



Quaker United Nations Office

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Interactive Dialogue with SRSG/VAC

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The report of the Special Representative on Violence against Children highlights the importance of understanding how and why children are exposed to violence in order to undertake actions that can lead to effective protection¹.

When a parent is accused of a capital crime this has a devastating impact on the children, including emotional trauma leading to long-term damage to mental health and deterioration in their living conditions. This impact begins at the point of arrest and can continue for decades after the execution or the parent's release.

These children face violence because (inter alia) they:

- are often stigmatized by association, though they themselves have committed no crime;
- may be exposed to the community's verbal and even physical attacks and abuse against themselves, their family or their (alleged) offender parent;
- are orphaned by the State when it executes one of their parents for the killing of the other parent;
- may end up without a carer willing to take them in and having to look after themselves, which often means the vulnerable position of living on the street;
- may become exposed to a much higher risk of becoming themselves victims of crime, including sexual violence (with risk of contracting sexually transmitted diseases) and exploitation, eg domestic work in slavery-like conditions;
- may not have an opportunity for a final visit before the execution of the parent and/or not know or have access to the location of the burial of the executed parent due to State secrecy surrounding the death penalty.

Article 19 of the Convention of the Rights of the Child requires States to take measures to protect children from all forms of physical or mental violence.² Children of parents sentenced to the death penalty or

1 A/HRC/25/47

2 Article 19:

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral,

executed have been invisible in statistics, and in policies and programmes, as the Special Representative on Violence against Children pointed out in her video statement to the Human Rights Council last September.³ This invisibility prevents a fuller understanding of the impact that sentencing a parent to death has on children, and of how to ensure their rights, needs and welfare are met as far as is possible in such a situation.

For this reason, FWCC (Quakers) welcomes the increasing consideration of the situation and needs of these children within the Committee on the Rights of the Child (CRC), the Universal Periodic Review (UPR) and the General Assembly (GA), as highlighted in our written statement to this session of the Human Rights Council (document: A/HRC/25/NGO/38).

Much more needs to be done to protect these children from violence. We encourage greater attention by relevant UN bodies and agencies, such as by the Special Representative on Violence against Children and UNICEF, including with regard to the situation of children of parents on death row in countries with moratoria on executions, and of children of nationals of abolitionist or retentionist countries facing the death penalty in other countries.

investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

³ See A/HRC/25/33, paragraph 8.