**Human rights of children of parents sentenced to the death penalty or executed**

*Submission by CrimeInfo and Eleos Justice*

**Background**

This submission summarises the experience of X, a daughter of an individual who was executed in 2018. While the execution occurred outside the reference period (July 2022-present), the interview took place on 15 October 2023, exposing the enduring impact of the death penalty on the offspring of executed offenders. CrimeInfo, an anti-death penalty NGO based in Japan, interviewed X.[[1]](#footnote-1) All quotes used below are direct quotes from the interview translated into English.

X’s father, known as Shoko Asahara (birth name: Chizuo Matsumoto), was the former leader of the doomsday cult—Aum Shinrikyo—that carried out a fatal sarin gas attack on the Tokyo subway in March 1995. He was convicted of murder and sentenced to death in 2004.

X was 12 when her father was arrested, 21 when the court handed down a death sentence, and 34 when her father was finally executed.

The Convention on the Rights of the Child, to which Japan ratified in 1994, states children have the right to ‘a standard of living adequate for the child's physical, mental, spiritual, moral and social development’. The experience of X highlights the damaging impacts of the death penalty on the children’s physical, mental, and social development and well-being.

**Exclusion, stigma, and discrimination**

The high-profile nature of the case makes it difficult to divorce the discrimination and harassment X experienced from her father’s death sentence from the negative reputation of the cult preceding the case. However, being labelled the daughter of an infamous cult leader sentenced to death for committing heinous crimes, combined with sensationalised media reporting, has severely impacted almost every aspect of X’s life, as discussed below.

*Education*

X did not attend school growing up due to her residency status being rejected by the local municipality. She completed her studies by correspondence schooling. X’s acceptance to universities was revoked around the time of her father’s death sentence and its confirmation, which was widely reported in the media.

*Work*

X received an offer of employment a few years ago (post-execution), but she lost her job four days after starting work. She was asked to confirm if she was one of the daughters of Shoko Asahara. Prior to this incident, X had been fired from other jobs after her colleagues had found out about her identity.

*Accommodation*

X has lived in various locations since her father’s arrest. It has been a constant struggle to find a place to live. It was a common occurrence that after finding a place to live, residents would start a protest, urging X and her family to move out. Residents have stopped making public protests where she lives currently because they had realised that the value of the apartment and the area may decrease if people knew that X and her family lived in the area.

*Finance and travel*

X spoke about not being able to open a bank account, and being denied entry into several countries, both of which problems remain unresolved at the time of the interview. X’s visa was once denied on the basis of ‘terrorism related risks’.

*Well-being*

When her father was arrested, X was harassed by the media. She recalls photographs of her at a swimming pool being published without her consent, journalists coming into her house without her consent, and being chased by journalists in a supermarket. These incidents led to her forming the view that she deserved the treatment she received, leading her to self-harm. X became depressed after seeing her father at a detention centre (described in more detail below). She continues to live with post-traumatic stress disorder and depression. Her support network is primarily comprised of her family members (she lives with her sister and brother) with limited connections beyond family.

**Vicarious pains of facing the death penalty as a family member**

*Role reversal: daughter of an individual facing the death penalty*

X continued to support her father whose mental faculties continued to deteriorate. She describes the changing father-and-daughter relationship post-incarceration:

Emotionally, I went from wanting my father to be by my side and to protect me, to feeling like I had to take care of my parents. In fact, my father couldn’t really do anything for me, but my feelings for my father had deepened over the years.

*Difficulty of maintaining a meaningful relationship*

X was unable to meet face-to-face with her father as his time on death row grew. She was happy to see her father at the beginning of his incarceration, even though each meeting was short (approx. 15 minutes; sometimes 6 or 7 minutes). Prison officers are present when prisoners have visitors, meaning all conversations are monitored. X recalls only being permitted to ask how her father was doing and was not allowed to discuss other topics or engage in an activity together, such as sharing food or singing together. She never had an opportunity to speak about the case of which her father was convicted.

As X’s father lost his mental faculties, she describes the visits as ‘time spent being reminded that I no longer exist in my father’s consciousness.’ Despite this, X visited her father regularly to demonstrate to prison officers and to the Japanese Ministry of Justice that her father had a devoted family. However, X became clinically depressed after continuing to see her father in his deteriorated condition.

In Japan, prisoners are not allowed any physical contact when they meet visitors; there is a Perspex board separating the prisoner and the visitor. X wished she could touch her father, especially because her father was blind and could no longer hold a conversation after many years in solitary confinement on death row. X brought in warm clothes for her father because he suffered from frost bite, but she never saw those clothes on her father.

*Awaiting execution*

In Japan, individuals facing the death penalty are informed on the day of the execution. This means family members are notified *after* the execution had taken place. X recalls she constantly feared for her father’s execution after his death sentence was confirmed. Given that executions are carried out in the morning during weekdays,[[2]](#footnote-2) she remembers being awake often early in the morning, not being able to go back to sleep. Because advance notification of executions is not provided in Japan, X chose not to take a break during weekdays, only choosing to go on trips from Friday afternoon to Sunday. She made sure she was available to deal with the news of her father’s execution during weekdays. She recalls feeling tense in the mornings during weekdays and feeling depressed whenever she read about other people’s executions. X describes this period of her life as ‘simulated experience’ of death row.

**Family members’ views on the death penalty**

X views the death penalty as a system in which ‘the state exercises its lethal power in committing murder deliberately and brutally, while at the same time preaching [to its citizens] that killing is wrong.’ She sees the death penalty as an extremely cruel punishment: she imagines how torturous it must have been for her father to outlive other prisoners’ executions and having to feel ‘grateful’ for being kept alive for years on death row. X looks back on her days when her father was facing the death penalty and believes that her father’s death sentence has forced her to ‘live her life only for her father.’

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CrimeInfo and Eleos Justice

1. The interview was carried out as part of *Project Veritas* led by CrimeInfo (anti-death penalty NGO based in Japan), funded by the European Commission (PI/2021/428-535). CrimeInfo, in collaboration with Eleos Justice, Faculty of Law, Monash University (Australia), received ethics approval to carry out the interview (Monash University Human Research Ethics Committee: Project ID: 29679). [↑](#footnote-ref-1)
2. Most executions are carried out in the mornings, though there have been exceptions to this custom. [↑](#footnote-ref-2)