



Kids at the Crossroads: The Influence of International Law on Child Psychology

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Abstract: This research explores the intersection of international law and child psychology, emphasizing how legal frameworks shape the mental health and well-being of children across diverse cultural contexts. The Court has established that private life comprises physical and psychological elements and relates to a person's identity. Focusing on key instruments such as the UN Convention on the Rights of the Child, the study examines the implications of these laws for psychological practices and policies affecting children's rights and welfare. Through a review of case studies and existing literature, we highlight the positive impacts of international legal standards on child mental health interventions, as well as the challenges faced in their implementation. By analyzing the role of cultural variations and local practices, the research underscores the necessity for collaboration between legal and psychological professionals to advocate for effective, child-centered approaches. Ultimately, this study aims to illuminate the critical role of international law in shaping a more supportive environment for children's psychological development, suggesting pathways for future research and policy improvements.

Keywords: Global Child Welfare; International Law and Child Mental Health; Legal Impact on Child Psychology; Children's Rights and Mental Health; Cross-border Child Protection

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1. Introduction

The relatively new field of children's rights, which first emerged in the 1920s, lacks a dedicated branch of law. It intersects with various legal domains, including civil (Schrama et al., 2021), criminal (Siffrein-Blanc et al., 2022), administrative (Veselov, 2020), constitutional (O'Mahony, 2019), and international law (Van Bueren, 2021). The nexus between international law and child psychology is a critical yet understudied aspect of global child welfare. Children, as one of the most vulnerable populations, are deeply impacted by the legal frameworks that govern their rights, protection, and well-being. The UNCRC, adopted by a General Assembly resolution on 20-11-1989 and came into force on 02-09-1990 and established a global commitment to safeguarding children's fundamental rights, however, the psychological implications of these legal protections and the gaps in their implementation remain largely unexplored.

In recent years, research has increasingly highlighted the significant influence of international law on children's mental and emotional development. (Kecskés & Lux, 2023) underscores the urgent need to protect children's rights within the context of environmental degradation. It advocates for recognizing children as key agents of change and calls for stronger legal frameworks that safeguard both children and the environment. (Lux & Kaya, 2023) emphasizes the need for a multidisciplinary approach to address pressing issues like child poverty, labor, violence, and the rights of special children. The study also underscores the importance of recognizing and protecting children's rights within the context of environmental harm and international surrogacy. The intersection of law and psychology reveals how legal frameworks and psychological factors shape human behavior, especially in the development of children. International law plays a key role in establishing standards that protect children's rights, impacting education, healthcare, and social welfare. Despite global advancements, as evidenced by the near-universal ratification of the UN Convention on the Rights of the Child, serious challenges such as child poverty, labor, violence, and juvenile delinquency continue to persist. Addressing these complex issues requires continued effort and multidisciplinary approaches to safeguard the protection and well-being of children across the globe.

Therefore, authors preferred this emerging topic, wherein, examines how legal structures related to child protection, education, migration, and family rights shape the psychosocial experiences of children. We argue that while international law can create a safe environment for children, it can also have profound psychological consequences by determining access to resources, stability, and a sense of security.

Furthermore, the paper addresses the disparities in legal implementation across nations and the psychological impacts on children caught in the crossfire of inconsistent legal applications, particularly in conflict zones, refugee situations, and underdeveloped regions. By bridging the gap between legal and psychological perspectives, this study seeks to thoroughly examine the impact of international legal standards on child psychology, highlighting the need for a unified framework that promotes both children's rights and their psychological well-being worldwide.

2. Research Objectives and Scope

This research examines the complex relationship between international law and child psychology, with a focus on how legal frameworks shape children's development, rights, and overall well-being worldwide. It aims to identify key international legal instruments, analyze psychological theories, and conduct empirical research to understand the impact of international law on children's development. The study will compare different legal regimes, identify challenges in implementation, and assess the effectiveness of international law in promoting children's rights. By examining both legal and psychological dimensions, the research seeks to deepen understanding of how legal frameworks shape children's developmental experiences across diverse contexts.

3. Methods

This research utilizes a mixed-methods approach to investigate the impact of international law on child psychology. Quantitative analysis of statistical data from various government agencies provides a numerical overview of the situation, while qualitative methods, including participant observation and interviews, offer deeper insights into the experiences and perspectives. The study focuses on the available research to analyze recent trends and developments in legislation and practice. Both primary and secondary sources are used, including data from government agencies, legal documents, and interviews. The analysis considers the effectiveness of existing laws in protecting child rights and facilitating their legal exit from the protection system.

4. Theoretical Framework

This research article explores the impact of international law on child psychology, emphasizing the interplay between legal frameworks and child development. It employs a theoretical framework that combines key international legal instruments, child development theories, and the conceptual link between law and psychology. This approach aims to provide a thorough understanding of how legal contexts influence children's developmental outcomes and overall well-being.

5. Key International Legal Instruments

This research focuses on the role of international law in advancing and safeguarding children's rights. At the heart of this analysis are key legal frameworks, such as the United Nations Convention on the Rights of the Child (UN CRC), which sets international standards for children's rights. Also integral to this study are environmental agreements and soft law instruments, including the 1990 World Declaration on the Survival, Protection, and Development of Children and the UN General Assembly's initiative; *A World Fit for Children* (2002), underscore children's susceptibility to environmental risks. These international laws provide the legal context that shapes children's developmental experiences, influencing their access to education, health, and protection from harm. The Convention on the Rights of the Child (CRC) defines anyone under 18 as a child and ensures equal rights for all children, emphasizing non-discrimination and the child's best interests. It obligates governments to support children's well-being, covering rights to survival, development, education, health, protection from abuse, and a safe environment. Families play a guiding role, while governments are responsible for safeguarding children who are unaccompanied, disabled, or refugees. The CRC protects against exploitation, trafficking, and hazardous labor, and ensures children's rights to expression, information, cultural activities, and legal protections during conflicts. The EU and its Member States uphold these protections, aligning with CRC standards through Article 3(3) of the Treaty on European Union, Article 24 of the EU Charter of Fundamental Rights, and policies like Article 32, which prohibits child labor. In 2022, the EU Council called on Member States to adopt inclusive, non-discriminatory policies for children, prevent violence, develop child-friendly justice, and prepare children for the digital age. The EU Coordinator for the Rights of the Child, Marie-Cécile Rouillon, prioritizes children's rights across EU policies (Commission of the EU Communities, 2006). The EU Network for Children's

Rights, established in 2022, fosters collaboration among Member States, NGOs, and stakeholders to advance the EU Strategy on the Rights of the Child. These efforts are supported by funding from the Citizenship, Equality, Rights, and Values (CERV) program (EU Commission, 2021), which also focuses on preventing violence against vulnerable children.

6. Child Development Theories

Child development theories explore how children grow and change socially, emotionally, and cognitively throughout childhood. Psychologists have developed various theories to explain different aspects of this growth, including Sigmund Freud's psychosexual stages, which emphasize early childhood experiences and unconscious desires, and Erik Erikson's psychosocial stages, which focus on social interactions and conflicts throughout life. Other theories, like Piaget's cognitive development stages, highlight how children's thinking evolves, while behavioral theories from John B. Watson and B. F. (Cherry, 2023). Skinner emphasize the role of environmental influences and learning in shaping behavior. Additionally, theories such as Bowlby's attachment theory examine the importance of early relationships with caregivers in shaping future social behavior. Albert Bandura's social learning theory (Cherry, 2024) highlights that children acquire knowledge not only through direct rewards but also by observing and imitating others. Vygotsky's sociocultural theory builds on this by suggesting that learning is a social activity, where interactions with peers and adults play a key role in cognitive development. Together, these theories provide a holistic view of how children grow and develop physically, mentally, and socially throughout their lives.

7. Conceptualizing the Relationship between Law and Psychology

The relationship between law and psychology is deeply interconnected, as both disciplines aim to understand and regulate human behavior. Law sets societal norms and standards, while psychology offers insights into the mental processes that drive behavior, decision-making, and social interactions. This intersection is particularly important in criminal justice, where psychological principles help explain criminal behavior, assess mental health, and inform legal procedures such as competency evaluations and sentencing. Moreover, psychology helps us understand the impact of legal decisions on individuals and communities, providing valuable perspectives

on rehabilitation, witness testimony, and the fairness of legal outcomes. (Allan, 2014) argues that psychology's ethics provide adequate moral guidance, emphasizing social moral principles that serve individuals and society. However, psychologists may face conflicting demands from other norm systems and their own conscience. Understanding the relationship between law and psychology within the framework of international human rights agreements, such as the UNCRC, underscores the crucial role psychology plays in safeguarding children's rights. (Orthey et al., 2024) highlights the integration of evidence-based practices in legal psychology within the Japanese criminal justice system. The UNCRC emphasizes every child's right to survival, protection, and education, all of which are closely linked to their psychological well-being and development. By applying psychological principles, we can better comprehend how legal decisions affect children's mental and emotional health, ensuring that laws designed to protect them also address their cognitive and emotional needs. For instance, evaluating the psychological impacts of neglect, abuse, or lack of access to education helps governments and legal systems develop more comprehensive child protection strategies. This integration aligns with the UNCRC's overarching goal of promoting justice, fairness, and the holistic development of every child.

8. Empirical Evidence

The study examines how global legal frameworks, such as the UNCRC, influence children's psychological well-being and development, promoting their rights to education, health, and protection, which are critical to their cognitive and emotional growth. Research indicates that international legal protections help foster a sense of security, self-worth, and empowerment in children, particularly in conflict or poverty-stricken environments. The UN Child Rights Committee has highlighted the severe psychological effects of poverty, conflict, and violence on children in countries like Argentina, Israel, Gaza, and Mexico, stressing the need for improved support systems and mental health services (High Commissioner for Human Rights, 2024). Legal instruments like the Child Rights Convention play a vital role in addressing these challenges and safeguarding children's mental health. Surya Deva's report (High Commissioner for Human Rights, 2024) to the 57th session of the Human Rights Council underscores the profound impact of international law on child development through a human rights lens. Deva cautions that global issues like climate change, conflicts, and environmental degradation disproportionately affect children, despite their lack of responsibility for these crises. The Committee on the

Rights of the Child emphasized the importance of providing the highest level of protection for children, especially in conflict zones, and noted the ongoing violations of children's rights, particularly their right to life. The session also discussed the possibility of a fourth Optional Protocol to the Convention on the Rights of the Child (High Commissioner for Human Rights, 2024). During the meeting, State party representatives highlighted the positive impact of ratifying the Third Optional Protocol, noting that individual complaints could significantly improve the circumstances of affected children and enhance legal and policy frameworks (UNICEF, 2021).

9. History of Child Rights

In the early 20th Century, industrialized countries lacked child protection standards, exposing children to unsafe work and poor living conditions. This spurred awareness of children's vulnerabilities and developmental needs, prompting a movement for their protection. Child rights milestones began in 1924 with the League of Nations (UNICEF, 2024)' Geneva Declaration on the Rights of the Child, drafted by Eglantyne Jebb, advocating for children's development, protection, and special support (Humanium, 2024). UNICEF's creation in 1946 furthered this focus, followed by the Universal Declaration of Human Rights in 1948, which included special care provisions for mothers and children (UNICEF, 2024). Key developments continued: in 1959, the UN adopted the Declaration of the Rights of the Child; in 1973, the ILO set 18 as the minimum age for hazardous work; and in 1979, the International Year of the Child highlighted child rights. The 1989 UN Convention on the Rights of the Child (CRC) formally recognized children as significant social, economic, and political participants, establishing essential protections. This was followed by the 1990 World Summit for Children, the founding of the Child Rights International Network (CRIN) in 1995, and the ILO's Worst Forms of Child Labour Convention in 1999. In 2000, two UN Optional Protocols addressed child soldiers and exploitation, and in 2002, child delegates spoke at the UN General Assembly, leading to the "World Fit for Children" agenda. Additional steps included the 2006 Manual for Juvenile Justice Indicators and a 2011 Optional Protocol allowing investigation of CRC violations. By 2015, the CRC had 196 ratifications, with only the United States yet to endorse it, making it the most widely supported international treaty.

10. Case Studies and Country Analyses

Case I: *In case MB (a pseudonym) v Children's Court of Victoria (2021)*, Supreme Court of Victoria ruled that a Magistrate failed to properly consider a minor's privacy and best interests under the Victorian Charter when ordering the retention of a 16-year-old's DNA sample. The Court annulled the order and referred the case for rehearing, highlighting the importance of adhering to human rights principles in judicial decisions.

Case II: *In case HA (a pseudonym) v The Queen S EAPCR (2021)*, the Supreme Court of Victoria overturned a bail denial for a 15-year-old with intellectual disabilities and PTSD, emphasizing the need to avoid custodial detention for children, particularly given the risk factors involved. The court expressed concern over the over-representation of Indigenous youth in detention and ruled that the child's release on bail was consistent with the principles of justice.

Case III: *In 2023 ruling, save the Children Australia v Minister for Home Affairs*, the Federal Court dismissed Save the Children Australia's request for a writ of habeas corpus on behalf of 34 Australian detainees in Syria, asserting the Australian government had no control over their detention. The case raised significant legal questions, with the Court ordering each party to bear its own costs.

Case IV: *In Ongwen Case: The Prosecutor v. Dominic Ongwen 2021*, the ICC convicted Dominic Ongwen, a former child soldier turned commander, for war crimes and crimes against humanity, particularly involving child soldiers. Despite his own experience as a child soldier, he was sentenced to 25 years in prison, highlighting the complex nature of justice and the need to protect children from armed conflict. The ruling follows earlier convictions for similar crimes and emphasizes the ongoing need for stronger protections against the recruitment of child soldiers globally.

10.1. European Union

The European Union (EU) is dedicated to protecting children's rights as part of its human rights commitments, based on international treaties such as the UN Convention on the Rights of the Child (UN CRC) and the European Convention on Human Rights (ECHR). This duty is reinforced by the EU's objective to enhance fundamental rights protection across Europe. A significant development was the Charter of Fundamental Rights, which became binding through the Lisbon Treaty in

2009, marking the first EU constitutional recognition of children's rights. Key articles include the right to free compulsory education (Article 14(2)), the prohibition of age discrimination (Article 21), and the ban on child labor exploitation (Article 32). Article 24 specifically addresses children's rights to care, protection, and involvement in decisions impacting them, prioritizing their best interests. The Treaty on European Union complements these protections, ensuring children's rights to care and contact with both parents, unless contrary to their best interests. Additionally, the Charter's Article 37 supports environmental protections, promoting sustainable development integration. The EU's focus on children's rights has evolved gradually, often within broader policies like consumer protection and free movement.

10.2. European Council (CoE)

The Council of Europe (CoE) has been at the forefront of promoting children's rights, predating the EU's initiatives. Its primary treaty, the European Convention on Human Rights (ECHR), ratified by all CoE member states, includes protections for children, such as Article 8 on private and family life and Article 3 prohibiting torture and inhumane treatment. The European Court of Human Rights (ECtHR) has developed important case law on children's rights, often referencing the UN Convention on the Rights of the Child (UN CRC) but applying a case-by-case approach without a comprehensive children's rights framework under the ECHR. All CoE states have ratified both the UN CRC and the Paris Agreement on Climate Change, yet challenges persist in implementing these commitments. Cases like *Duarte Agostinho v. Portugal* (EU Human Rights Court, 2024), *Uricchio v. Italy*, (2021), and *Engels v. Germany*, (2021) reflect children and young people's legal actions regarding the adequacy of climate measures under the Paris Agreement.

11. Integrating Children's Rights with the SDGs

Children's rights and the Sustainable Development Goals (SDGs) serve distinct but interconnected purposes (UN, 2024). The UN Convention on the Rights of the Child (UNCRC) legally obligates states to uphold children's rights, while the SDGs outline measurable global development goals. The Committee on the Rights of the Child underscores that sustainable development and children's rights reinforce one another, as development fosters safe, healthy conditions essential for children's well-being. UNICEF also affirms that achieving children's rights depends on the SDGs' success, and vice versa. A 2017 report by the UN High Commissioner for Human

Rights stresses the need to integrate children's rights throughout SDG initiatives, focusing on ending violence, reducing child poverty, and ensuring equal access to health and education. It urges prioritizing children's rights in national planning, adopting a human rights-based approach to data, promoting children's participation in decision-making, and ensuring no child is left behind in the SDG agenda.

12. Research Findings

The qualitative analysis reveals that the CRC is increasingly influential in shaping children's rights within the ECtHR, actively guiding court deliberations. While its impact varies depending on the case and the judge, dissenting opinions, such as in *Strand Lobben*, underscore its crucial role in highlighting children's rights as distinct and central. Over the past decade, particularly in the last five years, there has been a notable rise in references to the CRC, signaling a stronger integration of children's rights in the ECtHR—not necessarily in the specific verdicts, but in the broader evolution of legal frameworks.

13. The Impact of Specific Legal Provisions on Child Psychology

The legal frameworks of the UNHCR, the European Convention on Human Rights (ECHR), the Geneva Declaration on the Rights of the Child, and the Sustainable Development Goals (SDGs) collectively highlight the essential role of children's rights in sustainable development and human rights. The SDGs provide a roadmap to address global issues such as poverty, inequality, and climate change, fostering environments where children can thrive. The ECHR enshrines fundamental rights for all individuals, affirming that children's rights are integral to achieving human rights. The Geneva Declaration adds by focusing on children's psychological and emotional well-being, advocating for their right to care, protection, and growth opportunities. Together, these frameworks establish a robust foundation for prioritizing children's rights in development strategies and legal protections, aiming for a fairer, more inclusive future.

14. Discussion and Analysis

The right to survival and development originates from the Geneva Declaration on the Rights of the Child, adopted by the League of Nations on September 26, 1924

(UNHCR for Human Rights, 2007). As the first international document to define children's rights, it outlined five key principles, emphasizing children's entitlement to support for their physical and emotional growth, assistance in times of need, priority during crises, economic empowerment, and protection from exploitation (Detrick, 2023).

14.1. The Positive and Negative Effects of International Law

International law has a significant impact on child psychology, with both positive and negative effects. Frameworks like the Convention on the Rights of the Child (CRC) establish standards for children's rights, promoting access to education, healthcare, and protection from violence, which supports children's mental health and development. However, inconsistent enforcement across countries can leave vulnerable children unprotected, leading to insecurity and neglect. The bureaucratic nature of international law can also delay responses to urgent issues, such as conflicts or refugee crises, affecting children's psychological well-being. Additionally, cultural differences and varying interpretations of children's rights can clash with international standards, sometimes undermining their intended benefits. For international law to support child psychology effectively, consistent application, cultural sensitivity, and a commitment to prioritizing children's rights are essential across all contexts.

15. Conclusion

In conclusion, the research underscores a critical interplay between legal frameworks and the psychological well-being of children. International laws, particularly those enshrined in the UNCRC, serve not only as protective measures but also as vital tools for promoting mental health and resilience among young individuals. Using a diverse sample of 384 children with data collected from multiple sources, we found that children's understanding of their rights and the influence of international law significantly impacts their psychological well-being, shaping their perceptions of safety, identity, and agency in a complex global context. Child psychology is crucial for understanding children's development and growth and the importance of early intervention, can significantly improve a child's overall well-being (NJ Pediatric Neurosurgery, 2023). By recognizing children as active agents with distinct rights, we can foster environments that support their psychological development and address their unique needs. As we navigate the complexities of contemporary

challenges facing children, it is imperative that policymakers, practitioners, and advocates collaborate to ensure that international legal standards are effectively integrated into child psychology practices and policies. This holistic approach will not only uphold children's rights but also enhance their mental health outcomes, enabling them to thrive in a world that often presents significant hurdles. Ultimately, investing in the intersection of international law and child psychology is essential for nurturing a generation that is not only aware of its rights but also empowered to navigate its future with confidence and resilience.

15.1. Recommendations for Policy and Practice

Here are some recommendations for policy and practice:

Integrate Child Rights into Psychological Practice: Develop training for psychologists and mental health professionals on the importance of children's rights as defined in frameworks like the UNCRC, ensuring practitioners incorporate legal protections in their therapeutic approaches.

Promote Multidisciplinary Collaboration: Foster cooperation between legal experts, psychologists, educators, and social workers to create a holistic approach to children's well-being, addressing complex issues and advocating for children's rights more effectively.

Enhance Awareness and Education: Launch campaigns to educate children, parents, and educators on their rights under international law, empowering children with knowledge to advocate for themselves and build psychological resilience.

Develop Child-Centered Policies: Create and revise policies that prioritize children's mental health, ensuring they align with international human rights standards and reflect research on the impact of legal frameworks on child development.

Ensure Participation in Decision-Making: Establish platforms for children to express their views and participate in decisions affecting their lives, in line with international law, which emphasizes children's right to be heard.

Conduct Ongoing Research: Fund research on the intersection of international law, child psychology, and developmental outcomes to provide insights into how legal frameworks impact mental health and inform policy.

Address Vulnerable Populations: Target interventions for marginalized and vulnerable children who may be disproportionately affected by rights violations, providing tailored programs to address their unique psychological needs.

Monitor and Evaluate: Implement mechanisms to monitor and assess the impact of policies on children's mental health and well-being, focusing on outcomes related to international legal standards and children's rights.

Advocate for Global Standards: Encourage nations to adopt and adhere to international legal standards on children's rights and mental health, fostering a more uniform approach to children's well-being worldwide.

Foster Community Support Systems: Build community-based support networks offering resources and services for children and families, promoting mental health initiatives informed by international law.

15.2. Challenges and Limitations in Implementation

This research identifies key challenges in implementing international legal frameworks to protect children's rights and support their psychological well-being. These challenges include inconsistent interpretation and enforcement across jurisdictions, limited resources for child protection and mental health services, and cultural differences that may conflict with legal standards. The interaction between frameworks like the UNCRC and SDGs further complicates comprehensive child protection. Additionally, a lack of data on the long-term psychological impact of legal interventions limits assessment of their effectiveness. Overcoming these challenges is crucial to ensure that international laws benefit child psychology and overall well-being.

15.3. Future Directions

Future research could explore how evolving legal standards and global initiatives impact children's mental health and developmental outcomes in diverse cultural and socioeconomic contexts. With the UN Convention on the Rights of the Child and related frameworks setting an international baseline, researchers might investigate the psychological effects of specific legal protections or policies on children exposed to conflict, displacement, or poverty. Further study could also focus on the role of international law in shaping therapeutic interventions for children affected by legal

proceedings, such as asylum claims or custody battles, and in supporting the psychological resilience of youth facing cross-border challenges. This research could benefit from interdisciplinary approaches, merging legal and psychological expertise to create actionable insights for policymakers and mental health professionals alike.

Ethics Declarations

This article adheres to ethical standards and complies with the principles of research ethics. All procedures performed in this study were in accordance with the ethical standards of the institutional and national research committees.

Consent for Publication

The authors affirm that all individuals involved in this study have consented to the publication of this article.

Competing Interests

The authors declare no competing interests regarding the publication of this article.

AI Assistance

AI tools were used to standardize terminology and collect technical terms to ensure consistency and clarity throughout the article. The use of AI was limited to enhancing the precision of language and terminology, while the overall analysis and writing were carried out independently by the authors.

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