FWCC Oral Statement to be delivered at the 33rd session of the Human Rights Council

General Debate on Item 3

Friends World Committee for Consultation (Quakers) notes that amongst this year’s anniversaries, it is five years since the Committee on the Rights of the Child held a Day of General Discussion on Children of Incarcerated Parents.¹ As the Council reflects on its effectiveness, lessons can be learned from how this event has been instrumental in the Council’s attention to this issue, in changes in national policy and practice and in developments in international standards.

This DGD was the first time the issue of children of parents sentenced to death or executed was raised with the UN human rights system.² For too long these children were ignored not only by the systems that deprived them of their carers but also by the systems in place to protect their rights.

We welcome the ongoing attention to this issue in the report of the Secretary General on the Question of the Death Penalty³ and in the forthcoming OHCHR publication on Moving Away from the Death Penalty.

The recommendations of the DGD were reflected in Human Rights Council Resolution 19/37⁴ and have inspired further research⁵ and the development of networks working for their implementation.

There are more tangible impacts for the children themselves too: the recommendations were used in a court judgment reversing the closure of a mother and child unit⁶ and informed the development of guidance on such units.⁷ Guidance we recommend all States read.

The combined efforts of Treaty Bodies, Special Procedures, the Council, national authorities and civil society made these impacts possible. However, there is still much to do.

We call upon all States to learn from examples of good practice as they seek to implement the relevant Council resolutions. Ahead of the GA resolution on the death penalty, we urge all states to think not only of the impact on those sentenced to death or executed but also the impact on their family members, and especially their children.

¹ Oliver Robertson (2012) Collateral Convicts: Children of incarcerated parents Recommendations and good practice from the UN Committee on the Rights of the Child Day of General Discussion 2011 Quaker United Nations Office
² Amnesty International Written Submission for the Committee on the Rights of the Child Day of General Discussion on Children of Incarcerated Parents
³ Report of the Secretary General on the Question of the Death Penalty, A/HRC/33/20 of 12 July 2016, paras. 59-60
⁴ Human Rights Council Resolution 19/37 Rights of the child, A/HRC/19/37 adopted without a vote on 23 March 2012, paras. 68-69
⁵ For example CWS and Gurises Unidos (2014) Invisibles: ¿hasta cuándo? Una primera aproximación a la vida y derechos de niñas, niños y adolescentes con referentes adultos encarcelados en América Latina y el Caribe Estudio e caso: Brasil, República Dominicana, Nicaragua y Uruguay Summary in English: Invisible No More
⁶ Inglis v. British Columbia (Minister of Public Safety), 2013 BCSC 2309