A is the Counter-plan text:

The United States will ratify and conform to the U.N. Convention on the Rights of the Child.

B is the Competition :

The Counter-Plan is mutually exclusive. The US’s practice of treating juveniles as adults is incompatible with the U.N. Convention. Schirmer[[1]](#footnote-1) explains

For centuries now our common law has protected the "best interest" of the child. The Convention holds its members to exactly the same [\*717] standard: "In all actions concerning children . . . the best interest of the child shall be a primary consideration." n4 The Convention thus parallels our own ideals. However, the U.S. interpretation of "best interest" diverges from that of the rest of the world when applied to juvenile delinquents. With specific regard to the imprisonment of a child who has committed a crime, **the Parties to the Convention have agreed** in Article 37 **that**:

[b] **The arrest, detention or imprisonment of a child... shall be used only as a** measure of **last resort and for the shortest appropriate period** of time;

[c] **Every child** deprived of liberty **shall be treated** with humanity and respect for the inherent dignity of the human person, and **in a manner which takes into account** the needs of the person of **his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so . . . .**

**The U**nited **S**tates **does not use imprisonment as a last resort. For some crimes, sentencing children as adults, rather than as children, is the first resort. In many of these cases, children are not treated with humanity and respect, and often are not separated from adult criminals.** Such a system, I will argue, is not in the child's best interest, nor even in our society's best interest.

Additionally, the counterplan competes via net benefits compared to the perm.

**Part C is the net benefit.**

Advantage one is international promotion of human rights.

Sub point a.

The U.S’s failure to ratify and conform to the UNCRC prevents the US’s ability to promote global human rights which will lead to the betterment of children world wide. QUIGLEY[[2]](#footnote-2) explains,

Often, **in making criticisms of other states for human rights violations, the U**nited **S**tates **has been met with the response that it** itself **has failed to ratify** major human rights treaties. It was this problem that President Bush hoped to reduce by ratifying the International Covenant on Civil and Political Rights**.** After gaining the Senate's consent, President Bush ratified that treaty on behalf of the United States in 1992.n3 Asimilar issue presents itself today in regard to **the** U.N. **C**onvention on the **R**ights of the **C**hild**.**n4This treaty is the most widely ratified human rights treaty, counting 191 states as parties. **Among U.N.** member **states, only the U**nited **S**tates **and Somalia have not ratified. The U**nited **S**tates **is criticized on this score,** not only **in regard to protection of children, but also in** regard to **its commitment to** human **rights** implementation **more generally. The United States cannot** [\*402] **effectively pressure** other **states when it remains a non-party to** major human rights instruments like **the Convention on the Rights of the Child.** The United States has a strong self-interest in improved human rights performance by other countries. As a result of its role as the major economic force in the world, the United States has great numbers of its citizens abroad for economic activity and related purposes. To the extent that other countries treat individuals better, U.S. citizens are benefited. Specifically in regard to children, the United States has a particular interest **because[ The US]** it **plays a major role in seeking resolution of military conflicts** around the world, and **it is** precisely **in these situations** that **children are most seriously at risk. As a state party to the Convention, the U**nited **S**tates **could participate more effectively in the myriad issues on which children worldwide may be benefited.**

**Sub Point B**. U.S. ratification and implementation will provide the US with increased legitimacy and influence in international law.

Obama is currently working towards improving US image but he requires actions to back up his words. Roth[[3]](#footnote-3) explains,

**Obama faces the challenge of restoring the United States' credibility at a time when repressive governments** -- emboldened by the increasing influence of authoritarian powers such as China and Russia -- **seek to undermine** the enforcement of **international human rights** standards. As he put it when accepting the Nobel Peace Prize, the United States cannot "insist that others follow the rules of the road if we refuse to follow them ourselves." **His** Nobel **speech** in Oslo also **affirmed the U.S. government's respect for the Geneva Conventions.** "Even as we confront a vicious adversary that abides by no rules," Obama argued, "I believe the United States of America must remain a standard bearer in the conduct of war. That is what makes us different from those whom we fight. That is a source of our strength."**When it comes to promoting human rights** at home and abroad, **there has** undoubtedly **been a** marked **improvement in presidential rhetoric. However, the translation** of those words **into deeds remains incomplete.**

U.S. ratification provides the action necessary to provide US legitimacy which will help to support global human rights. Blanchfield[[4]](#footnote-4) explains in a CRS report the argument of supporters:

Many CRC supporters hold that **ratification** of the Convention **would strengthen U.S. credibility** abroad **and give the U**nited **S**tates **additional fora** in which **to pursue** the advancementof **children’s rights.** Specifically, they argue that U.S. **non-ratification leads** foreign **governments to question the sincerity of the U**nited **S**tates **in addressing children’s rights,** thereby **hindering the ability of** U.S. **diplomats to advocate child rights in countries with poor** human rights **records.** They contend that many **countries view the U**nited **S**tates **as hypocritical because it expects other countries to comply with international standards that it does not** itself **follow. Some,** for example**, point to** U.S. **statutes that require** U.S. foreign **assistance to be subject to** a country’s **compliance with “internationally recognized** human **rights.” Further**, some argue that U.S. **ratification would provide the United States with an opportunity to influence international** laws and **standards in** the area of **children’s rights**. They maintain that **the U**nited **S**tates**, with its history of** democracy and **policies that respect children, could share its** experience and **expertise** with other countries that aim **to protect children’s rights.**

Further, failed US legitimacy harms US citizens and guts the U.S’s ability to promote a safer global order. Schulz explains*[[5]](#footnote-5)*

The truth is that **if human rights and the U.S.’s pursuit of them are discredited, American interests are put in peril.** Reserving the option to torture prisoners, denying them habeas corpus, sending them into “black site” prisons—all this makes it harder to defend America against the charge of hypocrisy; the claim that we are carrying out a war in defense of the rule of law by abandoning that very rule. **Such a charge hands fodder for recruitment to our adversaries and makes the world less safe for Americans. No country can claim protection for its** owncitizensoverseas (be they **soldiers** taken as prisoners**, nationals** charged with crimes**, or corporations** faced with extortion) **if it fails to respect international norms at home. Global relations are based in good part on reciprocity. Nor can the U.S. offer effective objection to the human rights violations of others if it is guilty of those same violations itself or has shunned cooperation with international allies. No nation, no matter how powerful, can successfully pursue improvements in human rights around the world independent of the international community.** Unilateral sanctions imposed upon a country to protest human rights abuses will inevitably fail if they lack the support of others.

Advantage Two is Juvenile victimization.

By ratifying the CRC we can help to prevent children from being victims of crime. **Ginatta**[[6]](#footnote-6) **explains,**

**Under current immigration law** regulating deportation, **the US often severs a long-resident immigrant child from his cultural, family, educational, social, and religious roots in the US on the basis of the act of a parent.** Article 2(2) of **the Convention on the Rights of the Child**, to which the US is a signatory, **provides that children are to be "protected against all forms of ... punishment" on the basis of the status or activities of** the child's **parents**, legal guardians, or family members.[1] For children eligible for the DREAM Act, **the person deciding to enter the country without authorization is overwhelmingly the parent, not the child.** The DREAM Act reforms US immigration policy so that it takes into account the best interests of youth long-residing in the country. Protect Youth from Violence and Abusive Treatment Human Rights Watch has reported on greater risk of violence and abusive treatment of children with unauthorized immigration status. Our May 2010 report "Fields of Peril: Child Labor in US Agriculture" details how **vulnerability to deportation (as well as the obstacles to seeking protection by law enforcement) allows violence and abusive treatment against farmworker children to flourish.** Our research highlighted how **isolation and lack of legal status make girls especially vulnerable to sexual abuse.** According to a US Equal Employment Opportunity Commission regional attorney in 2009, **"There are probably scores of women and girls who are being raped in the fields every day but don't come forward. They're scared."** A path to legal status for DREAM Act eligible children would offer an avenue of protection currently unavailable to these children. **Authorized status would make it easier for youth who are victims of violence and other abusive treatment to report violations to the police.**

Advantage Three is the rule of children’s rights.

John Rawls[[7]](#footnote-7) explains how utilitarian outcomes are best served by establishing rules and practices:

“**Rules are pictured as defining a practice.** Practices are set up for various reasons, but one of them is that **in many areas of conduct each person's deciding what to do on utilitarian grounds case by case leads to confusion, and** that **the attempt to coordinate behavior by trying to foresee how others will act is bound to fail. As an alternative one realizes that what is required is the establishment of a practice,** the specification of a new form of activity; and from this one sees that a practice necessarily involves the abdication of full liberty to act on utflitarian and prudential grounds. It is the mark of a practice that being taught how to engage in it involves being instructed in the rules which define it, and that appeal is made to those rules to correct the behavior of those engaged in it. Those engaged in a practice recognize the rules as defining it. The rules cannot be taken as simply describing how those engaged in the practice in fact behave: it is not simply that they act as if they were obeying the rules. **Thus it is essential to the notion of a practice that the rules are publicly known and understood as definitive; and it is essential also that the rules of a practice can be taught and can be acted upon to yield a coherent practice.** On this conception, then, rules are not generalizations from the decisions of individuals applying the utilitarian principle directly and independently to recurrent particular cases. On the contrary, rules define a practice and are themselves the subject of the utilitarian principle.”

Additionally, we cannot use a rule-based system in which we make exceptions. The principle of a rule is such we cannot tailor the situations in which it would apply based merely on when we would find it derisible. Rawls 2 explains

Indeed**, the point of the practice is to abdicate** one's title to act **in accordance with** utilitarian and **prudential considerations in order that the future may be tied down** and plans coordinated in advance.There are obvious utilitarian advantagesin having a practice which denies to the promisor, as a defense, any general appeal to the utilitarian principle in accordance with which the practice itself may be justified.There is nothing contradictory, or surprising, in this: **utilitarian** (or aesthetic) **reasons might properly be given in arguing that the game of chess,** or baseball, **is satisfactory** just **as** it **is, or** inarguing **that it should be changed** in various respects, **but a player in a game cannot properly appeal to such considerations** as reasons for his making one move rather than another. **It is a mistake to think that if the practice is justified on utilitarian grounds then the promisor must have complete liberty to use utilitarian arguments to decide whether or not to keep his promise. The practice forbids this general defense; and it is a purpose of the practice to do this.** Therefore what the above arguments presuppose -- the idea that if the utilitarian view is accepted then the promisor is bound if, and only if, the application of the utilitarian principle to his own case shows that keeping it is best on the whole -- is false. **The promisor is bound because he promised: weighing the case on its merits is not open to him**

There ought to be a rule in which we conform to the major UN human rights instruments Unicef[[8]](#footnote-8) concludes,

**Human rights are those rights which are essential to live as human beings – basic standards without which people cannot survive and develop in dignity.** They are inherent to the human person, inalienable and universal. The United Nations set a common standard on human rights with the adoption of the Universal Declaration of Human Rights in 1948. Although this Declaration is not part of binding international law, its acceptance by all countries around the world gives great moral weight to the fundamental principle that all human beings, rich and poor, strong and weak, male and female, of all races and religions, are to be treated equally and with respect for their natural worth as human beings. **The U**nited **N**ations **has** since **adopted many** legally **binding** international **human rights instruments.** These treaties are used as **a framework for** discussing and **applying** human **rights.** Through these instruments, **the principles and rights they outline become legal obligations on** those **States choosing to be bound by them.** The framework also establishes legal and other mechanisms to hold governments accountable in the event they violate human rights. **The instruments of the international human rights framework are the Universal Declaration of Human Rights and the six core human rights treaties:** the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the **[Including]** **Convention on the Rights of the Child**; the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Elimination of All Forms of Racial Discrimination; and the Convention on the Elimination of All Forms of Discrimination against Women. Every country in the world has ratified at least one of these, and many have ratified most of them. **These treaties are important tools for holding governments accountable** for the respect for, protection of and realization of the rights of individuals in their country. **As part of the framework of human rights law, all human rights are indivisible, interrelated and interdependent. Understanding this framework is important to promoting, protecting and realizing children’s rights because the C**onvention on the **R**ights of the **C**hild**—and the rights and duties contained in it—are part of the framework**

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2. [President's Club Professor of Law, Ohio State University, LL.B., Harvard Law School, M.A., Harvard University.] “UNITED STATES AND ITS PARTICIPATION IN THE CONVENTION ON THE RIGHTS OF THE CHILD: U.S. RATIFICATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD” 2003 Saint Louis University School of Law. [↑](#footnote-ref-2)
3. Empty Promises Obamas Hesitant embrace of Human rights. Foreign affairs. [March/April 2010](http://www.foreignaffairs.com/issues/2010/89/2) http://www.foreignaffairs.com/articles/66034/kenneth-roth/empty-promises?page=show [↑](#footnote-ref-3)
4. [Analyist in International relations]. “the United Nations convention on the rights of the child: Background and Policy issue” April 1 2009/ [↑](#footnote-ref-4)
5. [Senior Fellow, Center for American Progress] The Future of Human Rights Restoring Americas Leadership. 2008. <http://www.betterworldcampaign.org/assets/pdf/humanrights-schulz-final.pdf>. [↑](#footnote-ref-5)
6. [Senior Fellow, Center for American Progress] The Future of Human Rights Restoring Americas Leadership. 2008. <http://www.betterworldcampaign.org/assets/pdf/humanrights-schulz-final.pdf>. [↑](#footnote-ref-6)
7. John Rawls, "Two Concepts of Rules," The Philosophical Review 64 (1955): 3-32. [↑](#footnote-ref-7)
8. http://www.unicef.org/crc/index\_framework.html. 26 February 2008. Convention on the Rights of the Child. [↑](#footnote-ref-8)