



# General Assembly

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## Human Rights Council

### Nineteenth session

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by the Friends World Committee for Consultation, a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2012]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## Children of parents sentenced to death

Friends World Committee for Consultation (Quakers) welcomes the increasing attention being given by the United Nations to the rights and needs of children with a parent in prison.

In September 2011, the Committee on the Rights of the Child took 'children of incarcerated parents' as the topic for its Day of General Discussion. The unprecedented numbers and interest of the participants demonstrated clearly that this is an issue of global concern, affecting millions of children, on which many are seeking greater knowledge and guidance.

However, one group of these children is even more neglected than others – those whose parent has been executed or is under sentence of death.<sup>1</sup> It is notable how little support such children receive and how little attention has been given to the impact on the children in these situations.

Quakers oppose the death penalty in all circumstances. However, it continues to be applied and given the general prisoner profile, many of those sentenced to death or executed are likely to be parents. As with other issues about children of prisoners and detainees, actual numbers are not available as this information is not collected by the authorities. The children are not responsible for their parent's actions, but suffer consequences as a result of the State response.

Very little attention<sup>2</sup> has to date been given to the children, the impact on them of a parental death sentence or execution and their support needs. As a first step, all those involved in issuing, ordering or carrying out death sentences and executions should ensure that such prisoners are asked whether they have children and ensure that support, including physical and psychosocial assistance, as well as alternative care, are available to such children.

There is also a need for careful and thorough research to better identify and understand the impacts on children of having a parent sentenced to death or executed. Among the issues needing further consideration are the particular stigma and shame associated with the death penalty, and the crimes that incur it, and the likely grief associated with the death of a parent. Additionally, research is needed into the similarities and differences in the experience and needs of these children as compared with:

- children of other long-term prisoners;
- children whose parent was murdered/unlawfully killed; and
- children whose parent died of natural causes.

Unsanctioned, unresolved and disenfranchised grief is particularly likely to have detrimental effects on the individual child, and lack of support in addressing it and the combined shame, guilt and anger may well have intergenerational effects.

FWCC (Quakers) calls on all States that retain the death penalty, whether or not they carry out executions, to:

- check whether those under sentence of death have children;

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<sup>1</sup> See Amnesty International's Written Submission to the Committee on the Rights of the Child ahead of the Day of General Discussion on the Rights of the Children of Incarcerated Parents (9 September 2011), available at [http://www2.ohchr.org/english/bodies/crc/discussion2011\\_submissions.htm](http://www2.ohchr.org/english/bodies/crc/discussion2011_submissions.htm)

<sup>2</sup> See Helen F Kearney: Children of Parents Sentenced to Death (Quaker UN Office, Geneva, February 2012)

- ensure support and counselling is available to all such children;
  - ensure that children are able to visit their parent under sentence of death (including private and, in particular for younger children, contact visits) and to make a final visit prior to execution, unless it is not in their best interests;
  - ensure that the children and other family members are informed of the date and time of any pending execution, and are provided with the body or information on its whereabouts to enable death and mourning ceremonies according to their own customs, and that personal effects are returned to the family; and
  - encourage careful, sensitive, in-depth research into the impact on children of having a parent executed or under sentence of death.
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