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Children's Rights Under International Law

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Oral Presentation O9.3

CHILDREN'S RIGHTS UNDER INTERNATIONAL LAW

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This paper proposes to analyze national law as it interacts with international law. It will examine how national law and national courts apply international treaties, conventions, and international court rulings, in national matters. More specifically, this paper will analyze international law in terms of children's rights, with specific reference made to the United Nations Convention on the Rights of the Child. This paper will analyze the merits of this document and look into the way that the United States, Canada, and Argentina apply these rights.

The United States, while it was fundamental in the formation of the United Nations and the writing of this convention, it remains one of the few developed nations not to sign the convention. This paper will examine the United States' position on the convention and what events have lead up to the US not signing the convention and then analyze the likelihood of the United States eventually ratifying the convention. The paper will then examine children's rights in the United States and how they could be improved by ratification. The paper will then compare the United States to Canada and Argentina, two nations that have ratified the convention and had radically different views on children's rights and one that is still considered a developing nation.

Ultimately, I believe that this paper would conclude that it is in the best interests of the child for the children to be extended more rights than they are given now under the state system. The children's rights, or current lack thereof, in the United States is harming the psychological development of the child. The paper will have to propose suggestions on how to implement children's rights and inform the child of their rights.