

**BRIEFING FROM THE GLOBAL INITIATIVE  
TO END ALL CORPORAL PUNISHMENT OF CHILDREN**

**BRIEFING ON CÔTE D'IVOIRE FOR THE COMMITTEE ON THE ELIMINATION OF  
DISCRIMINATION AGAINST WOMEN  
PRESESSIONAL WORKING GROUP – January/February 2011**

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**The human rights obligation to prohibit corporal punishment of girls and boys**

The legality and practice of corporal punishment of girls breaches their fundamental rights to respect for their human dignity and physical integrity, to equality under the law and to protection from all forms of violence – rights guaranteed in the Convention on the Elimination of All Forms of Discrimination Against Women and other international human rights instruments. There are strong links between corporal punishment of children – girls and boys – and all other forms of violence, including gender-based violence: as the Committee on the Rights of the Child emphasised in its General Comment No. 8 (2006),<sup>1</sup> addressing corporal punishment is “a key strategy for reducing and preventing all form of violence in societies”. This briefing describes the legality of corporal punishment of children in Côte d’Ivoire and urges the Committee on the Elimination of Discrimination Against Women to include the issue in its examination of the state party’s implementation of the Convention.

**Corporal punishment of children in Côte d’Ivoire**

In Côte d’Ivoire, corporal punishment of children is unlawful in the penal system but it is not prohibited in the home, schools and alternative care settings. The state party’s initial to third report to the Committee on the Elimination of Discrimination Against Women (CEDAW/C/CIV/1-3) describes efforts to address the problem of violence against women but appears to make no mention of the violence that may lawfully be inflicted on girls in the name of discipline.<sup>2</sup>

In the home, provisions against violence and abuse in the Minority Act and the Penal Code (1981) are not interpreted as prohibiting corporal punishment in childrearing. According to a statistical review by UNICEF, 71% of children aged 2-14 experienced minor physical punishment in the home in 2005-2006. The same review reported that 65% of girls and women aged 15-49 believed that a husband or partner is justified in hitting or beating his wife under certain circumstances.<sup>3</sup>

In schools, the Minister of Education signed a Ministerial Order in 2009 which states that corporal punishment should not be used by teachers in public or private schools. But there is no explicit prohibition in law.

There is no explicit prohibition of corporal punishment in alternative care settings.

**Recommendations by human rights treaty monitoring bodies**

No recommendations on the issue of corporal punishment of children have yet been made to Côte d’Ivoire by UN treaty monitoring bodies.

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<sup>1</sup> General Comment No. 8 on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment” is available at [www2.ohchr.org/english/bodies/crc/comments.htm](http://www2.ohchr.org/english/bodies/crc/comments.htm).

<sup>2</sup> As at 13 December 2010, the state party’s report is available only in French at <http://www2.ohchr.org/english/bodies/cedaw/cedaws50.htm>

<sup>3</sup> UNICEF (2007), *Progress for Children: A World Fit for Children – Statistical Review, Number 6, December 2007*

**We hope the Committee on the Elimination of Discrimination Against Women will raise the issue of corporal punishment of girls in its List of Issues for Côte d'Ivoire, in particular asking what legislative and other measures have been taken by the state party to prohibit and eliminate corporal punishment, to ensure girls enjoy their rights as human beings to respect for their human dignity and physical integrity and to equal protection under the law.**

**In light of General Recommendation No. 19 on Violence against women adopted by the Committee on the Elimination of Discrimination Against Women in 1992, of the links between corporal punishment of children and all other forms of violence, including gender-based violence, and of the Committee on the Rights of the Child's General Comment No. 8 (2006), we hope the Committee will subsequently recommend to the state party that explicit prohibition of all corporal punishment of children be enacted in relation to all settings, including the home and all alternative care settings, as a matter of urgency.**

*Briefing prepared by the Global Initiative to End All Corporal Punishment of Children  
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