and two observer members representing GI funders.

The evaluation took place between January and March 2015.

A wide range of GI publications, reports, submissions, briefings and newsletters, as well as detailed information on how the GI operates and the job descriptions of GI staff, were perused.

In addition, data were collected via an e-mailed questionnaire in English and French (67 respondents) and 13 Skype and face-to-face interviews.

The genesis of the GI lay in work done by the two founder members, Peter Newell and Thomas Hammarberg, who both have a long history in defending human rights and in particular the rights of children. From the outset, their influence on the UNCROC was evident, and led them to develop the idea of a Global Initiative.

By the time of its launch, the GI had attracted the support of influential human rights defenders such as Mary Robinson (OHCHR) and Carol Bellamy (UNICEF).

Progress towards universal prohibition of corporal punishment of children, while it had a slow start, has demonstrated a rapid escalation in the last decade, i.e. for most of the GI's existence. From 1979, when Sweden prohibited all corporal

punishment of children until 2001, when the GI was launched, a further 12 countries had come on board (two of them by Supreme Court decision). By March 2015, the number of countries with full prohibition had risen to 46.

Between 2001 and 2015, a number of other notable developments took place: a growing emphasis on the violation of child rights embodied in the legality of corporal punishment; the publication of the *World Report on Violence against Children*; the issuing of the UNCROC's General Comment No. 8 on "The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment", calling on states to fulfil their "immediate obligation" to prohibit; the launching of the COE's campaign against corporal punishment across Europe; the Kyoto Declaration, endorsed by more than 800 religious leaders from all faiths across the world; the appointment of a Special Representative to the UN Secretary General on Violence against Children; and the start of the UPR process, among others.

GI strategies and interventions include:

- Mapping and reporting on the legality of corporal punishment and progress towards legal reform
- Briefing the UNCROC
- Briefing other treaty bodies
- Briefing the Universal Periodic Review
- Briefings used for advocacy from a specific perspective
- Advocacy in relation to faith communities
- Involvement in the UN Study on Violence against Children
- Strong involvement with inter-governmental organisations including:
 - Collaboration with the Council of Europe (COE)
 - Collaboration with the South Asia Initiative to End Violence against Children (SAIEVAC)
- Newsletters and regular updates
- Other GI resource production
- Supporting law reform at national level including:
 - Law reform workshops
 - Encouraging legal action to challenge corporal punishment
- Collaboration with major organisations working towards prohibition
- Recruiting supporters for the GI's aims

GI capacity is sufficient for current activities, and benefits from its tight-knit, flexible structure, allowing it to produce thoroughly researched outputs of significant quantity and quality. The recently introduced “allocations system”, has facilitated closer scrutiny of progress towards and opportunities for law reform in individual countries.

Recent developments in the GI’s use of information technology have expanded their capacity.

GI’s funding has come primarily from a core group of loyal funders and has been adequate for the GI to undertake its work. Additional project-specific funding has also enhanced the GI’s capacity to undertake its significant workload.

Results indicate that the GI is well known in the sector and relied upon to provide detailed and meticulously researched information useful at all levels, from UN treaty bodies and regional human rights mechanisms to national advocacy.

There was agreement that the work of the GI has been catalytic in increasing prohibition and challenging other forms of violence against children, as well as in putting the issue on the global human rights and development agenda.

There was also agreement that the GI does not duplicate the work of any other organisation, while complementing the work of many, and that the work of the GI is by no means done.

The GI’s influence at global, regional and national levels was clearly established, in the light of its briefings and submissions to a range of UN treaty bodies and regional human rights structures, and to the UPR.

Respondents agreed that the GI has promoted a useful model for working regionally on violence against children in general and corporal punishment in particular. In particular, the GI has cultivated reciprocal relationships with national NGOs advocating for prohibition.

In general, respondents were positive about the GI’s capacity and output, but did suggest the possibility of a small increase in the staff complement which could impact positively on a reduction of the workload on individual staff members as well as address issues such as internal translation capacity, providing part-time advocacy support within additional regions and to fully implement the “allocated states” strategy.

It was suggested by respondents that the GI should consider publishing more of its materials (especially those not specific to a particular region) in French, Spanish and possibly Arabic and Russian.

Concerns regarding the potential negative impact of the prolonged absence of either Peter Newell or Sharon Owen are valid; however, the GI is aware of the risk and is developing contingency plans, including for the gradual reduction in Peter Newell’s active role towards his eventual retirement.

Reviewing the GI’s funding for the current period confirms that the GI is delivering value for money. It runs on a tight and well-managed budget, has low overheads and a basket of reliable funders. However, the development of existing practices and new ones will require an increase in the funding base.

In conclusion, the GI’s influence was identified in the accelerating rate of prohibition, in the raising of the status of children and respect for child rights, and the effectiveness of its advocacy.

The GI has overcome its major challenges (the obscuring of corporal punishment in the broader violence against children agenda, the practical challenges of growth in an already substantial workload, and the potential unavailability of either Peter Newell or Sharon Owen) and has used its resources effectively and efficiently.

The evaluation concludes with a number of recommendations regarding:

- **continuation of proven effective advocacy and ways of working, and**
- **further development of existing practices and suggested new practices, subject to success in attracting additional resources**

The recommendations are set out in detail on pages 40-42.

1 INTRODUCTION AND PURPOSE OF THE EVALUATION

The Global Initiative to End All Corporal Punishment of Children (GI) was launched in 2001 by Thomas Hammarberg and Peter Newell. In the decade-and-a-half since, there has been a sea-change in attitudes towards children's right to protection from all forms of violence, including from corporal punishment in the home, and a dramatic increase in the number of countries which have either prohibited all corporal punishment of children or committed to do so.

This evaluation is intended to inform further progress towards universal prohibition and elimination of violent punishment of children and effective advocacy on children's rights, including their right to protection from all forms of violence.

The evaluation will:

- describe and evaluate the development, work, fulfilment of results, and influence of the GI since its launch in 2001
- explore the impact of the GI's work on raising the status of children and respect for their rights, including their right to protection from all forms of violent punishment
- in particular, describe and evaluate the effectiveness of the methods of advocacy used by the GI
- explore the relevance of the GI's development and methodology to organisations working on other challenging children's rights issues
- identify the major challenges to the work of the GI and its success/failure in overcoming them and the GI's capacity to address future potential challenges
- review the GI's use of resources
- review the GI's current plans up to 2016/17 and provide recommendations for future development of the Global Initiative.

Since its inception, the GI has lobbied decision-makers at the highest levels to put the issue of prohibiting corporal punishment of children on the global human rights and development agenda. The rapid acceleration of progress towards universal prohibition has come about since the founding of the GI. One purpose of this evaluation is to assess the direct and indirect influence of the GI on this progress. Direct credit for achieving new legislation prohibiting corporal punishment must go to governments and parliaments. Nevertheless, it is timeous and

important to investigate whether the work of the GI has played any role in this. In part, this evaluation will review possible links between the work of the GI and the increasing rate of prohibition globally.

The GI is currently a small, tight-knit, flexible organisation with a dispersed staff and an office in Central London. It has 4 full-time staff members, supported by part-time personnel (two in London and one in Addis Ababa, Ethiopia). This evaluation examines the capacity of the GI, especially as the organisation and the world moves into a situation with an ever-increasing number of countries achieving prohibition in law. Recommendations regarding capacity and future activities to consider are also addressed by the evaluation.

2 METHODOLOGY

The following agreed to be members of an Advisory Group for this evaluation:

- Paulo Sérgio Pinheiro, the Independent Expert who led the UN Secretary General's Study on Violence against Children, Chair
- Susan L Bissell, Associate Director Programmes; Chief, Child Protection, UNICEF
- Imma Delgado Guerras, focal point on children's rights in the Office of the High Commissioner for Human Rights
- Chris Dodd, Coordinator, Churches' Network for Non-Violence and Trustee of APPROACH Ltd
- Eva Geidenmark, Director, Section for Thematic Support, International Programme, Save the Children Sweden
- Thomas Hammarberg, co-founder Global Initiative, former Commissioner for Human Rights, Council of Europe
- Regina Jensdottir, Head of Children's Rights Division, Council of Europe
- Lena Karlsson, Director, Save the Children Child Protection Initiative
- Benyam Mezmur, former Chair, African Committee of Experts on the Rights and Welfare of the Child; Vice-chair Committee on the Rights of the Child
- Elda Moreno, Director of the Office, Marta Santos Pais, Special Representative of the Secretary General on Violence against Children
- Nidhi Pundhir, Global Advisor on Child Protection in Development, Plan International
- Kirsten Sandberg, Chair, Committee on the Rights of the Child
- Shantha Sinha, former Chairperson National Commission for the Protection of Children's Rights, India
- Margaret Tuite, EU Commission Coordinator for the Rights of the Child

Observer members from GI's core funders:

- Helena de Medeiros, Programme Manager, Unit for Democracy and Human Rights, Department for International Organisations and Policy Support, Swedish International Development Cooperation Agency (Sida), core funder of GI since 2003
- Anastasia Anthopoulos, Programme Officer, Oak Foundation, funder of GI since 2008

The evaluation took place between January and March 2015, and entailed reading of relevant GI material, the development of a brief questionnaire sent to a wide range of those who

have worked with or have knowledge of the GI, a series of Skype interviews and face-to-face meetings in London and Geneva with selected respondents and a short meeting of the Advisory Group in Geneva in March 2015.

2.1 Data collection methods

At the outset, the evaluator perused a wide range of GI publications and reports, as well as detailed information on how the GI operates and the job descriptions of GI staff. A representative sample of GI reports, briefings, newsletters, updates, and submissions was studied, as well as various documents relating to how the GI operates, the history of the GI, and the GI's staff and skills capacity.

This was accompanied by a data collection process involving the questionnaire (see appendix 1), and Skype and face-to-face interviews. The questionnaire was distributed in English and French.

The questionnaire was sent out to a large number of professionals, activists, networks, academics and UN agencies. As some of the questionnaires were circulated via networks managed by third parties (such as the Global Network managed by Joan Durrant of Manitoba University and the South African Working Group on Positive Discipline managed by Save the Children South Africa), it is impossible to gauge how many were circulated. However, 89 of the questionnaires were sent by the evaluator to targeted individuals. Special emphasis was placed on ensuring the participation of certain categories of respondents, in particular NGOs and other bodies working in countries where prohibition has either been achieved or where a commitment to achieve prohibition has been made (such as National Human Rights Institutions and the offices of Ombudspersons for Children where they exist); representatives of various UN treaty bodies, and international non-governmental organisations (INGOs).

A total of 67 e-mailed questionnaires were completed. Fifteen of these originated from questionnaires circulated to networks, leaving 50 which were returned from the targeted group. This represents a return of 57%. This

is comparatively high: on average, only 10-15% of those approached return completed questionnaires. It is also high compared to the average return rate for "internal surveys" (which this was in that only people who knew of and had worked with the GI were approached) of 30-40%.¹ The high rate of return and positive tone of the responses are indicative of the regard in which the GI is held.

Thirteen Skype or telephone interviews were conducted, targeting in particular: those members of the Advisory Group who would not be available in Geneva in March; members from regional networks; representatives from UN treaty bodies; members of the UN Committee on the Rights of the Child and the African Committee of Experts on the Rights and Welfare of the Child; members from INGOs with which the GI has worked, and individuals from national non-governmental organisations (NGOs), etc who had worked or were working on achieving

prohibition in their countries.

Face-to-face interviews were also conducted in February 2015 in the London office which the GI shares with the Child Rights International Network (CRIN), with the five UK-based GI staff members (the evaluator also participated in two discussion meetings with the staff team), and with one London-based member of the Advisory Group. Also in Geneva in March, further interviews were carried out with 13 key human rights representatives and INGOs. In addition, a meeting with all the available members of the Advisory Group was held in Geneva in March 2015, with others joining by telephone. See full list of those who responded to the questionnaire and/or were interviewed on page 2.

¹ See for example <http://fluidsurveys.com/university/response-rate-statistics-online-surveys-aiming/>

2.2 Data sources and description of respondents

Documents perused

- A cross-section of global reports, briefings, news alerts, newsletters and other publications;
- Team meeting agendas and notes;
- GI analyses of briefings, UN treaty body concluding observations and UPR recommendations;
- Documents related to the founding and history of the GI;
- Annual accounts, details of funding and funding proposals, and
- Planning documents.

Skype and face-to-face interviews

Thirteen Skype, 2 telephone and 13 face-to-face interviews were conducted, in addition to the interviews with GI staff, excluded from the table below.

Affiliation	%
NGO	16
Government	8
UN-level	40
INGO	32
Funder	4

Returned questionnaires

There were 67 questionnaire responses. These represented a range of backgrounds and came from more-or-less the whole world. Most of the questionnaires returned were from NGOs and 40% of respondents were based in Europe.

Type	%
Academic/researcher/professional	18
HRIs	10
Government	17
INGO/NGO	47
AU/UN-level	8
Funder	1

Region	%
Africa	7
Europe	40
Caribbean/Latin America	10
Asia	22
Australia/New Zealand	5
North America	17

3 THE FOUNDING OF THE GLOBAL INITIATIVE

Although it came into being in 2001, the genesis of the GI lay in the work and experience of its two founders before that time.

Some 12 years earlier, in April 1989, EPOCH — End Physical Punishment of Children was launched in London, with the aim of ending the physical punishment of children by parents and other carers in the UK. Peter Newell was the Coordinator and Penelope Leach was initially Parent Education Coordinator. EPOCH hoped to achieve its aim through public education, information, research and campaigning for law reform: “First and foremost, EPOCH wants to see changes in attitudes to children; to see children recognised as people — and recognition that it is as wrong to hurt a child as it is to hurt another adult. Far from having a right or even a duty to hit children, parents have a right to information about non-violent ways of bringing up their children, and a duty to discipline them with their heads and hearts rather than with their hands or implements. The law protects the rest of us from violence at the hands of anyone else. Why shouldn’t it protect children too?” (EPOCH’s first publication, *Hitting people is wrong – and children are people too*²)

From the outset, EPOCH made contact with organisations in other countries campaigning against corporal punishment in all settings of children’s lives including the home; this led to the launch of EPOCH WORLDWIDE (EWW) in 1992, a loose network drawing together organisations with the same aim from around the world, with Peter Newell as the Coordinator.

In 1992, EWW, together with Rädga Barnen (Save the Children Sweden), organised an international conference on ending all corporal punishment of children in Europe. This was the first major collaboration with Rädga Barnen, of which Thomas Hammarberg was then the Executive Director.

In his capacity as EWW Coordinator, Peter Newell lobbied the United Nations Committee on the Rights of the Child (UNCROC) from its formation and first sessions in 1991. Also, Thomas Hammarberg was a member of the first UNCROC, from 1991 to 1997. Thus, both Peter Newell and Thomas Hammarberg were in positions

to exert some influence on the development of the UNCROC and other members, including Marta Santos Pais (now the UNSG’s Special Representative on Violence against Children), supported the view that corporal punishment of children constituted a violation of children’s rights.

The Committee started to examine states’ reports in 1993, and it is noteworthy that the official report of the Committee’s seventh session in November 1994 stated:

“In the framework of its mandate, the Committee has paid particular attention to the child’s right to physical integrity. In the same spirit, it has stressed that corporal punishment of children is incompatible with the Convention and has often proposed the revision of existing legislation, as well as the development of awareness and educational campaigns, to prevent child abuse and the physical punishment of children.”

Further, the UNCROC’s first *Guidelines for Periodic Reports*, issued in 1996, asked specifically whether legislation included a prohibition of all forms of physical and mental violence, including corporal punishment and other forms of humiliating punishment.

In 2000, Thomas Hammarberg and Peter Newell started to develop the idea of a Global Initiative to replace the informal network, EWW.

In addition to his membership of the first UNCROC, Thomas had been Secretary General of the London-based Amnesty International (1980-1986); Secretary General of Save the Children Sweden (1986-1992); Ambassador of the Swedish Government on Humanitarian Affairs (1994-2002; also in 2001 the Personal Representative of the Swedish Prime Minister to the UN General Assembly Special Session on Children); from 2002-2005 he was Secretary General of the Stockholm-based Olof Palme International Centre, before becoming Commissioner for Human Rights for the Council of Europe (2006-2012).

² See <http://www.neverhitachild.org/hitting.html>

In May 2000, Thomas and Peter met with the UNCROC to discuss the Global Initiative and gain the Committee's support. Also in May 2000, Carol Bellamy, then Executive Director of UNICEF, wrote to give the GI UNICEF's support.

The GI was launched in April 2001 at a side event of the Commission on Human Rights (now the Human Rights Council). From the outset, the GI sought and gained the support of a wide range of human rights defenders, including Mary Robinson, then High Commissioner for Human Rights, who stated at the launch: "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, in accordance with articles 19 and 28.2 of the Convention."

The legal base for the Global Initiative is a UK-registered not-for-profit company and charity, the Association for the Protection of All Children (APPROACH Ltd), which was established in 1989. APPROACH also acts as the legal base for the UK campaign (EPOCH was re-launched as the Children Are Unbeatable! Alliance in 1998): this evaluation only concerns the Global Initiative.

4 PROGRESS TOWARDS UNIVERSAL PROHIBITION

The rate of prohibition of all forms of corporal punishment of children has been accelerating in the last decade and the issue has enjoyed increasing visibility within the human rights agenda. The increase in the number of countries which have prohibited all corporal punishment of children in legislation has been rising sharply, from a slow start in the first 10 years after Sweden achieved prohibition in 1979; only four countries had achieved prohibition by 1989.

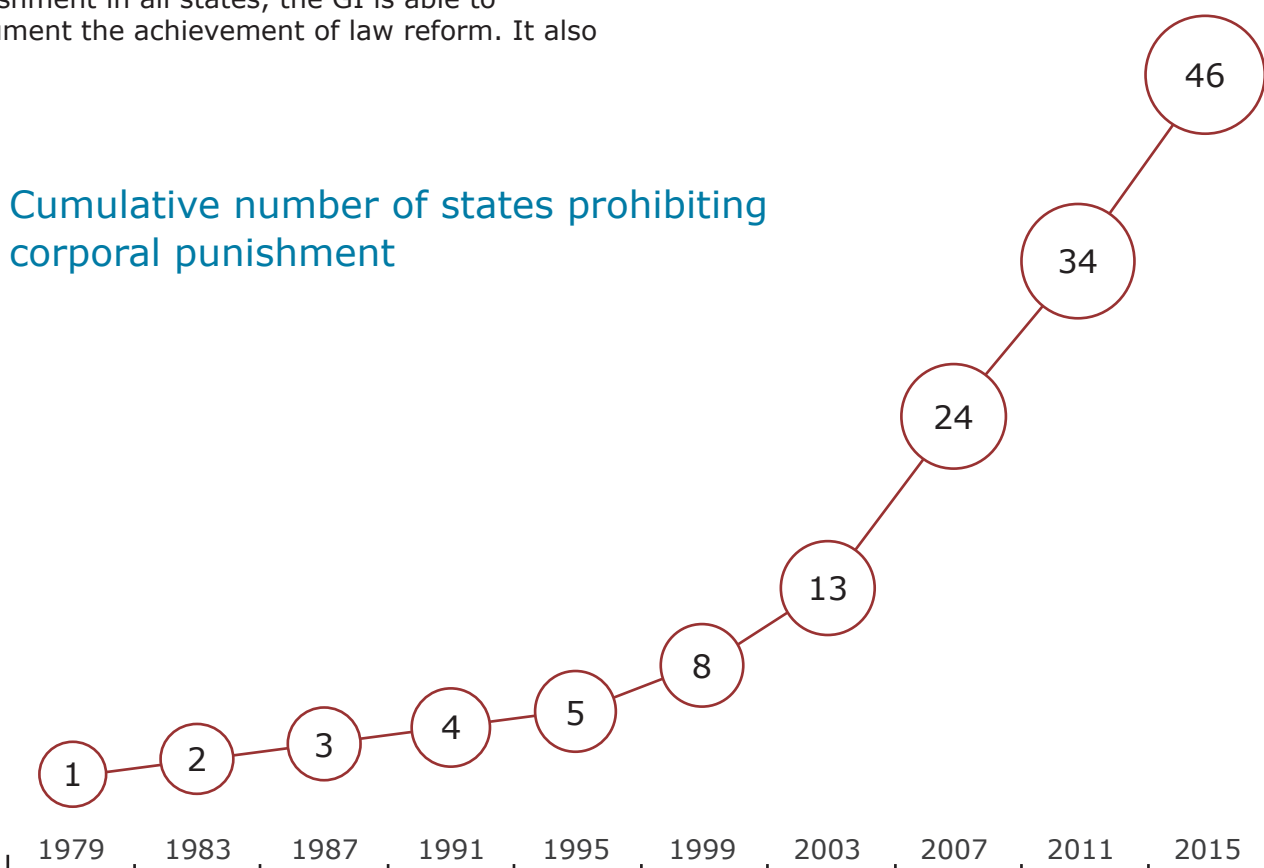
As the GI repeatedly explains, the essence of prohibiting corporal punishment is ensuring that children enjoy equal protection under the law on assault, whoever the perpetrator and whether or not the assault is described or justified as discipline or punishment. By March 2015, children in 46 countries enjoyed the same level of protection from assault as do adults.

Having mapped the legality of corporal punishment in all states, the GI is able to document the achievement of law reform. It also

tracks the number of countries which have made a clear commitment to prohibition: this number has more than doubled from fewer than 20 countries in 2009 to 47 in 2015.

In addition, concluding observations issued by a range of UN treaty bodies and other human rights monitoring bodies, as well as recommendations emanating from the Human Rights Council's Universal Periodic Review (UPR) process, following examination of states' reports, have increasingly addressed the need to prohibit all corporal punishment of children.

The following chronology uses as its starting point the year in which Sweden prohibited all forms of corporal punishment, including in the home.



1979:

UN International Year of the Child: Sweden becomes the first country in the world to explicitly prohibit all corporal punishment, amending its Parenthood and Guardianship Code which now states: "Children are entitled to care, security and a good upbringing. Children are to be treated with respect for their person and individuality and may not be subjected to corporal punishment or any other humiliating treatment."

1983:

Finland achieves full prohibition.

1985:

The Committee of Ministers of the Council of Europe issues a recommendation on violence in the family, urging member states to "review their legislation on the power to punish children in order to limit or indeed prohibit corporal punishment..." (Recommendation R85(4)).

1987:

Norway achieves full prohibition.

1989:

Austria achieves full prohibition.

UN Convention on the Rights of the Child (UNCRC) is adopted by the UN General Assembly.

1994:

Cyprus achieves full prohibition.

The UN Committee on the Rights of the Child (UNCROC), reporting on its seventh session, notes that it had emphasised to states "that corporal punishment of children is incompatible with the Convention and has often proposed the revision of existing legislation, as well as the development of awareness and educational campaigns, to prevent child abuse and the physical punishment of children".

1996:

Italy's Supreme Court of Cassation issues a judgment quoting the UNCRC and declaring all corporal punishment of children to be unlawful (as yet, this judgment has not been reflected in Italian legislation).

UNCROC in its first *Guidelines for Periodic Reports* asks states specifically whether legislation includes a prohibition of all forms of physical and mental violence, including corporal punishment and other forms of humiliating punishment.

1997:

Denmark achieves full prohibition.

1998:

Latvia achieves full prohibition.

The European Court of Human Rights finds corporal punishment of a boy by his stepfather to be degrading punishment in breach of Article 3 of the European Convention; the stepfather had used the defence of "reasonable chastisement" and been acquitted of assault in an English Court (*A v. UK*: this followed other judgments against the UK from the 1970s condemning corporal punishment of children in the penal system and in schools in the UK).

1999:

Croatia achieves full prohibition.

By the end of 1999, eight³ countries had achieved full prohibition

2000:

Bulgaria, Germany and Israel achieve full prohibition.

The UN Committee on the Rights of the Child (UNCROC) holds a General Discussion Day on *State Violence against Children*, recommending prohibition of corporal punishment.

³ Sweden, Finland, Norway, Austria, Cyprus, Denmark, Latvia and Croatia

2001:

The European Council of Social Rights issues a General Observation concluding that the European Social Charter requires prohibition in legislation of corporal punishment and all other violence against children: "The Committee does not find it acceptable that a society which prohibits any form of physical violence between adults would accept that adults subject children to physical violence."

The UNCROC holds a General Discussion Day on *Violence against Children within the Family and in School*, recommending prohibition of corporal punishment in all settings. The Committee also proposes a comprehensive UN Study on Violence against Children.

After its General Discussion Days on *State Violence against Children* (2000) and *Violence against Children within the Family and in School* (2001), the UNCROC consistently emphasised the need to prohibit all corporal punishment.

2002:

Turkmenistan achieves full prohibition.

Fiji's Court of Appeal declares: "Children have rights no wit inferior to the rights of adults. Fiji has ratified the Convention on the Rights of the Child. Our Constitution also guarantees fundamental rights to every person. Government is required to adhere to principles respecting the rights of all individuals, communities and groups. By their status as children, children need special protection...." The Court quashes a sentence of corporal punishment and in addition declares that corporal punishment in the penal system and in schools is unconstitutional and unlawful.

The Outcome Document from the UN Special Session on Children, *A World Fit for Children*, while failing to explicitly provide for the prohibition of corporal punishment, urges states to "Protect children from all forms of abuse, neglect, exploitation and violence".

2003:

Iceland achieves full prohibition.

Collective complaints under an Additional Protocol to the European Social Charter are declared admissible by the European Committee

of Social Rights: the complaints, against Belgium, Greece, Ireland, Italy and Portugal, allege that the lack of clear prohibition of all corporal punishment violates the Charter.

2004:

Ukraine and Romania achieve full prohibition.

The Parliamentary Assembly of the Council of Europe issues a recommendation for a Europe-wide ban on corporal punishment of children (Recommendation 1666/2004): "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."

The report of the Sierra Leone Truth and Reconciliation Commission, launched at the UN in October, recommends: "Corporal punishment, whether in school or at home, legitimises violence as a means to control behaviour and should be outlawed."

In December, the European Committee of Social Rights finds violations in the collective complaints submitted against Greece, Belgium and Ireland. In the cases of Italy and Portugal, the Committee finds no violation because of the existence of Supreme Court judgments in these states condemning corporal punishment.

2005:

Hungary achieves full prohibition.

In January, the Supreme Court of Nepal declares that parents, other family members and teachers no longer have a defence for "minor beating" of a child under the Children Act 1992. The Court issues a directive order to the Office of the Prime Minister and the Council of Ministers, asking them "to pursue appropriate and effective measures to prevent physical punishment as well as other cruel, inhuman or degrading treatment or punishment or abuse being imposed or inflicted on, or likely to be imposed or inflicted on children". (Prohibition has not as yet been reflected in legislation in Nepal.)

A children's rights resolution adopted by the UN General Assembly in December calls on states to "take measures to eliminate the use of corporal punishment in schools" and to ensure that no child in detention is sentenced

to corporal punishment. (Attempts to amend these provisions, led by Singapore, to change “eliminate” to “strictly regulate”, were supported by only 11 states and the resolution was ultimately adopted with only one state — the US — voting against adoption.)

2006:

Greece achieves full prohibition.

The UNCROC adopts its General Comment No. 8 on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment”, calling on states to fulfil their “immediate obligation” to prohibit.

The Report of the UN Secretary General’s Study on Violence against Children is presented to the UN General Assembly. In his recommendations, the Independent Expert, Paulo Sérgio Pinheiro, urges states to prohibit all forms of violence against children, in all settings, including all corporal punishment. The report also draws attention to the UNCROC’s General Comment No. 8.

At the Eighth World Assembly of Religions for Peace, the Kyoto Declaration is endorsed by more than 800 religious leaders from all faiths across the world. The declaration outlines eight recommendations and commitments concerning religious responses to violence against children, including the role of religious communities in prohibiting and eliminating corporal punishment. It calls upon governments to adopt legislation to prohibit all forms of violence against children, including corporal punishment.

The Council of Europe launches its children’s rights campaign Building a Europe with and for Children. This includes a significant component on ending corporal punishment of children.

2007:

Netherlands, New Zealand (the first English-speaking country), Portugal, Uruguay, Venezuela (the first in Latin America), Spain and Togo (the first in Africa) achieve full prohibition.

The European Committee of Social Rights, having considered a second collective complaint against Portugal, declares it to be in violation of the Social Charter because corporal punishment is not explicitly prohibited.

The UN General Assembly agrees to the appointment of a Special Representative to the UN Secretary General on Violence against Children.

2008:

Costa Rica, Moldova, Luxembourg and Liechtenstein achieve full prohibition.

The Council of Europe launches a campaign for universal prohibition of corporal punishment across its 47 member states, in Croatia.

The Universal Periodic Review of states’ overall human rights records begins, from the outset holding states to account for their record in prohibiting corporal punishment of children.

2009:

The former Organisation of the Islamic Conference (OIC — now the Organisation of Islamic Cooperation), in a conference in Cairo, includes a session on the prohibition of corporal punishment and the *Cairo Declaration on the Convention and Islamic Jurisprudence* includes a call to OIC member states “to prohibit all corporal punishment and other cruel or degrading forms of punishment or treatment of children, in all settings including within schools and within the family, linking law reform with the promotion of positive, non-violent forms of discipline”.

The Inter-American Court of Human Rights confirms the human rights obligations of member states of the Organisation of American States (OAS) to prohibit and eliminate all corporal punishment of children. In December 2008 the Inter-American Commission on Human Rights had asked the Inter-American Court to issue an advisory opinion on corporal punishment. In its response, the Court makes clear there is no need for an advisory opinion because existing jurisprudence of the Court, as well as obligations under other international instruments ratified by the states in the region, including the UNCRC, clarify the obligations already.

The Inter-American Commission on Human Rights calls on member states of the OAS to prohibit and eliminate all corporal punishment of children: its *Report on Corporal Punishment and Human Rights of Children and Adolescents* was prepared by the office of the Rapporteur on

the Rights of the Child, Professor Paulo Sérgio Pinheiro.

Seventeen countries have now expressed publicly their commitment to prohibition.

2010:

Poland, Tunisia, Kenya, the Republic of Congo and Albania achieve full prohibition.

2011:

South Sudan achieves full prohibition.

The UNCROC issues its General Comment No. 13 on the right of the child to freedom from all forms of violence, reiterating states' obligations to prohibit and eliminate all corporal punishment and other cruel or degrading forms of punishment.

Central American and South American governments adopt regional roadmaps on violence against children which recommend explicit prohibition of corporal punishment in all settings and the repeal of all defences.

2012:

Prohibition comes into force in Curaçao — a Caribbean country within the Kingdom of the Netherlands. Curaçao's 40,000 children thus become the first in the Caribbean region to be protected by legislation from corporal punishment in all settings of their lives.

The Caribbean regional roadmap to protect children against all forms of violence, supported by CARICOM, urges states to explicitly prohibit corporal punishment in all settings.

In May, a regional campaign for prohibition and elimination of all corporal punishment is launched by the South Asia Initiative to End Violence against Children (SAIEVAC), an Apex Body of the South Asian Association for Regional Cooperation (SAARC), in Sri Lanka. The goal of the campaign is "ending the legality, social acceptance and practice of violent punishment in South Asia, conducive to the full development of a quarter of the world's children".

2013:

Macedonia, Honduras and Cabo Verde achieve full prohibition.

The European Committee of Social Rights declares admissible seven more collective complaints concerning corporal punishment, against Belgium, Cyprus, Czech Republic, France, Ireland, Italy and Slovenia.

2014:

Malta, Brazil, Bolivia, Argentina, San Marino, Nicaragua, Estonia and Andorra achieve full prohibition.

The Swedish Government hosts a ground-breaking inter-governmental conference in Stockholm, bringing together high-level representatives of states which have prohibited or committed to do so to discuss the path to universal prohibition. Austria announces it will host a similar conference in 2016.

Conclusions and recommendations from a cross-regional meeting of inter-governmental bodies on Advancing the Protection of Children from Violence confirm that representatives of the Caribbean Community, the Council of the Baltic Sea States, the Council of Europe, the Inter-American Commission on Human Rights, the League of Arab States and MERCOSUR⁴ support the prevention and reduction of violence against young children, including through promoting law reform to ban all forms of violence against children including corporal punishment.

UNICEF publishes *Hidden in Plain Sight*, a statistical analysis of violence against children with a major section on "the most common form of violence against children" — violent discipline.

2015:

Benin achieves full prohibition. By the end of March 2015, 46 states have achieved full prohibition, with 47 other states clearly committed to a full ban.

⁴ An economic bloc comprising Argentina, Brazil, Paraguay, Uruguay and Venezuela. Its associate countries are Chile, Bolivia, Colombia, Ecuador and Peru.

France is found in violation of the European Social Charter because of a lack of clear prohibition of corporal punishment. The European Committee of Social Rights notes in its decision: "There is now a wide consensus at both the European and international level among human rights bodies that the corporal punishment of children should be expressly and comprehensively prohibited by law."

As of this writing, just over 201.2 million of the children in the world are legally protected from corporal punishment in all settings of their lives.

5 GI STRATEGIES AND INTERVENTIONS

5.1 Mapping and reporting on legality and progress towards legal reform

From its inception, the GI has uniquely done extensive work on mapping the status of corporal punishment in every independent country and territory world-wide. Individual reports are posted on the GI website for each state and territory and are kept up to date. The reports provide details of the legality of corporal punishment in the major settings of children's lives: the home, day care, forms of alternative care, schools and penal systems. The reports also provide details of the legislative reforms needed in order to fully prohibit all corporal punishment, and identify those states/territories in which governments have made a commitment to law reform by clearly accepting UPR recommendations to do so and/or in other official contexts. In addition the reports include the text of recommendations made to each state by UN human rights treaty bodies and regional mechanisms. They also summarise research into the prevalence of and attitudes to corporal punishment in the state/territory concerned published in the last 10 years.

These reports enable the GI to construct global, regional and sub-regional tables of progress towards prohibition. The GI also systematically maps opportunities for law reform to prohibit all corporal punishment: new laws that are or could be used to make progress on prohibition which are being drafted or introduced to parliaments.

Since 2006, the GI has produced an annual global report entitled *Ending legalised violence against children*. These include, for 198 states, detailed tables indicating which states have explicitly prohibited all forms of corporal punishment in national legislation; in which states supreme court rulings have effectively prohibited all forms of corporal punishment but reform of national legislation is still required to confirm this; which countries are committed to prohibition and in which settings in these countries corporal punishment is still legal; and which countries are not yet committed to prohibition, again identifying the settings in

which corporal punishment is still legal. For countries that have prohibited all corporal punishment, detailed information on the pertinent domestic legislation is also provided.

Each global report also contains information on issues and events related to prohibition. Thus, for example, the UNSG's Study on Violence against Children, follow-up actions after the publication of the *World Report on Violence against Children*, national campaigns in various regions, campaigning with children and addressing issues within faith communities have been highlighted in these annual reports, which are perceived as advocacy tools.

The GI issued its first regional reports on *Ending legalised violence against children* during the nine regional consultations held in 2005/6 as part of the UNSG's Study on Violence against Children; these were circulated at the applicable consultation. Each was published in English and also in the most appropriate UN language for that region, i.e. the West African report was also available in French, the report for the Middle East and North Africa was also in Arabic, and the one for Latin America also in Spanish. Containing region-specific information and quoting prominent persons from the region, each provided detailed information on the legal position of all forms of corporal punishment in that region. Child-friendly versions of the reports were published for some regions, as children participated in all these consultations.

In 2006, the GI prepared its first all-Africa report (in English and French); it was launched at an all-Africa meeting hosted by the African Child Policy Forum. An updated version was produced the following year, and a further all-Africa Report was issued in 2010.

Reporting on regional progress, the GI has produced reports on South Asia (2011), the Caribbean (2012), West Africa (2012), the European Union (2013), West and Central Africa (2014) and Central Asia, South East Asia and the Pacific (2014).

Setting-based global reports were introduced in 2011 with the publication of *Prohibiting all corporal punishment in schools*, followed in 2012 by *Prohibiting and eliminating corporal*

punishment in alternative care and day care settings and Cruel, inhuman and degrading: ending corporal punishment in penal systems for children in 2015.

In June 2014, the GI published a special global progress report (*Childhood free from corporal punishment – changing law and practice*) for the high-level inter-governmental conference hosted by Sweden's Ministry of Health and Social Affairs in Stockholm, celebrating the 25th anniversary of the adoption of the UNCRC and the 35th anniversary of Sweden's pioneering ban on all corporal punishment of children.

In 2011, the GI produced its first global *Progress and delay* leaflet, summarising positive developments toward prohibiting corporal punishment across the world, and identifying delays and the "worst offenders" in terms of states arguing in support of corporal punishment. Entitled *Prohibiting all corporal punishment of children: progress and delay*, the leaflet was updated in March 2012, October 2012, October 2013, March 2014, September 2014, November 2014 and March 2015. The leaflets are circulated widely at UN events in New York and Geneva and at other international and regional conferences, as well as through GI's website. The increasing frequency of publishing the *Progress and delay* briefings is a reflection of the accelerating rate of prohibition globally.

An African edition of *Progress and delay* was published in August 2012, with updated versions in October 2013 and November 2014.

Progress briefings have also been published for the Caribbean (December 2013), Latin America (October 2014) and ASEAN member states (November 2014); a progress briefing for the League of Arab States has been drafted and circulated for comments (March 2015).

A full list of publications is included in appendix 2.

5.2 Briefing UNCROC

One of the GI's first actions was to lobby (albeit unsuccessfully) for the inclusion of an explicit recommendation for the prohibition of corporal punishment in all settings in the Outcome Document — *A World Fit for Children* — from the 2002 UN Special Session on Children: a side event to promote this was co-hosted by the Swedish Government and Save the Children

Sweden in June 2001.

Lobbying at the UN level was not new for the co-founders of the GI. For example, as EWW, a submission was made by Peter Newell to the 2000 UNCROC Day of Discussion, *State Violence against Children*. Shortly after the launch of the GI, a submission was made to UNCROC's 2001 Discussion Day on *Violence against Children within the Family and in School*. Following the 2001 Discussion Day, the recommendations adopted included a proposal that states should "enact or repeal, as a matter of urgency, their legislation in order to prohibit all forms of violence, however light, within the family and in schools, including as a form of discipline, as required by the provisions of the Convention". Details of advocacy at UN level by the co-founders of the GI before and immediately after its launch can be found in section 3 above.

The GI has briefed the UNCROC before its examination of every state party report since the very beginning of the Committee's work. Since systematic monitoring began in 2003, the GI has submitted 258 briefings to the UNCROC. (For an analysis of the impact of effectiveness of briefing, see appendix 4: *The impact of GI briefing on observations/recommendations on corporal punishment by UN treaty bodies and during the UPR* (March 2015)).

Since 2012, the GI has carried out a regular follow-up programme in relation to states examined by the UNCROC, contacting governments, NHRIs and NGOs in states which have received recommendations to prohibit corporal punishment to encourage them to pursue law reform and to offer technical advice and support. The GI also shares its draft CRC briefings with NGOs and NHRIs in advance of submission, to encourage the submission of briefings at national level and, more importantly, to engage with NGOs and NHRIs on the issue. To date, advance draft CRC briefings have been shared with 123 NGOs and 40 NHRIs in 40 states; under the follow-up programme, 147 NGOs, 34 NHRIs and 69 government officials have been contacted.

5.3 Briefing other treaty bodies

Initially, the GI prepared briefing material and made submissions to the UNCROC (systematically from 2002 — see 5.2, above);

after 2005, it widened its focus and began briefing and making submissions to a range of UN treaty bodies and regional human rights mechanisms.

Briefings for submission to the systematic monitoring of states' implementation of treaties by other bodies have been prepared for the following treaty bodies (figures given to March 2015):

- UN Committee Against Torture — since 2006 (159 submitted)
- UN Committee on Economic, Social and Cultural Rights — since 2004 (116 submitted)
- UN Committee on the Elimination of Discrimination against Women — since 2005 (187 submitted)
- UN Committee on the Rights of Persons with Disabilities — since 2011 (17 submitted);
- African Committee of Experts on the Rights and Welfare of the Child — since 2006 (17 submitted)
- African Commission on Human and Peoples' Rights — since 2011 (13 submitted)
- European Committee of Social Rights – 2011 (46 submitted)

In addition, the GI submits briefings to the treaty bodies as part of its thematic advocacy work (see section 5.5 below).

In monitoring this work, the GI tracks coverage of corporal punishment in official documents associated with each treaty body session — state party reports, lists of issues (and lists of issues prior to reporting) adopted by the committee, state replies to lists of issues, summary records of the session, and concluding observations (recommendations) of the treaty bodies. The GI produces and keeps up to date (i) analyses of recommendations made by the treaty bodies in relation to the current legality of corporal punishment in the states concerned, (ii) a summary of the growing human rights pressure on each state, and (iii) compilations of all recommendations on corporal punishment issued by each treaty body. (For an example, see appendix 5. For an analysis of the effectiveness of briefing, see appendix 4.)

Since 2012, the GI has carried out a follow-up programme in relation to states examined by the Committee Against Torture, contacting governments, NHRIs and NGOs in states which receive recommendations to prohibit corporal punishment to encourage them to pursue law reform and offer technical advice and support. As at March 2015, in the CAT follow up programme,

30 NGOs, 14 NHRIs and 25 government officials in 16 states have been contacted.

Also since 2012, the GI has shared its draft CAT briefings with NGOs and NHRIs in advance of submission, to encourage the submission of briefings at national level and, more importantly, to engage with NGOs and NHRIs on the issue. To date, advance draft CAT briefings have been shared with 90 NGOs and 32 NHRIs in 30 states.

5.4 Briefings for the Universal Periodic Review

Since the first session of the UPR in 2008, the GI has submitted briefings on every state that has not yet achieved prohibition. By March 2015, 302 briefings had been submitted. Briefings have also been submitted to the pre-session meetings organised by the NGO UPR-info (UPR-info.org). In addition, since 2012 (session 14), the GI has engaged directly with permanent missions and members of the working group for the UPR to encourage them to raise the issue of corporal punishment in states' reviews and to recommend prohibition of corporal punishment.

In monitoring this method of advocacy, the GI tracks coverage of the issue of corporal punishment (i) in official pre-session documents for the UPR (national reports, compilations of UN information, summaries of stakeholders' information, advance questions to the state under review, interim reports by governments), (ii) during the reviews themselves (statements by governments and by members of the working group, draft reports of the working group, recommendations made to states under review), and (iii) post-session developments (governments' responses to recommendations, final reports of the working group, statements made during the applicable session of the Human Rights Council).

The GI produces and keeps up to date various analyses related to the UPR, including a summary of recommendations made and governments' responses and details of working group members making interventions on corporal punishment ("active states"). (For an example, see appendix 6. For an analysis of the impact of the effectiveness of briefing the UPR, see appendix 4.)

Since 2011, the GI has carried out a follow-up programme, contacting governments,

NHRIs and NGOs in states which accept UPR recommendations to prohibit corporal punishment to encourage them to pursue law reform and offer technical advice and support. To date (March 2015), follow-up has been conducted involving contact with 293 NGOs, 74 NHRIs and 124 government officials in 111 states.

Since 2012, the GI has also shared its draft UPR briefings with NGOs and NHRIs in advance of submission, to encourage the submission of briefings at national level and, more importantly, to engage with NGOs and NHRIs on the issue. To date, advance draft UPR briefings have been shared with 298 NGOs and 80 NHRIs in 101 states.

5.5 Advocacy from a specific perspective

Issue-specific briefings were developed, especially after 2012, when the rate of countries prohibiting all forms of corporal punishment increased rapidly. Thematic publications and briefings have addressed the obligation to prohibit corporal punishment in the context of the rights of the girl child, the right to education, the rights of very young children, the rights of people with disabilities, children's rights in juvenile justice, children's rights in alternative care and day care settings and the right to health (a full list of publications and briefings developed for specific advocacy purposes can be found in appendix 3). The overall aim of the GI's continuing "thematic" work has been to encourage inclusion of the human rights imperative to prohibit all corporal punishment in areas of human rights-related work which would logically include it but has not done so. Typically, the work has involved developing arguments about the relevance of corporal punishment to the area in question, preparing relevant briefings or reports, and encouraging influential organisations and individuals in the respective fields to publicly oppose and work to end corporal punishment, including through signing up as supporters of the aims of the GI (see also section 5.14 below). Four examples of this work follow.

5.5.1 Corporal punishment in alternative care and day care settings

The GI produced a report focussing on these settings in 2011, reprinted 2012. Some of the major INGOs working on alternative care engaged to an extent with production and distribution, but there was some reluctance to address the issue. This was partly related to the lack of an explicit call for prohibition in the *Guidelines for the Alternative Care of Children* and, to the GI's concern, when a major handbook on implementing the *Guidelines* was released in 2012, it did not recommend prohibition despite GI inputs.

More positively, the Inter-American Commission on Human Rights' major 2013 report on ending institutionalisation of children explicitly recommended prohibition, in the context of preventing family separation as well as of protecting children's rights in institutions.

The GI attended the first in a series of regional expert consultations on violence in care, organised by the office of the SRSG on Violence against Children and others, in Brasilia in December 2014; the outcome of the consultation explicitly recommended prohibition.

5.5.2 Violence against women and girls

Following the identification by the GI of a lack of attention to corporal punishment by women's rights advocates, in 2012 the GI produced a briefing calling for clear inclusion of ending corporal punishment in work against violence against women and girls; this was used to invite international women's rights organisations to sign up in support of prohibition, but with very little success. The priority theme of the 57th session of the Commission on the Status of Women, in March 2013, was *Elimination and prevention of all forms of violence against women and girls*. The GI lobbied for corporal punishment to be included in the Secretary General's report prepared for the session, including engaging with UN Women and UNICEF and the issue was, albeit weakly, included. The GI developed an updated briefing to highlight the issue during the 59th session of the Commission on the Status of Women in March 2015.

As noted above (section 5.3), the GI has long

briefed the Committee on the Elimination of Discrimination against Women on all states under examination which have not yet prohibited corporal punishment; it has also made submissions to the Committee's general discussions on access to justice and the right to education. The GI attended a Committee session in July 2014, met with members and took part in the general discussion on the right to education. While some members have shown good engagement with the issue, the Committee's coverage of it remains patchy, and understanding of the issue and how it could easily be covered still seems poor overall. More positively, a new joint CEDAW/CRC general recommendation/general comment on "harmful practices" includes corporal punishment.

5.5.3 Children with disabilities

The GI has also systematically briefed the Committee on the Rights of Persons with Disabilities since it started examining state reports (see section 5.3 above). From 2012, the GI has carried out more in-depth work to encourage the Committee and others to clearly recommend prohibition, including by producing a special briefing for the Committee highlighting the importance of the issue for children with disabilities and a briefing for those working more generally in the sector. The GI worked to engage disability rights organisations, the majority of which have signed up in support of prohibition. This work led the GI to ensure its publications are available in accessible formats.

The GI attended the CRPD Conference of States Parties and associated events in September 2012 and the Committee's 9th session in April 2013 – meeting with members, participating in side events and making a submission to the general discussion on women and girls with disabilities. While the Committee has not recommended prohibition systematically it continues to engage positively with the issue. In November 2014, the GI produced a revised version of the briefing, including supportive quotations from the Chair of the Committee and the new Special Rapporteur on the rights of persons with disabilities.

5.5.4 Children's right to health

The GI made a submission to the OHCHR study on children's right to health in September 2012. The report of the study recommended prohibition and the Human Rights Council resolution arising

from the 2013 annual day on the rights of the child on the right to health recommended that no child be subject to corporal punishment. The Committee on the Rights of the Child's General Comment No. 15 (2013) on children's right to health also recommends prohibition.

In 2012-2013 the GI drew together the large body of research on the negative effects of corporal punishment in a long review of research, together with a summary version, available through the website and regularly updated. The GI developed a short statement in support of prohibition and used this together with the research summary to invite international health professionals' organisations to sign the statement, with considerable success, also working with contacts in some of the organisations to make presentations on the issue at two major medical congresses during 2013.

5.6 Advocacy in relation to faith communities and collaboration with the Churches' Network for Non-violence

Faith-based opposition to prohibition of corporal punishment in many countries constitutes a significant obstacle to law reform; at the same time, growing support for prohibition and elimination of corporal punishment among faith communities and high-level religious leaders is invaluable in countering such opposition. The GI works closely with the Churches' Network for Non-violence (CNNV) to ensure that advocacy for prohibition takes account of faith perspectives, emphasises faith support for prohibition and develops ways to overcome faith-based opposition.

These measures include:

- attendance, with CNNV, at the high-level meeting of religious leaders in Toledo, Spain, in 2006 which led to the development and ultimate adoption of the Kyoto Declaration, pledging the support of religious leaders of all faiths for prohibition and elimination of corporal punishment
- supporting the drafting and publication of summary briefings of faith support for prohibition globally
- inclusion of a faith perspective in the GI

annual global reports and other reports, drafted each time in collaboration with CNNV, and inclusion of quotes by world religious leaders

- collaboration in drafting and publication of major resources aimed at maximising the influence of religious leaders including in terms of interpreting religious texts to condemn and not support corporal punishment of children and in educating and mobilising faith and wider communities at all levels; this included the joint publication with CNNV and Save the Children Sweden in 2011 of *Ending corporal punishment of children: A handbook for working with and within religious communities*
- joint drafting and publication of resources aimed at raising awareness of the issue of corporal punishment within faith communities; in April 2015 *Ending corporal punishment of children – a handbook for worship and gatherings* was published, and a multi-faith version is planned
- dissemination of significant religious support for prohibition at every appropriate opportunity; for example the Caribbean regional report in 2012 listed religious leaders who have signed up to the aims of the GI and featured a “Christian statement supporting legislation to end corporal punishment of children” developed by CNNV and signed by religious leaders in the region
- collaboration with CNNV in the lobbying and follow-up programme for UPR, CRC and CAT briefing (see sections 5.2, 5.3 and 5.4 above), aiming to increase engagement with faith organisations at national level
- inclusion in law reform workshops (see section 5.12.1 below) of teaching and discussion on faith perspectives.

5.7 Collecting and disseminating research on corporal punishment

The GI has long collected and summarised research on the prevalence of and attitudes towards corporal punishment for inclusion in its country reports and for advocacy more broadly. In 2013, it published a comprehensive review of research on the impact of corporal punishment – including negative impacts on children and adults’ health and increased aggressive and violent behaviour. This review and a summary version were widely disseminated

and played a critical role in advocacy for support for prohibition from international health organisations (see section 5.5). The GI has also collected and summarised research showing the positive impact of prohibition.

5.8 Involvement in the UN Study on Violence against Children

From 2002 to 2006, Peter Newell was a member of the NGO Advisory Panel to the *UN Secretary General’s Study on Violence against Children* and served on the Editorial Board to the Study. This involvement in the process of researching and reporting on violence against children globally facilitated the GI’s lobbying, seeking the inclusion of strong wording in the recommendations related to the prohibition of all corporal punishment of children.

The GI prepared detailed reports for each of the Study’s nine regional consultations. This constituted the first major use of the completed global mapping: each regional report included summary reports of the legality of corporal punishment in each state in the region.

For details of reports submitted to the regional consultations on the Study, as well as global reports submitted to and following up the Study, see appendix 2.

5.9 Strong involvement with inter-governmental organisations

Throughout its history, the GI has engaged with decision-makers at the highest levels. This has not only been at the UN and international level (see 5.2, 5.3 and 5.4 above) but also at regional level, in particular with regional inter-governmental organisations. The most substantial involvement has been with the 47 member-state Council of Europe (COE) from 2001 onwards, and with the South Asia Initiative to End Violence against Children (SAIEVAC), an Apex Project of SAARC (South Asian Association for Regional Cooperation), formed in 2010 but having its origins in the South Asia regional consultations for the UNSG’s Study on Violence against Children in 2005/6. These examples

of close collaboration are described in more detail below. Among other inter-governmental organisations the GI has worked with are:

- the **Inter-American Commission on Human Rights** (IACHR), in 2005 and 2008/2009, supporting mapping of the legality of corporal punishment in all OAS member states and working with successive Special Rapporteurs of the IACHR
- the **Commonwealth of Nations**, providing a table and individual reports on progress towards prohibition in Commonwealth states and meeting with the Commonwealth Secretariat Human Rights Unit in 2010 and again in 2014
- the **European Union**, disseminating tables on progress towards universal prohibition across the 28 member states and at annual EU Child Rights Forums; with Save the Children and others, promoting law reform in the European Parliament and other EU institutions and in 2013 publishing a detailed progress report
- **CARICOM** (Caribbean Community and Common Market), following the regional consultation for the UNSG's Study on Violence against Children, participated in a CARICOM/ UNICEF conference on "Disciplinary Practices with Children" in 2006; in 2012 presented a major progress report at a follow-up meeting to the UNSG's Study in Jamaica, which led to the formation of the Caribbean Coalition for the Abolition of Corporal Punishment of Children
- **Organisation of Islamic Cooperation**, developed a progress table covering OIC member states; participated in a session on the prohibition of corporal punishment at a 2009 conference in Cairo; the *Cairo Declaration on the Convention and Islamic Jurisprudence* includes a call to OIC member states to prohibit all corporal punishment and other cruel or degrading forms of punishment of children in all settings; more recently, the GI has developed a progress briefing for a consultation among OIC member states.

5.9.1 Collaboration with the Council of Europe

The Council of Europe is the first regional inter-governmental organisation to develop an explicit campaign for universal prohibition of all corporal punishment of children across its 47 member states (see www.coe.int/t/dg3/children/violence/corporalPunishment_en.asp). Maud De Boer Buquicchio, Deputy Secretary

General of the Council until 2012, provided leadership, as did Thomas Hammarberg as the Council's Commissioner for Human Rights from 2006 to 2012. The Global Initiative has provided detailed information and support throughout, and been represented at many Council of Europe conferences and meetings. Comprehensive handbooks were prepared, including *Eliminating corporal punishment: a human rights imperative for Europe's children* (first edition November 2005; second 2007). These acknowledge the support of GI. The GI's individual reports on each member state as well as legality tables and compilations of concluding observations were included in the handbooks and are also placed on the Council website; the GI remains responsible for regular updating. The GI briefed Thomas Hammarberg before his country visits as Commissioner, and his first published "Issues Paper" in 2006 was on corporal punishment: *The right not to be hit, also a children's right*.

5.9.2 South Asia Initiative to End Violence against Children (SAIEVAC)

During the UNSG's Study regional consultation in Pakistan in 2005, at which the GI was represented and presented a regional report, the eight South Asian states made commitments to prohibit corporal punishment in all settings (India committed to prohibition in all settings outside the family); the commitments were repeated at a follow-up meeting attended by the GI in 2006. The GI was actively involved in meetings of regional follow-up bodies bringing together governments, UN agencies, INGOs, NGOs and children in succeeding years. In 2010, SAIEVAC — a project of the South Asian Association for Regional Cooperation (SAARC) — was launched (for details see www.saievac.org/news-updates/2090/).

In November 2010, SAIEVAC's first technical consultation on law reform was held with a special focus on law reform and corporal punishment; the GI provided individual country reports and other materials and Peter Newell facilitated. The second governing body meeting of SAIEVAC endorsed a concept note for a regional campaign for the prohibition and elimination of corporal punishment. The GI prepared a draft regional progress report, which was discussed at a SAIEVAC meeting in Kathmandu, Nepal, in September 2011, and published by SAIEVAC in December 2011. In

May 2012, the GI held a meeting in collaboration with the National Law University, Delhi, developing initial proposals for prohibition of corporal punishment in South Asia. Later, the GI, having supported the development of campaign materials, also participated in a SAIEVAC meeting at which the regional campaign against corporal punishment was launched in Colombo, Sri Lanka.

In May 2013 in Bhutan a conference organised by SAIEVAC and SAARC Law and involving Chief Justices from South Asia included a GI session on prohibition of corporal punishment. GI participated in an expert workshop in Kathmandu in May 2014, developing detailed proposals for law reform to prohibit all corporal punishment in each of the eight South Asian states, and again in December 2014 at a SAIEVAC technical workshop in Colombo at which the report *Prohibition of Corporal Punishment of Children in South Asia: Progress and Proposals for Reform* 2014 was launched.

5.10 Newsletters and regular updates

The first edition of the GI newsletter was issued in February 2008. Since that time, they have been produced at the rate of 4-5 issues per year. Each of the newsletters reports and provides information on global progress, moves towards prohibition, measures to support prohibition (new research, publications and campaigns), media watch and human rights treaty monitoring on children's right to protection from corporal punishment (providing the latest recommendations from the UNCROC and other treaty bodies and the UPR as well as information on states coming up for examination).

The first edition of the Africa newsletter was circulated in 2010. Approximately three per year have been published since, in French and in English. The first newsletter of the Caribbean Coalition for the Abolition of Corporal Punishment of Children was published in June 2013.

Newsletters are distributed via email to all who have signed up to support the aims of the GI and to others who the GI believes would be interested. By the end of March 2015, the global newsletter was being distributed to 1,223 subscribers (it reaches many more through further distribution by individual subscribers to their networks); the African newsletter to 260

subscribers (English version) and 228 subscribers (French version).

5.11 Other GI resource production

The GI has produced a number of resources intended to build the capacity of organisations and individuals, including in governments and parliaments, working for the prohibition of all corporal punishment of children. The first of these, *Hitting people is wrong – and children are people too: a practical handbook for organisations and institutions challenging corporal punishment of children*, was published jointly by the GI and Save the Children Sweden in 2002. Mostly, these are available in English and at least one other language. More recently, the GI published jointly with Save the Children Sweden a Campaigns Manual (*Ending corporal punishment and other cruel and degrading punishment of children through law reform and social change*, 2010) and, jointly with the Churches' Network for Non-violence and Save the Children Sweden, the Faith Handbook (*Ending corporal punishment of children: A handbook for working with and within religious communities*, 2011).

In 2009, the GI prepared a series of seven summary briefings on *Campaigning for law reform to prohibit corporal punishment* covering a wide range of topics (a full list of all publications is found in appendix 2).

5.12 Supporting law reform at national level

The GI has engaged in law reform in different ways, and provided technical assistance to various law reform initiatives; submissions and comments on bills and draft laws have been prepared and shared with national organisations in various countries, including Angola, Argentina, Bangladesh, Bhutan, Bosnia and Herzegovina, Brazil, Burundi, Cameroon, Central African Republic, Chile, China, Haiti, India, Ireland, Jamaica, Japan, Kenya, Kosovo, Liberia, Lithuania, Mali, Mozambique, Namibia, Pakistan, Paraguay, Philippines, Rwanda, Senegal, Slovenia, South Africa, Thailand, UR Tanzania, Viet Nam, Zanzibar and Zimbabwe.

In 2014, the GI began developing "legal

assessments” for states where legislation and/or its interpretation presented some complexities which necessitate particularly detailed analysis. To date these have been prepared and used — together with a guide setting out how the GI assesses whether or not prohibition has been achieved — to clarify the legality of corporal punishment and the law reform necessary to achieve full prohibition in Angola, Haiti, Kazakhstan, Kyrgyzstan, Montenegro, Russian Federation, Rwanda, Tajikistan, Turkmenistan, Uzbekistan and Zimbabwe.

5.12.1 Law reform workshops

Law reform workshops have been conducted in several regions, mostly in collaboration with Save the Children Sweden. The GI has provided all the materials for and facilitated these workshops to promote law reform against corporal punishment. In most of these, participants have been urged to develop national action plans for the prohibition and elimination of corporal punishment. Workshops were run at global and regional levels:

- Regional workshop for Latin America in Costa Rica and Brazil in 2007
- First global workshop held in Bangkok in 2008
- Regional workshop for South East Asia in Bangkok in 2009, followed by visits to promote prohibition in Viet Nam and South Korea
- Regional workshop for East and Central Africa in Nairobi
- Single state workshop in Beirut in 2009 for Lebanon, as trial for Middle East and North Africa (MENA) region
- Regional workshop for the (MENA) region in Beirut in 2010
- First technical workshop on law reform and corporal punishment for SAIEVAC (eight South Asian states) in Nepal in 2010
- Regional workshop for SAIEVAC in 2011
- Regional workshop for West African States in Burkina Faso in 2011
- Regional workshop for East and Central African States in Zanzibar in 2012
- Regional workshops in Romania (for Europe), in Stockholm (with Save the Children staff working regionally including in Asia, the Middle East, Eastern Europe, East and Southern Africa, and West and Central Africa) and a single-state workshop in Kosovo in 2014

5.12.2 Encouraging legal action to challenge corporal punishment

Where states are making no progress at all towards prohibition of corporal punishment, the GI believes it is necessary to consider more legalistic strategies to increase pressure to fulfil human rights obligations to prohibit. It is in the process of approaching law firms and academic law departments to promote legalistic action for prohibition, using a specially prepared concept note on strategic litigation to challenge violent punishment of children and a detailed general legal opinion to support the development of national legal opinions. It has also produced a detailed guide to using the communications and inquiry mechanisms of UN treaty bodies to challenge the legality of violent punishment, and during the law reform workshops described above (5.12.1) has indicated the possibility of submitting complaints/communications on the persisting legality of corporal punishment to treaty bodies. Also on its website and in publications, it disseminates positive high-level judgments and decisions condemning corporal punishment.

In 2003, the World Organisation Against Torture (OMCT) collaborated with the GI in submitting collective complaints alleging violations of the European Social Charter and Revised Social Charter to the European Committee of Social Rights (ECSR). These were against Belgium, Greece, Ireland, Italy and Portugal. In 2007, a second collective complaint was brought against Portugal. These complaints were against the failure of the respective countries to prohibit corporal punishment in law.

APPROACH Ltd, the legal base for the GI, is now itself an approved organisation for submitting collective complaints. In 2013, APPROACH, submitted a further seven collective complaints to the ECSR, against France, Ireland, Italy, Slovenia, Czech Republic, Cyprus and Belgium, citing their failure to enact legislation prohibiting corporal punishment despite undertakings to do so (for details of these and other collective complaints, see www.coe.int/t/dghl/monitoring/socialcharter/Complaints/Complaints_en.asp).

5.13 Collaboration with major organisations working towards prohibition

The GI has consistently collaborated with a range of major international organisations. Its closest collaboration, with many joint activities and joint publications over the last decade and longer, has been with Save the Children Sweden (SCS). Collaboration between SCS and EWW (the informal network coordinated by Peter Newell which preceded the GI), started in 1992. SCS has provided a core grant of SEK 200,000 a year to the Global Initiative since 2002/3. The GI worked closely with SCS during the UNSG's Study process and follow up; there are frequent meetings, joint planning and joint publications. SCS has organised and hosted the series of law reform workshops described in section 5.12.1, with the GI facilitating and providing the materials. The GI has worked with Save the Children in other countries, and more recently with Save the Children Global Child Protection Initiative: prohibition and elimination of physical and humiliating punishment are identified as global priority areas.

The GI has had close collaboration with UNICEF, at international level with the headquarters in New York and the Geneva office, with regional child protection advisers, national offices and national committees. For example, the GI usually contacts the relevant UNICEF office when it is briefing on a state being examined by UN treaty bodies or UPR, or following up recommendations made to ban corporal punishment. It has worked closely with what is now the Division of Data, Research and Policy on the growing UNICEF research into violent discipline. Law reform workshops have frequently involved UNICEF regional and national staff.

The GI worked with Plan International in its global *Learn without fear* campaign to combat violence against children in schools, providing detailed information on school corporal punishment. Since 2012 there has also been close collaboration with Plan regional and country offices in West and Central Africa.

Many of the GI's resources have been co-published, distributed and promoted with other major international or regional organisations, including for example the African Child Policy

Forum, the Churches' Network for Non-violence, the Global Movement for Children in Latin America and the Caribbean, Defence for Children International, Plan International and UNICEF. For a full list see appendix 2.

The GI's website lists the many international organisations which have signed up in support of its aims, and with many of them there has been active collaboration, both on international, regional and national advocacy.

5.14 Recruiting supporters for the GI's aims

A key aspect of the GI's efforts to build and maintain the global movement for prohibition of all corporal punishment involves encouraging key organisations and influential individuals to sign up to support prohibition. The invitation to sign up is integrated into many of the above mentioned strategies and interventions. For example, during the drafting of major publications, efforts are made to increase the list of relevant individual and organisational supporters in the particular field or region; similarly, working closely with treaty monitoring bodies, intergovernmental organisations and international organisations invariably involves encouraging these bodies to make public their commitment to prohibition by signing up to the aims of the GI. GI publications typically include a list of the key supporters relevant to the content of the particular report. A full list of supporters is posted on the website.

6 GI CAPACITY

During a visit to London, the evaluator met with each of the 5 UK-based GI team members (Peter Newell, Sharon Owen, Elinor Milne, Bess Herbert and Tina Foulkes [note that the newest staff member started working at GI only after the visit to London in February 2015 and it was decided it would not add much to the evaluation to include her in it]). A Skype interview was also conducted with Sonia Vohito in Addis Ababa.

6.1 Staff

The GI is a tight-knit, flexible unit able to respond quickly to new developments. Despite being relatively small in number, their output is significant in both quantity and quality. The thoroughness and detail of the research done on the legality of corporal punishment is a particular strength, as are the briefings which “remind” individual states of commitments made as part of treaty body and UPR examination processes.

The GI has put in place an “allocations” system, where each member of the team is assigned a group of countries which they monitor. This has facilitated closer scrutiny of progress towards and opportunities for law reform in individual countries.

Interview and questionnaire respondents expressed concerns at the centrality of Peter Newell and Sharon Owen. A number of respondents expressed fears that, should anything happen which would cause their prolonged absence, the GI itself might suffer.

A review of the job descriptions of all staff members indicated that current capacity is somewhat stretched; this could be exacerbated by the fact that one (currently) full-time staff member will be working for only two days a week for the GI as of March 2015. However, the employment of another full-time staff member and the increase to a full week of the working hours of the Office Manager from January 2015 is helping to address this.

Some staff members suggested that, with the growth of the staff team, more attention needs to be given to internal communication and systems. While it is true that the GI has a relatively flat structure with few formal policies and procedures; it is also the case that part

of the GI’s strength lies in this very lack of bureaucracy and its resultant ability to be flexible and able to respond quickly as new opportunities arise. All the interview and questionnaire respondents noted that the GI’s flexibility and lack of bureaucracy have been key in putting it at the forefront of effective advocacy.

6.2 Information technology

The GI’s website (www.endcorporalpunishment.org/) is in need of a face-lift and the ability to link directly to, for example, treaty body homepages and GI’s reports on individual states. Currently, the website is being redesigned and the new website is expected to be online by the end of April or early May 2015.

The GI has recently implemented a team website. This is a secure online facility for storing and sharing key GI documents and other information not on the public website. It originated in May 2013 as a way of ensuring team members could have immediate access to core information (country reports, progress tables, opportunities tables, etc) as soon as this was updated by the Research and Information Coordinator (Sharon Owen).

At present, the teamsite includes the following information:

- documents frequently used in advocacy and constantly updated, including country and territory reports, global and regional tables of progress towards prohibition and ratifications of human rights instruments and complaints/communications mechanisms, analyses relating to recommendations from treaty bodies and the UPR, compilations of relevant research, and core information organised according to “allocations” (see above, section 6.1)
- law reform information, including the latest legal developments, records of legal assessments and up to date information on opportunities for law reform
- treaty body and UPR information to support team members’ advocacy, including technical information on submitting briefings and schedules for lobbying and follow-up work and links to briefings submitted with notes on outcomes and various analyses
- publications information, including links to

draft texts and graphics and information on printing, delivery and other relevant details, as well as allocation of responsibility for the different aspects of production and the drafting of dissemination plans

- team meetings – dates, agendas and pre- and post-meeting documents.

An area of the teamsite was set up specifically to facilitate access to key documents for this evaluation.

It is anticipated that once the new GI website is launched and can be updated directly by team members, the content of the teamsite will be reviewed to ensure there is no unnecessary duplication.

The GI has also adopted Office 365, as a way of ensuring a coherent IT infrastructure (so that all team members have access to the same software and to facilitate internal communication).

At the time of the evaluation, the transition to Office 365 was still underway. Further discussion is needed on how individual state advocacy reports can best be maintained and used, particularly in the context of the “allocated states” work. The transition means that, subject to the necessary training, all team members will be able to edit and/or post content on the teamsite.

6.3 Funding

The bulk of the GI’s funding for its core activities, has come from Sida, which has funded the organisation since 2003. Its current three-year grant, for the period April 1 2013 to March 31 2016, is SEK1.5 million per year.

The Oak Foundation has been funding the GI since 2009, also in three-year grant cycles. The current cycle ends in March 2017 and is for £50,000 per year. The current Oak Foundation grant also included a contribution to the present evaluation.

The GI is additionally receiving a three-year grant contributing towards core activities from a private donor, total \$600,000 – \$200,000 per year from April 1 2014 to March 31 2017.

Other funders have included the Norwegian Ministry of Foreign Affairs (NOK1.7 million from 2010 to 2012); Save the Children Sweden has contributed SEK200,000 since 2001 and has also

supported joint activities or publications. Plan Sweden provided assistance to the activities related to and the preparation and publication of a progress report for West and Central Africa during 2013/14. UNICEF provided a small grant to support the Caribbean Coalition for the Abolition of Corporal Punishment of Children, also in 2013/14.

Grant income for global activities has increased from £25,500 in 2001/2 to £75,500 in 2006/7, and to £274,700 in 2011/12.

Currently, confirmed funding for APPROACH’s financial year April 1 2015 to March 31 2016 is approximately £334,000. Its current three-year core grant from Sida ends on March 31 2016. It has no confirmed funding beyond March 31 2017.

Budgeted expenditure for GI activities in 2015/16 are as follows:

Salaries and associated costs	£191,000
Consultants	£69,000
Publications: design, printing, distribution	£23,000
Translations	£10,500
Travel, subsistence	£24,000
Website development	£7,000
Audit	£4,500
Premises	£8,500
Office expenses	£16,500
Total	£354,000

7 RESULTS

This section will briefly summarise the information derived from the questionnaires and interviews, before considering the impact of the GI at global, regional and country levels. The findings with regard to GI capacity will also be considered.

Most of those who responded to the questionnaire **had known about the GI** for some time, some since its inception. The average length of time that respondents had known about the GI was seven years.

The **nature of the interaction with the GI** ranged from using GI materials as a source of credible and reliable information, to assistance from the GI with practical issues (such as providing information on high-level court judgments and research findings regarding the negative consequences of corporal punishment), and technical assistance in terms of legal reform and promoting and advocating for legal reform. Interaction with the GI has also taken the form of organising joint activities (workshops) and the production of materials.

Respondents were, without exception, of the opinion that the **GI's work has been catalytic** in challenging all forms of violence against children and entrenching notions of children as rights holders in their own right.

Overall, respondents, including GI staff, confirmed that GI's advocacy has:

- contributed to acceptance among human rights bodies and many organisations, and growing acceptance among governments, that prohibition and elimination of all violent punishment of children is a fundamental right and a status issue for children, not only a child protection issue, and
- highlighted the urgency of prohibition and elimination, making the issue visible and giving it a higher international profile, in particular in human rights bodies.

No respondent felt that the GI was in any way **duplicating** the work of others. Indeed, the GI was described as "unique" and "complementing the work" of advocates for prohibition. All respondents agreed that there is an **ongoing need** for the GI's existence, with several expressing concern that the fact that an evaluation was being undertaken might mean that the GI was thinking of scaling down, or

even closing. This idea provoked universal approbation. Many respondents noted that, despite the acceleration in the rate of prohibition, much remains to be done.

Respondents were also clear that the GI should continue as a stand-alone, single issue organisation and that its strength in part lies in its independence, uniqueness and complementing of the work of other, more broadly focused organisations (such as SCI, SCS, UNICEF and Plan International).

The GI has been especially innovative in the **advocacy methodologies** it has developed. In some cases, these are unique to the GI and there was general agreement amongst those interviewed for this evaluation that the GI has proved to be a leader in using such methodologies. The evaluation showed clearly that the materials produced by the GI are widely used by activists, legal experts and decision-makers, as well as by academics and researchers.

7.1 GI influence at the global level

The GI's influence at global level is unquestionable. In response to a question regarding GI's catalytic role, respondents from both the questionnaires and the interviews unfailingly noted the importance of GI submissions and briefings.

In particular, respondents from the UNCROC, UNICEF, the African Committee on Experts on the Rights and Welfare of the Child (ACERWC), COE, SAIEVAC, DCI, Child Rights Connect, Human Rights Watch, the office of the Secretary General's Special Representative on Violence against Children and the Office of the High Commissioner on Human Rights (OHCHR) noted their appreciation of the quality, depth and reliability of the GI's research. They agreed that GI inputs were invaluable in their examination of states and other activities.

This was also noted in the responses from INGOs with which the GI has worked, such as Save the Children International (SCI) and Plan International.

"[GI materials are] really useful and we know we can rely on them and the GI has really helped put the issue on the global agenda. GI briefings and submissions to the UNCROC allow us to make decisions based on clear and confirmed facts and are invaluable in our examination of State Parties."

Kirsten Sandberg, Chairperson, UN Committee on the Rights of the Child, interview

"It was important to have the support of GI who know so much and could convince local stakeholders to support and advocate for prohibition. This has had a big impact in Latin America."

Milena Grillo, Executive Director, Paniamor Foundation, interview

Further evidence of the GI's global impact is provided by the centrality afforded the issue in the 2006 *Report to the UN on the Global Study on Violence against Children* and the *World Report on Violence against Children* which followed.

The GI has made submissions to the **UPR** process since it began in 2008, a total of 302 to date. Arising from the first cycle of the UPR process, 96 of the 175 countries reviewed to which GI briefings were submitted received recommendations on corporal punishment (55%). In the second cycle, analysis of sessions 13-20 shows that 64 of the 105 states reviewed to which GI briefings were submitted received such recommendations (61%). This is a high success rate. In addition, the acceptance by states of recommendations that they should prohibit corporal punishment are used by the GI in establishing the number of states committed to prohibition. The GI also systematically approaches these states to encourage them to fulfil these commitments by pursuing the necessary law reform.

Of the 129 states that received at least one recommendation from the UPR process on corporal punishment during the first 20 sessions, 19 have since achieved full prohibition, with 38 publically committed to reform. (For the full analysis see appendix 6.)

The **UNCROC**, to which the GI provides briefings for each state being examined (and has done since the UNCROC's first examination of states), has to date (March 2015) issued recommendations on corporal punishment to 188 states. Of those states which by March 2015 had not yet achieved full prohibition, 37 have received one recommendation from the CRC, 70 states two recommendations and 38 states three recommendations.

With regard to the examination of states by **other UN treaty bodies**, recommendations on corporal punishment have been made by the Committee Against Torture (CAT), Committee on Economic, Social and Cultural Rights (CESCR), Committee on the Elimination of Discrimination of Women (CEDAW), the Human Rights Committee (HRC) and the Committee on the Rights of Persons with Disabilities (CRPD) subsequent to receiving GI briefings.

The impact of the GI on the global human rights agenda is clear. Reasons for its success at this level have been given by questionnaire and interview respondents as the reliability and depth of the information it provides, its vision and persistence and its clear and unequivocal child rights stance on the issue of prohibition.

7.2 GI influence at the regional level

The GI has advocated for and supported a range of regional initiatives related to the prohibition of all corporal punishment of children. The materials developed and disseminated, and the technical support given by the GI have had a positive impact on forming coalitions and regional developments towards prohibition of corporal punishment. This has been particularly noticeable with regard to the campaigns against corporal punishment in Europe, South Asia and Latin America.

The undeniable impact of the GIs work on the **COE** and **SAIEVAC** has been detailed in sections 5.9.1 and 5.9.2 above. The COE renewed its commitment to eliminate corporal punishment in its Children's Rights Strategy 2012 to 2015. As noted in section 5.3, the GI has systematically briefed the European Committee of Social Rights:

the Committee has consistently confirmed that compliance with the European Social Charter and Revised Social Charter requires prohibition of corporal punishment.

During his terms as Commissioner for Human Rights, Thomas Hammarberg published an issue paper on children's right not to be hit, raised it in each country he visited that had not yet prohibited, and also wrote concerning prohibition to heads of state of non-prohibiting countries.

In the 2008/9 period, the GI was substantially involved with the preparation of a Report by Paulo Pinheiro, Special Rapporteur on the Rights of the Child to the **Inter-American Commission on Human Rights**, on corporal punishment and the human rights of children and adolescents. Professor Pinheiro confirmed that the GI has been influential in his work at global and regional level. In Latin America the GI has

also engaged positively with other Commissioners and the current Special Rapporteur to the Commission on the Rights of the Child, Rosa-María Ortiz; a GI Latin America progress briefing (in Spanish and English) has been widely used in advocacy in the region, including most recently at the 2014 Pan-America Child and Adolescent Congress, focused on "Childhood: Building Environments of Peace", at which prohibition and elimination of corporal punishment was strongly promoted.

Once the **Africa** Project was initiated in July 2009, it became possible to start networking and begin to place prohibition of corporal punishment at the top of the regional child rights agenda. Attending as many regional meetings on the issue of violence against children as possible, and sittings of the ACERWC, it became possible to ensure that the prohibition of corporal punishment began to be knitted into agendas

"The GI, together with Save the Children and the children who participated in the consultations, highlighted for me the central importance of prohibiting and eliminating this most common form of violence against children and challenging the whole idea of 'reasonable' violence against children of all people. The GI has been very important in the follow-up to the Study – keeping the Study recommendation to prohibit and eliminate corporal punishment explicitly on the agenda and giving it a high international profile. I still work closely with GI whenever I can."

Paulo Sérgio Pinheiro, the Independent Expert who led the UN Secretary General's Study on Violence against Children and currently chairs the Independent International Commission of Inquiry into Syria, questionnaire response

"The GI complements the work of SAIEVAC and other organisations. The voice to end corporal punishment needs to be louder. The GI provides technical support for achieving legal reform to achieve explicit ban on all corporal punishment and also makes use of human rights monitoring mechanisms (reporting to the treaty bodies) to call upon the states to take necessary measures to prohibit corporal punishment."

Rajan Burlakoti, Campaign Coordinator, SAIEVAC, Skype interview

"I was the initiator of the [Council of Europe's] campaign against violence against children. The issue of corporal punishment was a sort of stand-alone issue for which there was no specific group working on the issue at the Council of Europe. After the 'A' judgment against the UK, we could begin to start some discussion on the issue. The GI was a very important partner in this process. Although the objective of initiating a Europe-wide campaign against corporal punishment was a success, it needed the push it got from the GI."

Maud De Boer Buquicchio, former Deputy Secretary General of the Council of Europe (2002-2012), currently Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, interview

"I think the GI is an example to be repeated by other movements; with relatively little resources but with a strong and clear focus, it manages to touch base with almost all important stakeholders. The GI has an accurate follow up of each country in the world, with accurate information about progress and information about the key stakeholders. As my experience is with the GI in South Asia and in the Baltic Sea Region I have always received relevant information in time for my own advocacy and I have received updated information about the opportunities and challenges – which has always been very to the point."

Turid Heiberg, Head of Children's Unit, Council of the Baltic Sea States, questionnaire response

at regional and national levels. The GI has persistently briefed the ACERWC on the legality of corporal punishment in states being examined at its sessions and has established positive relationships with Committee members. The Committee now makes strong, clear recommendations to states to ensure the law prohibits corporal punishment in all settings and is effectively implemented.

Africa has shown a significant increase in the number of countries prohibiting corporal punishment; since Togo did so in 2007, Kenya, Congo and Tunisia did so in 2010, South Sudan came on board in 2011 and Benin, most recently, in 2015.

"Collaborative — sharing of information, mainly my organisation has benefited from GI's expertise on law reform and GI has benefited from our local level knowledge and connection to the relevant authorities as well as providing GI with local documents."

Judith Mulenga, Director of the Zambia Civic Education Association (ZCEA) and a member of the International NGO Council on Violence against Children, questionnaire response

It is clear that the GI's impact at regional level has strengthened regional advocacy for prohibition, and the escalating rate of prohibition in Europe, Latin America and Africa is evidence of this. Also escalating is the rate of countries committed to prohibition.

Respondents agreed that the GI has promoted a useful model for working regionally on violence against children in general and corporal punishment in particular.

7.3 GI influence at national level

The GI has ensured that its impact at the global and regional levels has been felt at the national level too. As noted in sections 5.2, 5.3 and 5.4 above, the GI has pro-actively and systematically engaged with national actors, in particular in the context of following up UN treaty body and UPR recommendations to prohibit corporal punishment. Reminding countries of the commitment made by ratifying certain international treaties and conventions and by accepting recommendations made during the UPR has played a role in domestic law reform. In South Africa, for example, an amendment to the Children's Act as Amended (38 of 2005 and 41 of 2007) currently before Parliament contains a clause prohibiting corporal punishment in the home (it is already prohibited in other settings in South Africa). South Africa accepted the recommendations of the first UPR process that it prohibit corporal punishment in the home.

There was agreement that the documentation and dissemination of information about immediate opportunities for law reform in individual states and territories to achieve prohibition in some or all settings, and keeping this information up to date, has been key in advocacy within states to engage with national organisations on the issue; this has also created opportunities for the GI to, in some cases, submit detailed comments on Bills currently in parliament.

Respondents were also in agreement that monitoring, recording and disseminating recommendations on corporal punishment made to each state by international and regional treaty bodies and the UPR (and keeping all this information up to date) has enabled the GI to keep a high profile on the increasing human rights pressure on governments to reform their domestic laws.

The GI has been both influential in and supportive of advocacy for prohibition at national level. All the respondents to the questionnaire stressed the value of the GI's considerable body of information (mapping the legal status across

the world, reporting on new developments, identifying delays and “broken commitments”, issue- and setting-specific publications, etc). These have proved to be rich and valuable resources, with many of the respondents attesting to them being used to inform their own in-country advocacy for legal reform.

In addition to its work in increasing directly and indirectly the human rights pressure on all states which have achieved prohibition over the years since its inception in 2001, the GI has provided individual technical support to many national initiatives which have resulted in full prohibition, some led by government, others promoted by national NGOs and human rights institutions and country offices of UNICEF, Save the Children and other international organisations. These include, for example, technical support, often over many years, to inform law reform in Romania (prohibition achieved 2004), Greece (2006), Portugal (2007), New Zealand (2007), Costa Rica (2008), Kenya (2010), Poland (2010) Curaçao (2012), Brazil (2012) and Estonia (2014).

7.4 GI Capacity

Respondents in general felt that the volume of the GI’s output is significant, given the small **staff complement**. Most also agreed that it is the GI’s small size and consequent lack of

bureaucracy that facilitates its ability to respond quickly when new opportunities for law reform arise. Nevertheless, there was agreement that a small increase in the number of staff could impact positively on a reduction of the workload on individual staff members as well as address issues such as internal translation capacity, providing part-time advocacy support within additional regions and to fully implement the “allocated states” strategy.

It was suggested by respondents that the GI should consider publishing more of its materials (especially those not specific to a particular region) in French, Spanish and possibly Arabic.

Concerns regarding the potential negative impact of the prolonged absence of either Peter Newell or Sharon Owen are valid; however, the GI is aware of the risk and is developing contingency plans, including for the eventual retirement of Peter Newell.

Reviewing the GI’s **funding** for the current period confirms that the GI is delivering value for money. It runs on a tight and well-managed budget, has low overheads and a basket of reliable funders. However, as is shown in the recommendations under section 9 below, the development of existing practices and new ones will require an increase in the funding base.

"Through the resources they developed and/or shared, being kept in touch with what was going on around the world was very useful and the fact that GI reported on UN Committee recommendations all gave us material for advocating for prohibition."

Beth Wood, EPOCH New Zealand, Skype interview

"Our institution also used the materials available on the web-page of GI to convince our government to ban corporal punishment in Estonia. Also the GI put some pressure on the government with their questions about the matter. And we were successful. A law was passed in Estonia in Dec 2014 which will enter into force on 1.01.2016 that bans all corporal punishment in all settings."

Andres Aru, Child Rights Department, Office of the Chancellor of Justice, Estonia, questionnaire response

8 DISCUSSION AND CONCLUSIONS

8.1 The work and influence of the GI

In the 14 years since the GI was launched, the percentage of the world's children who are protected from all forms of assault, no matter how "mild", has risen steeply. The last 10 years have seen a dramatic escalation in the rate of prohibition: from 15 countries in 2004 to 46 (so far) in 2015. During this time, the GI has played a key role in a number of global, regional and national developments. This evaluation shows that the GI has fulfilled its promise to be catalytic; it has tracked progress towards prohibition across the world and has put the issue of corporal punishment squarely on the global agenda.

8.2 Raising the status of children and respect for child rights

The work of the GI has been significant in raising the status of children and in the recognition of children as rights-holders in their own right. As well as being central to child protection and to realising a wide range of other rights, prohibition of corporal punishment is about children's status. Nothing is more symbolic of the low regard given to children than the fact that they, uniquely, are not afforded full legal protection from violent assault.

The GI has always taken a strictly rights-based approach to its advocacy, refusing to compromise or dilute the call for children's right to equal protection. Several respondents noted the GI's effect on attitudes towards children's rights has been positive.

"Every word written and said by GI embodies the principles of children as rights holders; they are an inspiration to all of us."

Margaret Tuite, EU Commission Coordinator for the Rights of the Child, questionnaire response

8.3 Effectiveness of advocacy

The GI has used the advocacy methods it has developed, described in full in section 5 above, to significant effect. In part, the effectiveness has been the result of the meticulous research done by the GI, the clear and impartial criteria set for judging whether or not prohibition in law has actually occurred, and the range of issues which the GI has linked to prohibition of corporal punishment (gender violence, disability rights, young children, children in the justice system etc).

The GI strategy of briefings and submissions to treaty bodies and the UPR process has been particularly influential, and there is a clear correlation between inputs from the GI, recommendations to states and countries prohibiting.

An efficient system of sending emailed updates to a substantial mailing list (some members of which have their own mailing lists to which they forward GI materials) and regular newsletters and *Progress and delay* reports have provided advocates for prohibition at local level with useful, up-to-date and relevant materials and information.

Ongoing engagement with a range of actors, including high profile ones, often involving recruitment of individual and organisational supporters of prohibition has been successful; importantly, the GI's quoting of supporters from a particular region for a particular regional report has been well received.

8.4 Lessons for advocacy

Respondents were in agreement that other child rights issues could benefit from the advocacy methodologies used by the GI. Distinctive features of the GI's approach which could inform advocacy on other child rights issues include:

- ensuring detail on the issue is available for all states and territories worldwide
- working to engage those in all states and territories and adopting an increasingly individualised approach to advocacy as

- required in different states
- detailed briefing of relevant treaty bodies and the UPR on the issue
- ensuring the issue is approached from all relevant angles, and those working on related themes are appropriately engaged
- taking a systematic and thorough approach to the issue
- taking an uncompromising and clearly rights-based approach

Children's rights on which some similar advocacy methodologies could be used may include:

- children's right to express their views and have them taken into account at all levels (e.g. access to and provision for children within the justice system, genuine and meaningful representation of children in all institutions that affect them (schools, care institutions, etc) and at all levels of society (local administration, national government, etc))
- children's right to equality and non-discrimination and the legal framework ensuring this (protecting children from discrimination on any basis, discrimination because of being a child, e.g. status offences)
- children's rights in detention (penal detention, immigration detention, detention in relation to care, education and health systems)
- children's right to an adequate standard of living and other social and economic rights
- children's right to legal protection from all forms of violence (see recommendation 9.2(i) below)

Also useful is the GI "model" of a small, flexible and dynamic organisation of highly committed individuals focused narrowly but deeply on one issue.

As respondents from countries which have prohibited corporal punishment in the last decade attested, the technical support and wide range of resources made available by the GI were invaluable for their national advocacy. Respondents were in agreement that this would also be useful in advocating for other child rights.

The benefits of making materials available in the home language of those one might be trying to influence was highlighted as playing an important role in the accessibility of GI briefings, submissions, newsletters and reports etc.

8.5 Major challenges

Perhaps the GI's biggest challenge has been to ensure that the prohibition of corporal punishment is not "diluted" and subsumed into the broader violence against children issue. The GI has overcome this to a significant extent by its insistence on children's right to at least the same legal protection that adults enjoy. As the GI has famously said, "Hitting people is wrong and children are people too".

The GI faces the same practical challenges that many advocacy organisations face in a heavy workload and ensuring good communication between different staff members and activities of the organisation. The introduction of Office 365, the team website and the launch of the new website will all assist (and are already assisting) in addressing this challenge. The employment of a new full-time staff member and increasing the hours of the Office Manager to full-time in 2015 will also help to address this.

The potential challenge of the extended absence of either Peter Newell or Sharon Owen is a real one. However, the GI is well cognizant of this and is taking appropriate steps to reduce the impact of Peter Newell's eventual retirement.

8.6 Use of resources

While this evaluation did not in any way constitute an audit of the GI's use of resources, it is clear that much has been achieved for a relatively small amount of money. In addition, it is clear that the GI manages its funding responsibly, keeping costs as low as possible, having regular audits and spending within its budget.

"There is no doubt that receiving GI submissions in French had the effect of increasing members' openness to the information being provided."

Benyam Mezmur, immediate past-Chair of the African Committee of Experts on the Rights and Welfare of the Child and Vice-Chair of the UN Committee on the Rights of the Child, Skype interview.

9 RECOMMENDATIONS

9.1 Continuation of proven effective advocacy and ways of working

(i) The following activities undertaken by GI have proven to be effective in advocacy and should be continued:

- Comprehensive and ongoing mapping of legislation relating to corporal punishment in all settings in every state and territory and tracking of progress towards universal prohibition of corporal punishment.
- Dissemination of up-to-date information of current law and on law reform needed and opportunities for achieving it in every state through the website, newsletters and other regular and also opportunistic publications.
- Systematic briefing of UN treaty bodies (TBs), the UPR and regional human rights monitoring bodies and associated monitoring of coverage of corporal punishment as a human rights violation in the context of international human rights law and jurisprudence.
- Systematic and opportunistic contact with actors at national level (parliamentarians, government officials, NGOs, NHRIs), including the lobbying and follow up work associated with TB/UPR briefing, maintaining existing relationships and seeking to build new ones with key organisations and individuals.
- Provision of technical advice and support on law reform, through generic publications and bespoke advice.
- Collation and dissemination of information to both support the promotion of law reform and its implementation, including awareness raising and mobilisation, research on the prevalence and harmful impact of corporal punishment and links to resources on positive, non-violent discipline.
- Tailoring presentation of the rights-based imperative to prohibit corporal punishment with a view to engaging different sectors, including education, health, child protection, domestic violence, disability rights, care settings, early years, juvenile justice, etc.
- Legalistic strategies to promote prohibition (e.g. the collective complaints submitted under the Council of Europe procedure).
- Recruitment of key individuals and organisations to sign up to the aims of the GI thereby showing influential support for prohibition.
- Collaboration with key partners (Save the Children, Plan, UNICEF and many others listed among supporters).
- Strategic working with the Churches' Network for Non-violence to engage faith communities.
- Development of the new website (its launch should be a priority issue).

(ii) The GI continually monitors its activities and conducts regular analyses of activities and their outcomes, evaluating their success or not and adjusting and/or developing practice accordingly: this should be an integral part of all existing and new activities.

(iii) The GI is a small, highly committed team, with minimal bureaucracy, low overheads and flexible organisation. This allows it to be particularly responsive to new developments alongside its regular systematic work. It is a key strength of the organisation, and maximises the potential of individual team members' ways of working. While there is a need for a small increase in the size of the team, the minimal bureaucracy and flexible work practices should continue.

9.2 Further development of existing practices and suggested new practices

(i) Subject to success in attracting additional resources, measures should be taken to build on and make maximum use of the GI's accumulated information and advocacy experience, including:

- Technical assistance and full collaboration with Sweden, Austria, Finland, Brazil and other states committed to working actively towards universal prohibition and elimination of corporal punishment.
- Systematic initial and ongoing translation of Global Initiative resources into languages necessary for effective global advocacy and advocacy in particular regions/states.
- Making available technical assistance and generic campaign materials online, emphasising that both face-to-face and remotely provided individually tailored advice and assistance is also available from the team.
- Increased strategic pro-active as well as reactive engagement with global, regional and national media – in collaboration with partners who may have greater communications capacity.
- Strategic use of social networking media.
- Increased collaboration and joint advocacy with the office of the Special Representative to the UN Secretary General on Violence against Children and UNICEF.
- Providing region-based part-time GI coordination of advocacy as currently undertaken in Africa and the Caribbean, in additional regions/ clusters of states as needed (for example in East Asia and Pacific, Middle East and other Islamic states, and the Commonwealth of Nations states).
- Consider what if any additional forms of advocacy might speed prohibition in certain internationally influential states.
- Advocacy with additional inter-governmental organisations, both regional and other.
- Targeted advocacy to ensure inclusion of the issue in the challenge to domestic violence at international, regional and national levels and to promote inclusion of prohibition in new domestic violence legislation.
- Advocacy with governments and inter-governmental organisations to promote the path from prohibition to elimination and effective implementation of prohibition; elements to include are: disseminating information on the legal ban and children's right to protection, awareness-raising of the harmful effects of corporal punishment and promotion of positive, non-violent discipline.
- Increased awareness raising on the relationship between promoting/

achieving law reform and promoting positive discipline.

- Expanding the GI's ability to counter faith-based opposition to prohibition and to foster and disseminate the increasing faith-based support for it, in collaboration with the Churches' Network for Non-Violence and others.
- Develop/support a mapping exercise on the legality of all forms of violence against children, building on the GI's mapping of the legality of corporal punishment, to be sustained by other appropriate international organisations.
- Share good advocacy practice and experience for the benefit of NGOs working on other child rights issues.

(ii) Attention should be given to the following internal organisational issues:

- Continued development of the IT infrastructure, including maximising the potential of Office 365 and the GI's innovative team website and developing an effective and accessible contacts database.
- Further implementation of the "allocated states" system, providing oversight/support from GI team members for the path to prohibition in each state and territory which has not achieved it and where there is no effective national campaign.
- Positive development of the GI team, building on its recent growth and preparing for possible small further expansion while retaining the focussed and non-bureaucratic working practices and managing Peter Newell's eventual retirement.
- Ensuring the GI has or can take on sufficient staff to cover its growing workload, including by ensuring job roles are clear, coherent and

sustainable and that communication within the dispersed staff team is effective.

- Ensuring the financial stability of GI beyond 2016, including planning for development of the GI's work as recommended by this report for the period 2015-2020.

APPENDICES

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1 Questionnaire

Note: Was also available in French

Introduction

This questionnaire has been developed to gather data for an independent evaluation of the Global Initiative to End All Corporal Punishment of Children (GI: www.endcorporalpunishment.org), supported by the Swedish International Development Cooperation Agency – Sida. I am undertaking this during the period January to end March 2015.

Your input will be most important to the evaluation process and assist the GI in reflecting on what it has achieved and in planning its future.

Unless you indicate otherwise, I will assume I can quote and attribute your answers in the final evaluation report. Please advise if you would prefer to remain anonymous.

Kindly return to me as soon as possible. Thank you for your time.

Sincerely
Carol Bower, evaluator (crlbwr4@gmail.com)

Questionnaire

1 How long have you known about the GI?

[Type response here]

2 Briefly, what has been your relationship with the GI?

[Type response here]

3 The GI's stated purpose is to act as a catalyst to speed the prohibition and elimination of violent punishment of children (corporal punishment and other cruel or degrading forms of punishment) – the most common form of violence against children: what impact/influence do you think it has had, if any on the accelerating condemnation and prohibition of corporal punishment of children in all settings including the home?

[Type response here]

4 To what extent do you consider the GI has had any wider influence on:

4.1 The overall challenge to all forms of violence against children?

[Type response here]

4.2 Respect for children as rights-holders?

[Type response here]

4.3 The strength of and methods of advocacy for children's rights?

[Type response here]

4.4 The overall challenge to all forms of violence against children?

[Type response here]

5 To what extent, if any, do you consider the GI duplicates or complements the work of other international organisations and how?

[Type response here]

6 Do you think there is a continuing need for the GI?

[Type response here]

If "yes", how should it develop over the next five years and what would you propose to enable it to strengthen its influence and speed progress?

[Type response here]

If "no", do you believe other organisations can fulfil its purpose adequately?

[Type response here]

7 Please tell us anything else you think would be useful in evaluating the impact and effectiveness of the GI.

[Type response here]

Thank you,
Carol Bower

2 Publications list

Note: Within each section, publications are listed in the order of most recent first.

GI as sole publisher

1. *Prohibiting all corporal punishment of children: progress and delay*, March 2015, September 2014, March 2014, October 2013, October 2012, March 2012, October 2011 (EN, leaflet, A5, 6 sides)
2. *Prohibiting violent punishment of girls and boys – a key element in ending family violence*, March 2015, with Save the Children (briefing for CSW 59th session) (EN, leaflet, A4, 6 sides)
3. *Prohibiting and eliminating all corporal punishment of children with disabilities*, September 2012, updated December 2014 (EN, leaflet, A4, 4 sides)
4. *Progress towards prohibiting all corporal punishment of children in Latin America*, October 2014 (EN/SP)
5. *Young children's right to an end to all violent punishment*, July 2014 (EN, leaflet, A4, 6 sides)
6. *Childhood free from corporal punishment – changing law and practice: A special progress report prepared for the high-level conference hosted by Sweden's Ministry of Health and Social Affairs in Stockholm, June 2014, celebrating the 25th anniversary of the adoption of the CRC and the 35th anniversary of Sweden's pioneering ban on all corporal punishment of children*, June 2014 (EN, report, A4, 28 pages plus covers)
7. *Prohibiting all corporal punishment of children: learning from states which have achieved law reform*, May 2014 (EN, booklet, A4, 8 pages)
8. *Corporal punishment of children and the Universal Periodic Review*, May 2014 (EN, leaflet, A4, 2 sides)
9. *Why prohibition of all corporal punishment is essential in fulfilling children's right to protection from violence: messages from research*, March 2014 (EN, paper, A4, 7 pages)
10. *Prohibiting all corporal punishment of children: assessing the law ("Assessment guidelines")*, February 2014 (EN/FR/PT/RU, paper, A4, 3 pages)
11. *Prohibiting corporal punishment: achieving equal protection for children in EU member states: Progress Report 2013* (EN, report, A4, 36 pages plus covers)
12. *Review of research on the effects of corporal punishment: working paper*, April 2013 (EN, paper, A4, 21 pages)
13. *Summary of research on the effects of corporal punishment*, April 2013 (EN, paper, A4, 7 pages)
14. *Prohibiting and eliminating corporal punishment of girls – a key element in the global challenge to all violence against women and girls*, September 2012 (EN, leaflet, A4, 4 sides)
15. *Prohibiting and eliminating all corporal punishment of children with disabilities*, September 2012 (EN, leaflet, A5, 6 sides)
16. *Resources for eliminating corporal punishment in schools*, July 2012 (EN, paper, A4, 15 pages)
17. *Prohibiting all corporal punishment of children in Africa: progress and delay*, June 2012 (EN/FR, leaflet, A5, 8 sides)
18. *Prohibiting all corporal punishment in schools: Global Report 2011* (EN, report, A4, 16 pages)
19. *Guide to children and young people's participation in actions against corporal punishment*, 2011 (EN, paper, A4, 20 pages)
20. *Prohibiting all corporal punishment of children: Frequently Asked Questions*, 2009 (EN/FR/SP, booklet, A5, 16 pages plus covers)
21. *Stop Hitting: Banning all corporal punishment of children – Questions and*

Answers for children and young people, 2009 (EN/FR/SP, booklet, A5, 28 pages)

22. Campaigning for law reform to prohibit corporal punishment, summary briefings, 2009:
 1. *Understanding the need for prohibition* (EN/AR/FR, paper, A4, 2 pages)
 2. *Reviewing current law* (EN/AR/FR, paper, A4, 2 pages)
 3. *Drafting prohibiting legislation* (EN/AR/FR, paper, A4, 2 pages)
 4. *Building a national strategy* (EN/AR/FR, paper, A4, 2 pages)
 5. *Working with Government and Parliament* (EN/AR/FR, paper, A4, 2 pages)
 6. *Using legal action and regional and international human rights mechanisms* (EN/AR, paper, A4, 2 pages)
 7. *Key resources to support campaigning* (EN/AR, paper, A4, 2 pages)
23. *Prohibiting corporal punishment of children: A guide to legal reform and other measures*, January 2008 (EN, booklet, A5, 32 pages plus covers), revised February 2009 (EN/FR/SP)
24. *Ending lawful assault of children – a foundation for eliminating sexual exploitation and abuse*, Briefing in preparation for the World Congress III against Sexual Exploitation of Children, 25-28 November 2008, Rio de Janeiro, Brazil (EN/FR/PT/RU/SP, leaflet, A5, 4 sides)
25. Annual global reports:

Ending legalised violence against children: Global report 2007 – Following up the UN Secretary General's Study on Violence against Children (EN, report, A4, 24 pages plus covers)

Ending legalised violence against children: Global report 2006 – A contribution to the UN Secretary General's Study on Violence against Children (EN, report, A4, 48 pages)

[For global reports after 2007, see under "Published with partners"]

Published with partners

1. *Cruel, inhuman and degrading: ending corporal punishment in penal systems for children*, January 2015, with Save the Children Sweden (EN, report, A4, 16 pages)
2. *Faith-based support for prohibition and elimination of corporal punishment of children – a global overview*, November 2014, updated February 2015, with Churches' Network for Non-violence (CNNV) (EN, briefing, 4 pages)
3. *Progress towards prohibiting all corporal punishment of children in ASEAN member states*, November 2014, with Save the Children (EN, leaflet, A4, 4 pages)
4. *Progress towards prohibiting all corporal punishment of children in Latin America*, October 2014, with UNICEF and Save the Children (EN/SP, leaflet A4, 6 sides)
5. *Prohibiting corporal punishment of children in Central Asia, South East Asia and the Pacific: Progress Report 2014*, with Save the Children (EN, report, A4, 80 pages plus covers)
6. *Prohibiting corporal punishment of children in West and Central Africa: Progress report 2014*, with Plan International and Save the Children (EN, FR, report, A4, 56 pages plus covers)
7. *Ending violent punishment of girls: A key element in the global challenge to all violence against women and girls*, February 2013 (briefing for CSW 57th session), with Defence for Children International (EN, leaflet, A4, 4 sides)
8. *Ending legalised violence against children: Prohibiting and eliminating corporal punishment in all alternative care and day care settings*, 2012, with Save the Children (EN, report, A4, 36 pages plus covers)
9. *Prohibiting corporal punishment of children in the Caribbean: Progress Report 2012*, with Global Movement for Children in Latin America and the Caribbean (EN, report, A4, 64 pages plus covers)
10. *Prohibition of corporal punishment of children in South Asia: a progress review*, 2011, with South Asia Initiative to End

Violence against Children (SAIEVAC) and Save the Children Sweden (report, A4, 30 pages plus covers)

11. *Ending corporal punishment of children: A handbook for working with and within religious communities*, 2011, with Churches' Network for Non-violence (CNNV) and Save the Children Sweden (EN, manual, A4, 80 pages plus covers)
12. *Ending legalised violence against children: All Africa Report 2010*, with Save the Children Sweden and The African Child Policy Forum (EN/FR, report, A4, 32 pages plus covers)
13. *Ending corporal punishment and other cruel and degrading punishment of children through law reform and social change*, 2010, with Save the Children Sweden (EN/FR/SP manual, A4, 96 pages plus covers). Also in Japanese (with Save the Children Japan)
14. *Prohibiting all corporal punishment of children: Frequently Asked Questions*, 2009, with Save the Children Sweden (EN, booklet, A4, 12 pages)
15. *Stop Hitting! Banning all corporal punishment of children: Questions and answers for older children and young people*, 2009, with Save the Children Sweden (EN, booklet, A4, 16 pages)
16. *Positive Discipline: What it is and how to do it*, 2007, 1st edition, with Save the Children Sweden (EN, manual, A4, 356 pages); available in many other languages. 2nd edition 2011; 3rd edition published 2013 as *Positive Discipline in Everyday Parenting*
17. *Hitting people is wrong – and children are people too: A practical handbook for organisations and institutions challenging corporal punishment of children*, 2002, with Save the Children Sweden (EN, booklet, A5, 28 pages plus covers)

18. Annual global progress reports:

Ending legalised violence against children: Global progress to December 2014 – Following up the UN Secretary General's Study on Violence against Children, with Save the Children (EN, report, A4, 20 pages)

Ending legalised violence against children: Global report 2013 – Following up the UN Secretary General's Study on Violence against Children, with Save the Children (EN, report, A4, 44 pages plus covers)

Ending legalised violence against children: Global report 2012 – Following up the UN Secretary General's Study on Violence against Children, with Save the Children (EN, report, A4, 32 pages plus covers)

Ending legalised violence against children: Global report 2011 – Following up the UN Secretary General's Study on Violence against Children, with Save the Children (EN, report, A4, 32 pages plus covers)

Ending legalised violence against children: Global report 2010 – Following up the UN Secretary General's Study on Violence against Children, with Save the Children Sweden (EN, report, A4, 32 pages plus covers)

Ending legalised violence against children: Global report 2009 – Following up the UN Secretary General's Study on Violence against Children, with Save the Children Sweden (EN, report, A4, 32 pages plus covers)

Ending legalised violence against children: Global report 2008 – Following up the UN Secretary General's Study on Violence against Children, with Save the Children Sweden (EN, report, A4, 32 pages plus covers)

[For global reports before 2008, see under "GI as sole publisher"]

19. Regional reports for the UN Study on Violence against Children:

Ending legalised violence against children: All Africa special report – a contribution to the UN Secretary General's Study on Violence against Children, 2006, updated 2007, with Save the Children Sweden (EN, report, A4, 64 pages)

Ending legalised violence against children: Report for Caribbean Regional Consultation – the UN Secretary General's Study on Violence against Children, Trinidad 2005, with Save the Children Sweden (EN, report, A4, 40 pages)

Ending legalised violence against children: Report for East & Southern Africa Regional Consultation – the UN Secretary General’s Study on Violence against Children, Johannesburg, South Africa 2005, with Save the Children Sweden (EN, report, A4, 40 pages)

Ending legalised violence against children: Report for East Asia & Pacific Regional Consultation – the UN Secretary General’s Study on Violence against Children, Bangkok, Thailand 2005, with Save the Children Sweden (EN, report, A4, 52 pages)

Ending legalised violence against children: Report for Europe & Central Asia Regional Consultation – the UN Secretary General’s Study on Violence against Children, Ljubljana, Slovenia 2005, with Save the Children Sweden (EN, report, A4, 28 pages)

Ending legalised violence against children: Report for Latin America Regional Consultation – the UN Secretary General’s Study on Violence against Children, Buenos Aires, Argentina 2005, with Save the Children Sweden (EN/SP, report, A4, 44 pages)

Ending legalised violence against children: Report for Middle East and North Africa Regional Consultation – the UN Secretary General’s Study on Violence against Children, Cairo, Egypt 2005, with Save the Children Sweden (EN/AR, report, A4, 38 pages)

Ending legalised violence against children: Report for North America Regional Consultation – the UN Secretary General’s Study on Violence against Children, Toronto, Canada 2005 (EN, report, A4, 24 pages)

Ending legalised violence against children: Report for South Asia Regional Consultation – the UN Secretary General’s Study on Violence against Children, Islamabad, Pakistan 2005, with Save the Children Sweden (EN, report, A4, 28 pages)

Ending legalised violence against children: Report for West and Central Africa Regional Consultation – the UN Secretary General’s Study on Violence against Children, Bamako, Mali 2005, with Save the Children Sweden (FR, report, A4, 40 pages)

Caribbean Coalition

1. *Progress towards prohibiting all corporal punishment of children in the Caribbean, issue 1, December 2013, with UNICEF (EN, leaflet, A4, 6 sides)*
2. *Prohibiting all corporal punishment of children in the Caribbean, July 2013 (EN, leaflet, A5, 8 sides)*

Other

E-newsletters – global (EN), African (EN/FR) and Caribbean (EN)

3 Thematic publications and briefings

Note: Briefings which fall under more than one theme are listed under each relevant theme. Listing is from latest (i.e. 2015)

Rights of the girl child

1. *Prohibiting violent punishment of girls and boys – a key element in ending family violence*, March 2015, with Save the Children (briefing for CSW 59th session) (EN, leaflet, A4, 6 sides)
2. *Corporal punishment of children and domestic violence: making the links visible*, Submission to CEDAW Committee, July 2014 (EN, briefing, A4, 1 page)
3. *Submission to the Working Group on Discrimination Against Women in Law and Practice's call for submissions on Good Practices in the Elimination of Discrimination against Women in Family and Cultural Life*, July 2014 (EN, briefing, A4, 3 pages)
4. *Ending violent punishment of girls: essential for their right to education*, Submission to the Committee on the Elimination of Discrimination Against Women's half-day of general discussion on girls'/women's right to education, June 2014 (EN, briefing, A4, 10 pages)
5. *Prohibiting and eliminating all corporal punishment of girls with disabilities*, Submission to the Committee on the Rights of Persons with Disabilities for the half day of general discussion on women and girls with disabilities in April 2013 (EN, briefing, A4, 5 pages)
6. *Ending violent punishment of girls: A key element in the global challenge to all violence against women and girls*, February 2013 (briefing for CSW 57th session), with Defence for Children International (EN, leaflet, A4, 4 sides)
7. *Access to justice and ending violent punishment of girls*, Submission to the Committee on the Elimination of Discrimination against Women for the

general discussion on access to justice, February 2013 (EN, briefing, A4, 3 pages)

8. *Prohibiting and eliminating corporal punishment of children – a key element of state responsibility for eliminating violence against women and girls*, Submission to the study of the Special Rapporteur on Violence against Women, its Causes and Consequences, on state responsibility for eliminating violence against women, October 2012 (EN, briefing, A4, 4 pages)
9. *Prohibiting and eliminating corporal punishment of girls – a key element in the global challenge to all violence against women and girls*, September 2012 (EN, leaflet, A4, 4 sides)
10. *Ending lawful assault of children – a foundation for eliminating sexual exploitation and abuse*, Briefing in preparation for the World Congress III against Sexual Exploitation of Children, 25-28 November 2008, Rio de Janeiro, Brazil (EN, SP, PT, RU, FR, leaflet, A5, 4 sides)

Rights of children with disabilities

1. *Prohibiting and eliminating all corporal punishment of children with disabilities*, September 2012, updated December 2014 (EN, leaflet, A4, 4 sides)
2. *Corporal punishment: a barrier to education for children with disabilities*, Submission to the OHCHR study on the right to education of persons with disabilities, September 2013 (EN, briefing, A4, 10 pages)
3. *Prohibiting and eliminating all corporal punishment of girls with disabilities*, Submission to the Committee on the Rights of Persons with Disabilities for the half day of general discussion on women and girls with disabilities in April 2013 (EN, briefing, A4, 5 pages)
4. *Prohibiting and eliminating all corporal punishment of children with disabilities*, September 2012 (EN, leaflet, A5, 6 sides)

5. *Prohibiting and eliminating all corporal punishment of children with disabilities in Africa*, Briefing for the Day of the African Child 2012 (EN, FR, briefing, A4, 2 pages)
6. *Prohibiting and eliminating all corporal punishment of children with disabilities*, Briefing for the Committee on the Rights of Persons with Disabilities, September 2012 (EN, briefing, A4, 4 pages)

Rights of very young children

1. *Young children's right to an end to all violent punishment*, July 2014 (EN, leaflet, A4, 6 sides)
2. *Prohibiting violent punishment of children: a key element of preventing the deaths of young children*, Submission to the OHCHR for the preparation of technical guidance in relation to Human Rights Council resolution 24/11, January 2014 (EN, briefing, A4, 3 pages)

The right to education

1. *Prohibition of corporal punishment: a key element in realizing the right to education for persons with disabilities*, Submission to the Committee on the Rights of Persons with Disabilities Day of General Discussion on the right to education for persons with disabilities, March 2015 (EN, briefing, A4, 6 pages)
2. *Ending violent punishment of girls: essential for their right to education*, Submission to the Committee on the Elimination of Discrimination Against Women's half-day of general discussion on girls'/women's right to education, June 2014 (EN, briefing, A4, 10 pages)
3. *Prohibiting corporal punishment of children in schools – A requirement to realizing children's right to education in Africa*, Briefing for the Day of the African Child 2014 (EN, FR, briefing, A4, 3 pages)
4. *Corporal punishment: a barrier to education for children with disabilities*, Submission to the OHCHR study on the right to education of persons with disabilities, September 2013 (EN, briefing, A4, 10 pages)

5. *Resources for eliminating corporal punishment in schools*, July 2012 (EN, paper, A4, 15 pages)
6. *Prohibiting all corporal punishment in schools: Global Report 2011* (EN, report, A4, 16 pages)
7. *Prohibiting corporal punishment in schools: Positive responses to common arguments*, April 2009 (EN, briefing, A4, 6 pages)

The right to health

1. *Prohibiting all corporal punishment of children in Africa – A key element in eliminating harmful social and cultural practices*, Briefing for the Day of the African Child 2013 (EN, briefing, A4, 3 pages)
2. *Corporal punishment and children's rights to health*, Submission to the OHCHR Study on the right of the child to the enjoyment of the highest attainable standard of health, September 2012 (EN, briefing, A4, 5 pages)
3. *Review of research on the effects of corporal punishment: working paper*, April 2013 (EN, paper, A4, 21 pages; summary version 7 pages)

Rights in juvenile justice settings

1. *Cruel, inhuman and degrading: ending corporal punishment in penal systems for children*, January 2015, with Save the Children Sweden (EN, report, A4, 16 pages)
2. Submission to the discussion day on "Access to justice for children" in preparation for the OHCHR's report, March 2014 (EN, briefing, A4, 7 pages)
3. Submission to OAS survey on the rights of persons deprived of liberty, June 2010 (EN, paper, A4, 36 pages)

Rights in alternative care and day care settings

1. *Ending legalised violence against children: Prohibiting and eliminating corporal punishment in all alternative care and day*

care settings, 2012, with Save the Children
(EN, report, A4, 36 pages plus covers)

Faith

1. *Faith-based support for prohibition and elimination of corporal punishment of children – a global overview*, November 2014, updated February 2015, with Churches' Network for Non-violence (CNNV) (EN, briefing, 4 pages)
2. *Ending corporal punishment of children: A handbook for working with and within religious communities*, 2011, with Churches' Network for Non-violence (CNNV) and Save the Children Sweden (EN, manual, A4, 80 pages plus covers)

Miscellaneous

1. *Corporal punishment of children and the Universal Periodic Review*, May 2014 (EN, leaflet, A4, 2 sides)
2. *Comments on draft SDSN report Indicators for Sustainable Development Goals*, March 2014 (EN, questionnaire return)
3. *Submission for The World We Want consultation*, March 2014 (EN, briefing, A4, 2 pages)
4. *Submission on the development of the Secretary General's Action Plan on Youth* (EN, FR, briefing, A4, 2 pages)

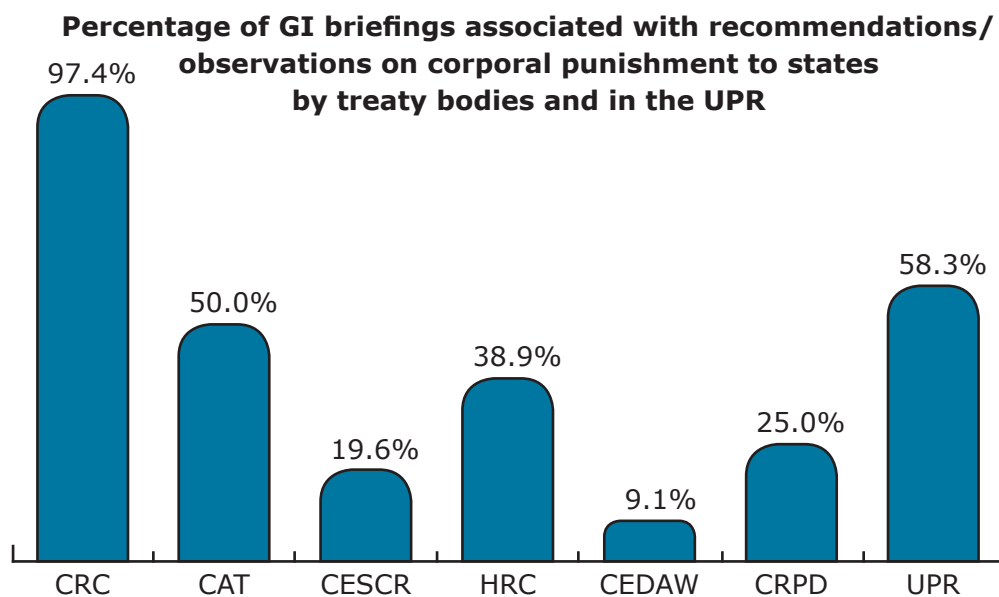
4 The impact of GI briefing on observations/ recommendations on corporal punishment by UN treaty bodies and during the UPR (March 2015)

The Global Initiative systematically briefs the Committee on the Rights of the Child (CRC), the Committee Against Torture (CAT), the Committee on Economic, Social and Cultural Rights (CESCR), the Human Rights Committee (HRC), the Committee on the Elimination of Discrimination Against Women (CEDAW), the Committee on the Rights of Persons with Disabilities (CRPD) and the Universal Periodic Review (UPR). This analysis examines the correlation between briefing the treaty bodies and UPR and the issuing of observations/recommendations on corporal punishment. The analysis also compares the success of briefing – as measured by observations/ recommendations on corporal punishment being made – with the issuing of recommendations on corporal punishment before the Global Initiative began its systematic briefing.

4.1 The submission of GI briefings and the making of observations/ recommendations on corporal punishment by treaty bodies and during the UPR

The table and graph below show, for states which have been examined and for which recommendations have been published, the number of briefings submitted by the Global Initiative and the percentage of these which appear to have resulted in observations/recommendations on corporal punishment being made to the state concerned. This “success rate” ranges from 9.1% for the Committee on the Elimination of Discrimination Against Women to 97.4% for the Committee on the Rights of the Child.

Treaty body / UPR	Systematic briefing started ¹	Briefings ²	Recommendations ³	Success rate ⁴
CRC	Session 32 (2003)	229	223	97.4%
CAT	Session 36 (2006)	118	59	50.0%
CESCR	Session 33 (2004)	97	19	19.6%
HRC	Session 82 (2004)	126	49	38.9%
CEDAW	Session 32 (2005)	176	16	9.1%
CRPD	Session 6 (2011)	4	1	25.0%
UPR	Session 1 (2008)	288	168	58.3%



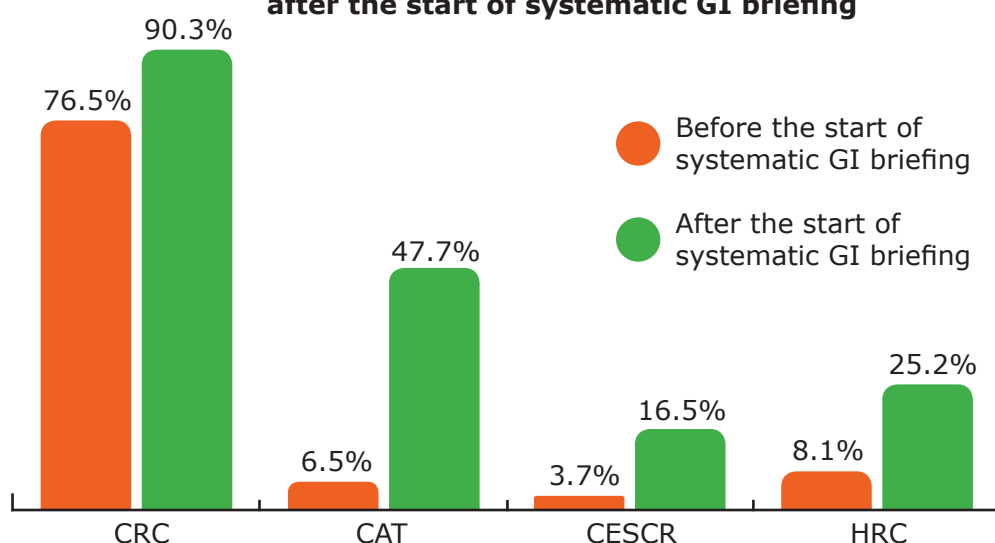
- ¹ This is the first session from which the GI systematically submitted briefings on every state being examined. Depending on the particular Committee's ways of working, the actual submission of information may have taken place much earlier, e.g. in order to influence the lists of issues.
- ² Excluding briefings submitted on states which have not yet been examined by treaty bodies or in the UPR
- ³ Excluding observations/recommendations on corporal punishment made to states where no briefing was submitted by the GI
- ⁴ Defined as a recommendation/observation on corporal punishment being given to the state under review

4.2 Recommendations by treaty bodies before and after the start of systematic GI briefing

Another way of gauging the impact of Global Initiative briefing on treaty body recommendations is to compare the percentages of state examinations which result in observations/recommendations on corporal punishment before and after the beginning of systematic briefing by the GI. The following table examines this impact for those treaty bodies for which it is possible to calculate the increase in percentage rate pre- and post- systematic briefing. It excludes CEDAW (for which no recommendations on corporal punishment were made before the GI started briefing), CRPD (for which the figures are too small to make a meaningful comparison as it is a fairly new Committee), and the UPR (for which there has never been a time when the GI has not submitted briefings). The data shows that the submission of GI briefings is associated with an increase in recommendations of more than six-fold for CAT, more than three-fold for CESC and more than double for HRC. The small increase for the CRC is undoubtedly due in part to the fact that even prior to the time at which systematic briefing by the GI was being recorded (2003) the GI was briefing the Committee and working closely with Committee members on the issue, and in part to the fact that the Committee has from the very beginning of its work made recommendations on corporal punishment of children.

Treaty body/ UPR	Before systematic briefing		After systematic briefing		Increase in recommendations
	No. of state exams	Recommendations made	No. of state exams	Recommendations made	
CRC	179	137 (76.5%)	277	250 (90.3%)	18.0%
CAT	219	14 (6.5%)	132	63 (47.7%)	633.9%
CESC	190	7 (3.7%)	121	20 (16.5%)	345.9%
HRC	321	26 (8.1%)	230	58 (25.2%)	211.1%

Percentage of state exams resulting in recommendations/ observations on corporal punishment to states before and after the start of systematic GI briefing



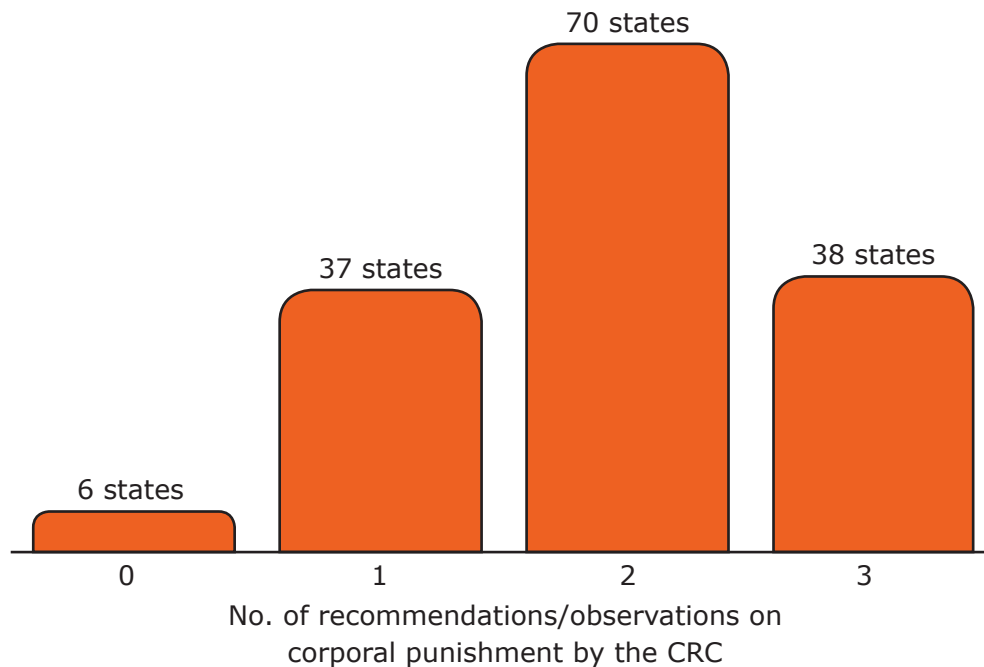
Note: In addition to this evidence of the impact of GI briefing on the number of corporal punishment recommendations/observations made by the treaty bodies, account should be taken of the quality of the recommendations made. Recommendations by HRC, CESC and CAT have all more frequently covered all settings (cf the penal system for example) and recommended law reform to prohibit corporal punishment (cf non-legislative measures only) since GI's systematic briefing. The Global Initiative has provided separate analyses which examine the quality of briefings from CESC and HRC.⁵

Analysis prepared by the Global Initiative to End All Corporal Punishment of Children
www.endcorporalpunishment.org; info@endcorporalpunishment.org, March 2015

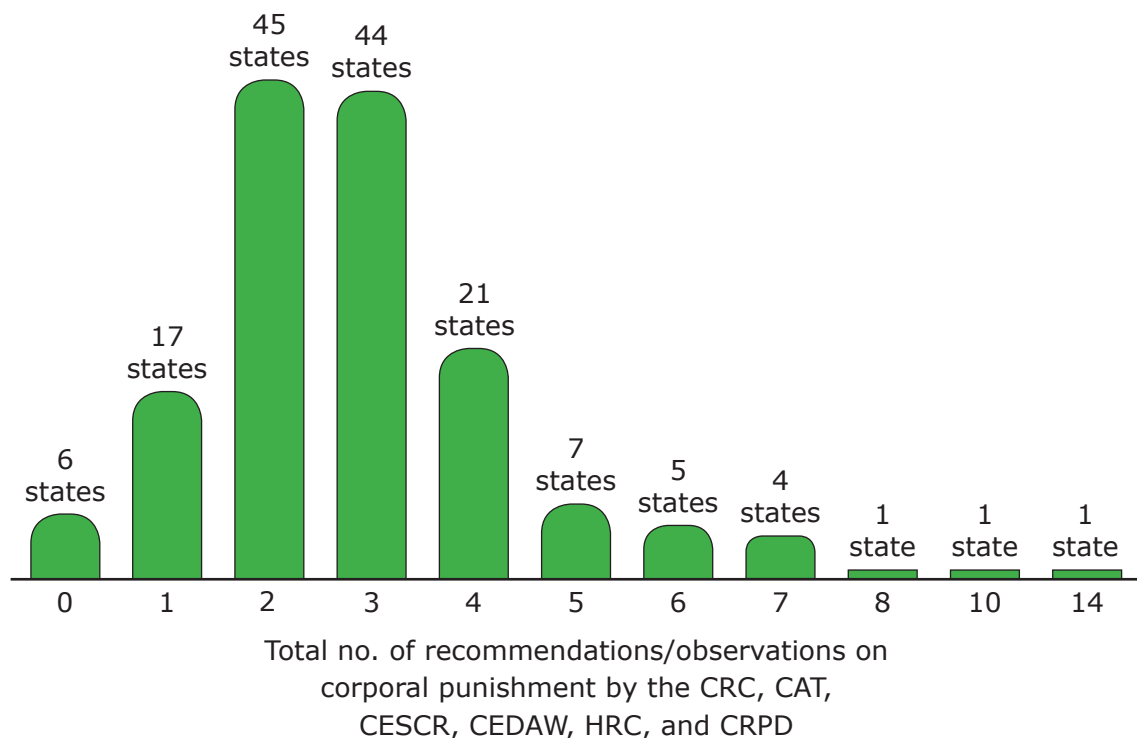
⁵ See CESC observations/recommendations on corporal punishment, 2010-2014 (sessions 44-53) and HRC observations/recommendations on corporal punishment, 2012-2014 (sessions 104-112), both dated January 2015

5 Human rights pressure on states: recommendations/ observations on corporal punishment from UN treaty bodies (March 2015)

Number of states which have not yet achieved full prohibition receiving recommendations/observations on corporal punishment from the UN Committee on the Rights of the Child



Number of states which have not yet achieved full prohibition receiving recommendations/observations on corporal punishment from relevant UN treaty bodies



6 Submission of GI briefings to the UPR and recommendations made on corporal punishment (Jan 2015)

Note: In the following analysis, the “success” of GI briefing is measured in terms of whether recommendations on corporal punishment are made to the state concerned. While we cannot claim that GI briefings are the only factor influencing the making of recommendations on corporal punishment, we believe it is a realistic assumption that they are a significant factor, in part because (i) the GI is the only organisation to systematically submit information on the legality of corporal punishment, (ii) in only a small minority of cases are briefings submitted by other organisations which refer to the issue, and (iii) recommendations on corporal punishment are only very rarely made to states in the absence of a briefing from the GI.

Statistics covering sessions 1-20, 2008-2014

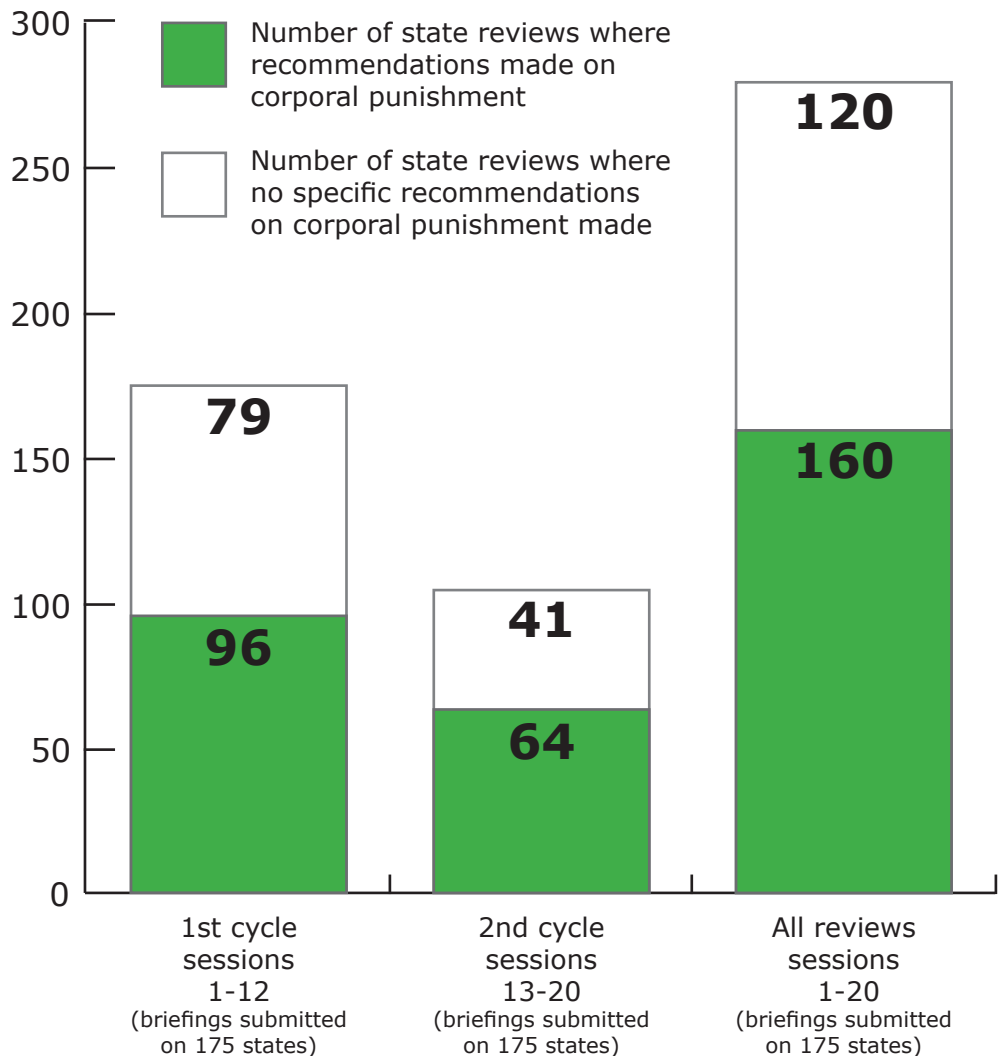
» In the 1st cycle of the UPR (sessions 1-12), GI submitted briefings for 175 state reviews; recommendations on corporal punishment were made in 96 of these reviews, indicating a success rate of 54.9%.¹

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» Overall to date, GI has submitted briefings for 280 state reviews; recommendations on corporal punishment have been made in 160 of these reviews, giving an overall success rate of 57.1%.

» 129 states have now received at least one recommendation on corporal punishment during their UPR(s), of which 115 states have received recommendations to prohibit it;² 19 of the 129 states have achieved full prohibition, 38 are publicly committed to law reform.

» 21 states have been reviewed in the 1st and 2nd UPR cycles but have not received recommendations on corporal punishment despite not having achieved prohibition in all settings: these should be of particular focus in the 3rd cycle UPR.³



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- 1 State reviews where recommendations on corporal punishment are made in the absence of briefings from the GI are excluded from the analysis of success rates.
- 2 Occasionally recommendations are made to eliminate corporal punishment in practice but not clearly to prohibit it in law.
- 3 Afghanistan, Bahrain, Burundi, Cambodia, Central African Republic, China, Colombia, Cote d'Ivoire, Cuba, DR Congo, Egypt, Iraq, Kazakhstan, Madagascar, Monaco, Nigeria, Pakistan, Russian Federation, Sri Lanka, Uzbekistan, Viet Nam.

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