

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

BRIEFING FOR THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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From Peter Newell, Coordinator, Global Initiative

info@endcorporalpunishment.org

BENIN

Corporal punishment is lawful in the **home**. It is also common for *vidomégons*, children traditionally placed with other families for the purpose of education or employment, to experience high levels of physical violence. Children have limited protection from violence by parents/guardians under the Criminal Code, the Code on Persons and the Family and the Constitution.

Corporal punishment is prohibited in **schools** (structured formal education) by Circular letter No. 100/MENC (1962), but not in law. We have been unable to ascertain whether this also applies to the traditional system of education where children are educated within the local family and community environment in accordance with current rituals and customs and where, according to the initial state party report to the Committee on the Rights of the Child (CRC/C/3/Add.52 (1997), paras.171-172), over 40% of children (60% of girls) are educated.

In the **penal system**, corporal punishment is unlawful as a sentence for crime but there is no explicit prohibition as a disciplinary measure in penal institutions. The second periodic state party report to the Committee on the Rights of the Child in 2005 states that corporal punishment is prohibited in penal institutions, but we have been unable to establish whether this is by law or policy.

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

In October 2006, following examination of the state party's second report, the **Committee on the Rights of the Child** expressed concern that corporal punishment was lawful in the home and institutions and recommended explicit prohibition by law in the family, schools and institutions, "a comprehensive study to assess the causes, nature and extent of corporal punishment as well as an evaluation of the impact of measures undertaken so far by the State party to reduce and eliminate corporal punishment", public awareness and education measures, and recovery and reintegration provision for victims of corporal punishment (CRC/C/BEN/CO/2, paras. 39, 40, 41 and 62).