

ABSTRACT

The system of the United Nations, as well as many international and regional bodies, imposes various duties on states that consequently have obligations towards the rights of their individuals. This is particularly significant in the case of children who are not only considered one of the most valuable subjects of international regulations, but are also an integral part of the legislation of domestic laws. Despite the fact that laws concerning the rights of children are well settled in the international sphere, and are recognized under the *jus cogens* norms, national laws about children, or national laws having an effect on children, are still not completely adequate. Many legislative and cultural practices expose the fact that children are not recognized as the holders of rights. National legal authorities should not, in accordance with the existing international legislations, plead provisions of their own laws or deficiencies of those laws in response to a request against them for alleged violations of children's rights that have occurred under their jurisdiction. In fact, the absence of appropriate legislation within national legal systems and the reluctance of legal authorities to seriously take children's rights into consideration, have been two of the key reasons for the contraventions of children's rights in national or international conflicts. This book examines many different areas within the law which deal with the specific rights of children such as the philosophy of law, civil law, health law, social law, tax law, criminal law, procedural law, international law, human rights law and the humanitarian law of armed conflict. The intention is to show that there are many rules, provisions, norms, and principles within various areas of the law that relate to the rights of children. The extent of these rights implies the existence of certain regions of law which have to be acknowledged and respected by national authorities. However, the acknowledgement of rights is also a matter of intention, and may be implied or expressed by the practice of authorities. The question of the child constituting a self-ruling subject of justice and its legal ability to create an independent individual legal personality for the protection of its rights, but not necessarily for the exercise of those rights, are the central issues of this book.