



Global Initiative to
**End All Corporal Punishment
of Children**

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From Peter Newell, Coordinator, Global Initiative

info@endcorporalpunishment.org

Corporal punishment of children breaches their rights to respect for human dignity and physical integrity and to equal protection under the law. It is recognised by the Committee on the Rights of the Child and other treaty bodies, as well as by the UN Secretary General's Study on Violence against Children, as a highly significant issue, both for asserting children's status as rights holders and for the prevention of all forms of violence.

The Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org) has been regularly briefing the Committee on the Rights of the Child on this issue since 2002, and since 2004 has similarly briefed the Committee Against Torture, the Committee on the Elimination of Discrimination Against Women, the Committee on Economic, Social and Cultural Rights, and the Human Rights Committee. There is growing progress now across all regions in challenging this very common form of violence against children. But we are concerned that many States persist in ignoring treaty body recommendations to prohibit and eliminate all corporal punishment. We hope that the UPR Process will give particular attention to states' response, or lack of response, to the concluding observations from treaty bodies, on this and other key issues.

In June 2006, the Committee on the Rights of the Child adopted General Comment No. 8 on "The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment", which emphasises the immediate obligation on states parties to prohibit all corporal punishment of children, including within the home. Other treaty bodies, and regional human rights mechanisms, have condemned all corporal punishment. In October 2006, the report of the UN Secretary General's Study on Violence against Children was submitted to the General Assembly. It recommends universal prohibition of all corporal punishment, setting a goal of 2009.

Summary

This briefing describes the legality of corporal punishment of children in the United Arab Emirates, despite strong recommendations of the Committee on the Rights of the Child to prohibit it. We hope the Review will highlight with concern UAE's disregard for the Committee's recommendations, and strongly recommend that the government introduce legislation as a matter of urgency to prohibit corporal punishment of children in all settings, including the home and as a sentence under Shari'a law.

1 Legality of corporal punishment in the United Arab Emirates

1.1 Corporal punishment is lawful in the **home**.

1.2 Corporal punishment is prohibited in **schools**.

1.3 In the **penal system**, corporal punishment is lawful as a sentence for crime. Under the Juvenile Delinquents and Vagrants Act (1976), a child over 16 years may be punished under the Penal Code (article 8), which provides for flogging for a wide range of offences including murder, violent assault, alcohol and drugs related offences, theft and sex crimes. Judicial corporal punishment of younger children is permitted under Shari'a law. There is no explicit prohibition of corporal punishment as a disciplinary measure in penal institutions.

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

2 Recommendations by human rights treaty monitoring bodies

2.1 In its concluding observations on the state party's initial report in 2002, the **Committee on the Rights of the Child** expressed "serious concern" that persons under the age of 18 may be subjected to judicial corporal punishment, and recommended its immediate abolition (CRC/C/15/Add.183, paras. 32 and 33). The Committee also recommended prohibition of corporal punishment, by law, in the family, schools and institutions (para. 35).