

Corporal punishment of children in Nepal: Briefing for the Universal Periodic Review, 37th session, November 2020



GLOBAL INITIATIVE TO
**End All Corporal
Punishment of Children**

From the Global Initiative to End All Corporal Punishment of Children, July 2020

This submission provides an update on the legality of corporal punishment of children in Nepal since its review in the second cycle UPR in 2015. We are delighted to inform the Working Group that Nepal has now prohibited corporal punishment in all settings, including the home.

We hope the Working Group will welcome the explicit prohibition of all corporal punishment of children in Nepal. We hope states will raise the issue of corporal punishment of children during the review in 2020 and make a specific recommendation that all measures be taken to ensure implementation of the prohibition of corporal punishment in all settings, including the home.

1 Prohibition of all corporal punishment of children in Nepal

1.1 Corporal punishment is unlawful in all settings, including the home. The Act relating to Children 2018 was certified by the President of Nepal on 18 September 2018 and prohibits all corporal punishment of children, who are defined as persons under 18. Section 7(5) of the Act states (unofficial translation): “Each child has a right to be protected against all types of physical or mental violence and punishment, neglect, inhumane behaviour, gender based or discriminatory abuse, sexual abuse and exploitation committed by his/her father, mother, other family members or guardian, teacher or any other person”. Under section 66(2)(d), “giving physical or mental punishment or disrespectful (or inhumane) behaviour in home, school or any other setting” (unofficial translation) is criminalized as a form of violence against children, with a sanction of a fine of up to 50,000 Nepalese Rupees and up to one year of imprisonment (section 72(3)(a)). The provisions of the Act relating to Children 2018 prevail over other domestic legislation (section 84).

Briefing prepared by the Global Initiative to End All Corporal Punishment of Children
www.endcorporalpunishment.org; info@encorporalpunishment.org

The Global Initiative to End All Corporal Punishment of Children has regularly briefed the Committee on the Rights of the Child on this issue since 2002, 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, and since 2011 the Committee on the Rights of Persons with Disabilities.