

BRIEFING FROM GLOBAL INITIATIVE
TO END ALL CORPORAL PUNISHMENT OF CHILDREN

BRIEFING ON MONACO FOR THE COMMITTEE AGAINST TORTURE

STATE EXAMINATION – May/June 2011

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MONACO (fourth report – CAT/C/MCO/4-5)

Corporal punishment is lawful in the **home**. Provisions against violence and abuse in the Criminal Code and the Civil Code are not interpreted as prohibiting all corporal punishment in childrearing.

Corporal punishment is unlawful in **schools**. It is not among the permitted disciplinary measures listed in the Education Law (2007), though it is not explicitly prohibited.

In the **penal system**, corporal punishment is unlawful as a sentence for crime, and is not a permitted sanction for crime under the Criminal Code. It is considered unlawful as a disciplinary measure in penal institutions, but there is no explicit prohibition in legislation.

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

In 2001, in its concluding observations on the state party's initial report, the **Committee on the Rights of the Child** expressed concern at the legality of corporal punishment and recommended prohibition together with appropriate information campaigns and the promotion of positive discipline (CRC/C/15/Add.158, paras. 26 and 27).

We hope the Committee Against Torture will urge the Government of Monaco to enact legislation to prohibit corporal punishment of children in all settings, including in the home, institutions and all alternative care settings, supported by relevant public education and awareness raising.

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