

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

**BRIEFING ON DJIBOUTI FOR THE COMMITTEE AGAINST TORTURE  
STATE EXAMINATION – October/November 2011**

*From Peter Newell, Coordinator, Global Initiative*

[info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)

**DJIBOUTI (initial report – CAT/C/DJI/1)**

**Corporal punishment of children in Djibouti**

Corporal punishment is lawful in the **home**. Provisions against violence and abuse in the Criminal Code (1995), the Family Code (2002) and the Constitution (1992) are not interpreted as prohibiting corporal punishment in childrearing. A major UNICEF report published in 2010 found that 72% of children aged 2-14 experienced violent discipline (physical punishment and/or psychological aggression) in 2005-2006; more than one child in five experienced severe physical punishment (being hit or slapped on the face, head or ears or being hit over and over with an implement).<sup>1</sup>

Corporal punishment is reportedly prohibited in **schools** by regulations applicable to all education institutions (23 September 2008, CRC/C/SR.1347, Summary record of examination by the Committee on the Rights of the Child, para. 48), but we have been unable to confirm this. There is no prohibition of corporal punishment in the Outline Act on the Education System (1999). Research has found the use of corporal punishment to be widespread in schools. In interviews with 1,669 children aged 9-14 in 19 schools, 27.6% said they had been hit with an object such as a ruler, stick or “tuyau” (a PVC pipe), 19.5% had been forced to kneel in front of the class or outside as a punishment and 14.1% had been pinched or had their hair or ears pulled.<sup>2</sup>

In the **penal system**, corporal punishment is unlawful as a sentence for crime under the Criminal Code and the Constitutional prohibition of torture and cruel, inhuman or degrading punishment or treatment (article 16), but it is not explicitly prohibited as a disciplinary measure in penal institutions.

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

**Recommendations by human rights treaty bodies**

In its concluding observations on the state party’s second report in 2008, the **Committee on the Rights of the Child** recommended explicit prohibition of corporal punishment in all settings, including the family, schools, alternative care and places of detention (CRC/C/DJI/CO/2, para. 36). During the **Universal Periodic Review** of Djibouti in 2009, a recommendation was made to prohibit all corporal punishment of children (A/HRC/11/16, Report of the Working Group, para. 68(5)): the Government did not respond to this recommendation.

**We hope the Committee Against Torture will urge the Government of Djibouti to ensure that legislation explicitly prohibits all corporal punishment of children, including in the home, as a matter of priority.**

*Briefing prepared by the Global Initiative to End All Corporal Punishment of Children  
[www.endcorporalpunishment.org](http://www.endcorporalpunishment.org); [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)  
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<sup>1</sup> UNICEF (2010), *Child Disciplinary Practices at Home: Evidence from a Range of Low- and Middle-Income Countries*, NY: UNICEF

<sup>2</sup> Debarbieux, E. (2006), “Pourquoi pas un bonne fessée? Une recherche sur le châtime nt corporel à l’école”, *SPIRALE - Revue de Recherches en Éducation*, 37, pp. 83-95