

The Effect of International Economic Law on the Process of Political Development of Children's Rights

Abtin Amiri¹, *Mohammad Sadeghi², Seyyed Bagher Mirabbasi³, Abomahammad Asgarkhani³

¹Ph.D Student in Public International Law, Department of Law, Qeshm Branch, Islamic Azad University, Qeshm, Iran.

²Department of Law, Hormozgan University, Hormozgan, Iran.

³Department of Law, Tehran University, Tehran, Iran.

Abstract

International economic law has a transformational role in developing the economy, where the transformation leads to economic prosperity and growth, including changing several aspects of progression, especially social and political progress. One of the unknown aspects of development, specifically in developing societies, is the impact of international economic law on the political development of children's rights. Like other aspects of social law, children's rights have an economic-political aspect whose study needs comprehensive research. Implementing international economic law is linked with different aspects of domestic development, and the question is raised of what impact international economic law has on developing an area such as children's rights. On the other hand, can developments in international economic law in political development help strengthen children's rights? The article is written in a library research format and seeks to answer the question of the basis of the connection between international economic law and political development. In addition, how does the connection help to realize children's rights? On the one hand, international economic law strengthens political law and contributes to children's rights in both legal and social aspects, and on the other hand, strengthening the free market may pose a threat for implementing children's rights and its use; therefore, supervision of international economic law on the commitment of the benefiting states is one of the advantages of this type of economic system and a guarantee for the rights of the vulnerable groups of society, such as children.

Key Words: Children, Economy development, Political change, Right, Social productivity.

*Please cite this article as: Amiri A, Sadeghi M, Mirabbasi SB, Asgarkhani A. The Effect of International Economic Law on the Process of Political Development of Children's Rights. *Int J Pediatr* 2021; 9(5): 13617-634. DOI: **10.22038/IJP.2020.48782.3917**

*Corresponding Author:

Mohammad Sadeghi, Department of Law, Hormozgan University, Hormozgan, Iran.

Email: mrs4272@yahoo.com

Received date: Aug.23, 2020; Accepted date: Jan.22, 2020

1- INTRODUCTION

One of the purposes of international economic law is the development process in countries. International economy class is a part of public international law, which studies economic exchanges between subjects of international law (1).

Communication tolerance growth between different communities means that trade relations have gone beyond the borders of countries and have found an international dimension. In international trade relations, due to the intervention of external factors, the rules governing the relationship and the legal system to resolve disputes arising from it differ from domestic trade relations. Since power was established in the international system, its proprietors recognized the development of power. Power in various political, economic, military, and other areas in European countries, after the Westphalian wars (1816-1848), primarily raised in the Renaissance era and the Age of the Industrial Revolution whereby power entered into international literature.

During the first and second world wars, international development using military power was intended, and American-European countries placed economy and policy within their war strategies. However, American development models entered all over the world, from Latin America to Europe and Asia. With the spread of the development concept in the international system, international organizations were slowly aroused and favored development in various aspects. Organizations like the "International Monetary Fund," "World Bank", and "The General Agreement on Tariffs and Trade" (2) came into existence. However, development in other aspects of policy, culture, and others, was also intended. These organizations also considered the social and legal development of other groups like children. In this area and by the foundation of the United Nations

organization (1945), and subsidiary organizations made new structures in the international system (3). When various aspects of policy, economy, culture, etcetera move in interaction and coordination, development in the international system will stimulate these definitions and settings of international relations, and interactions occur in the international law arena. Indeed, international law is an approved law of international organizations and individuals. Therefore, real actors of international law and executive guarantees are states, international organizations (governmental and non-governmental), and real individuals. In this situation, international economic law directly or indirectly affects some social rules, but these rules have been put off. One of these rules is children's rights, which is influenced by general policies in domestic law.

International economic law helps welfare, freedom, reinforced independence, citizenship rights, and can be an influential factor in children's rights. When economic growth affects the internal law, it can recognize children's rights based on international standards (4). This study investigates the effects of international economic law and global pillars on the development of children's rights with the support of the political system. By reviewing, the "Convention on the Rights of the Child" this paper seeks rules to provide welfare for vulnerable groups of people, especially children. In other words, do countries support and develop children's citizenship rights by utilizing a robust internal economy? Although this poses a considerable challenge amongst lawyers, lawyers of international economic law emphasize the free market. One of the practical approaches in international economic law is the lack of government intervention in political and economic affairs, which present challenges for children's rights. However, some realistic

lawyers believe that achieving development at any level, specifically political developments, require state support and attention, and the law should support the development to prevent vulnerable groups like children from being harmed. These two approaches are fundamental in reaching a common point in international economic law and political development (5).

2- MATERIALS AND METHODS

The library research method was used in this research. The library method is one of the collection methods in law, which deals with the relevant documents. Finally, by analyzing the information and the data, the results are presented. In this study, the effects of the activities of economic community on social welfare and economic growth of the society have been studied, and then the impact of economic growth on political development and child rights have been analyzed. The method of gathering information in this paper is legal documents related to the rights of the economic community, the use of new data and analysis based on strategies to protect children's rights, and the use of scientific sites concerning economic welfare and child rights.

3- RESULTS

One of the objectives of this study is to investigate the impact of human rights on child rights. In the research, the effect of economic growth and activity of the economic community on the welfare of the child, plus social and psychological development, have been outlined. Will this change contribute to the growth of the child's rights? Child rights are affected by the economic and social conditions of society. This study investigates how society can help develop children's rights in terms of culture and construction. In the research, the development of rights between the economic community and

political development of society, which can increase the protection factor of the child, have been studied.

3-1. International economic law development

International law is governing states' relations, individuals' interactions, and trade between different countries. The scope of international law has been expanded. However, international law is of new significance where at the start was just utilized to maintain peace and regulate wars (6), but is now governing complex subjects such as number, type, and development of nuclear weapons, extradition, etcetera. Overall, international law is divided into general and specific areas. General international law is implemented for all countries, even for those not recognized, but specific international law is implemented in a specific area; for example, agreements on economic and trade co-operation are binding only in a specific trade area. International economy class development covers world trade organization's rules and includes international monetary system and international development. Recently, international economic law is expanding transnational rights, affecting individual relationships and even conflict resolution rules (7).

Undoubtedly, just the principle of economic dependence can help international economic law. International economy calculations should be regulated appropriately and generally regulated by treaties. The principle of economic dependence is known for all countries, developed, and developing. The principle is connected with states' economy, and the connection is based on free economies, like the share of exports and imports, including goods and services. The economic interdependence of states approved by the UN General Assembly is known as collective economic security. In

international economic law, unlike other branches of international law, dependence is essential, and sovereignty is a subsidiary principle. Economic interdependence is defined in the international economic system. International law is connected and at the service of the international economic system, therefore effective for solving economic disasters and helping secure the economy. The primary purpose of international economic law is to raise living standards, and the second is to ensure full employment. The third goal is creating facilities to grow the real economy, since some growth is false and is not in line with international economic law purposes and duties, and following the law means to guarantee real growth.

The other purposes of international economic law, which have now become rules, is arising and enhancing international norms like anti-monopoly and anti-money-laundering principles. The law seeks to develop these principles and finally create economic development and a world governed by the principles of international economic law accepted by the world's advanced nations. Integration of ethical-social norms is the other purpose of international economic law, which means coordination between ethical and social norms besides economic development.

The law does not fight with cultures and religions and instead tries to reach sustainable development and environmental protection, which are intertwined. For instance, the Kyoto convention signed by the US at the recent summit is about environmental protection; with the US membership in this convention, many factories in the state must close. In this situation, the United States is losing billions of dollars, but international economic law mandates the state (8). The precise notion in international economic law is that the law and human rights develop simultaneously

and together. Employment and fair competition should not be denied in economic development. Economy development does not mean the machine replaces the human and they become unemployed. Hence, employment is a developmental issue; slavery should not exist, and the worker's proletariat system is against human rights. The right to freedom of employment means each able human making better use of it. This issue is achievable based on a fair competition system, so people should accept that and grow following it. If human rights are removed from international economic law, then the goal will only be profitability, while international economic law is focused on human rights.

3-2. Social development and welfare

Recently, development notions have various and expanded definitions. Economic development in its specific sense means increasing the quantity of a country's product, and the economic goal of most societies was initially determined by economic growth based on industrial developments. In the early years after First World War, this notion was equivalent to growth and meant economy. Walt Whitman Rostow sees development as a multi-stage process that goes through stages such as traditional, transitional, uplifting, and mature, and finally reaches the highest stage of economic growth, which is mass consumption. The UN introduced the 1960s as the first development decade for developing countries. In this definition, poverty, unemployment, and other economic and social disorders were defined and clarified that development and growth in the economy are not the same. Therefore, both experts and planners tried to consider a broader definition and specification for development (9). Accordingly, poverty reduction and social inequality were also included in the development, and development was considered to improving

social life. Dudley Seers believed development proving in a country should answer poverty, unemployment, and inequality, and if this has changed in that country besides per capita income. In his opinion, by just increasing these indexes, it can be claimed that a country is developing. The new definition has meant that the United Nations presented the development program guide for some countries and a guide to the second development plan in the 1970s. However, this idealistic social approach in development just turned out to be a theoretical, not practical one. These definitions paid less attention to mechanisms and tools to achieve goals or how to deal with obstacles and problems, and the approach denied dimensions and issues and political barriers to development in either developed or developing countries. It was commonly thought that much of the task of developing so-called development programs in developing countries, in both theory and practice, was the government's responsibility, however, in these definitions and programs. No attention to the need for reform and change in the government itself is specified (10).

Economists believe in economic growth and increasing living standards, sociologists in social order and balance, and political scientists in the efficiency and legitimacy of the political system. Also, among ordinary people, some believe in welfare and wealth, some in order and security, some in spreading morality and spirituality, and others in freedom and justice. Therefore, development tissue has value, a normative and relative nature; in other words, each of us has our definition for it. Therefore, Development Goals can be summarized as follows:

1. Achieving economic growth
2. Reduce absolute poverty
3. Extension of social services

4. The spread of democracy and social participation

By considering the goals mentioned above, the dimensions of development can be divided into economic, social, cultural, and political. Economic development means change and the transformation in the country's economy within the framework of the political and social values that govern society. Economic development indexes are an increase in the gross domestic product, the share of major economic sectors (agriculture, industry, and services) in the gross domestic product (GDP), annual growth in the GDP, and an increase above the government's general budget related to GDP (11).

In the modern era, development has had many consequences for the world, which leads to international development. For example, in the developing world, separated areas and single national and local economies have been grown with the world economy differently. Some countries did, well but some did exceptionally poorly. Developing countries have experienced economic consequences and a different type of development. On the one hand, a group of Asian countries developed their economy well and reduced poverty; on the other hand, most countries located in Africa and Latin America made little progress. We should know that the 1980s was a significant decade in developing countries (12).

Therefore, development has various aspects such as economic, cultural, political, and social. For researchers in political science, there is common ground in key parameters of political development, such as legitimacy and political participation. Nevertheless, as soon as these elements are examined concerning different societies and cultures and different economic, political, and social structures, it is simply impossible to consider a society politically developed or another system complacent according to

these parameters, in any case, better indicators can be considered as follows:

1. The legitimacy level of the system and whether people care about government.
2. People's participation through social and political institutions such as parliamentary elections, non-governmental political parties and institutions, the press, and the power to elect a government that rises from the people over people and the extent of their freedom.
3. The rule of law and not the rule of individuals in an authoritarian, dictatorial, and impersonal form of the political system.
4. The level of authority in responding to the needs of people through the creation of an efficient and active administrative network and the legal solution of problems and political problems of society. Undoubtedly, traditional societies' problems could be solved by political development and achieving all four indicators (13).

The Constitution of Iran mentions the indicators of political development. In other words, the system within the Islamic Republic of Iran, as a democratic system, has also accepted the indicators of political development. For example, Article 26 of the Constitution states that:

"The formation of parties, societies, political or professional association, as well as religious societies, whether Islamic or pertaining to one of the recognized religious minorities, is permitted, provided they do not violate the principles of independence, freedom, national unity, the criteria of Islam, or the basis of the Islamic Republic. No one may be prevented from participating in the aforementioned groups or be compelled to participate in them".

3-3. International economic law and political development

In a broad sense, international economic law is a subset of public international law and includes international rules. However, some lawyers believe that these two majors are separated, so international economic law has its specific system and is taught as a dependent major at universities. Specifically, in the contemporary world, public international law definition exists in economic relations between the subjects of international law. As Ignaz Seidl-Hohenveldern states:

"International economic law separation from public international law will be problematic in continuation of peaceful economic relations between states since peaceful economic relations among subjects are mostly related to economic transactions between them" (14).

Seidle's point of view corresponds to the International Law Commission approach. However, the international law commission accepted that international economic law created problems in international rule integration but emphasized that: "The new types of specialized legal rules did not come about by chance but in response to functional and technical needs. For effective rules of a modern legal system, the existence of new terms of treaties or procedures are needed, and unnecessarily do not correspond to public international law or other specialized attitudes". In public international law, only the sovereign states are the main subjects of this major. In other words, countries are subjects of international law only due to their existence. Nevertheless, it should be noted that a country (state) that controls its economic field has absolute sovereignty, but its international economic relations are subject to the pure rules of the market economy. The relation is important due to the political system strength based on development standards in international economic organizations and helps children's rights (15).

The concept of international relations is based on the default international trade of goods. Each state, which enters into a transaction, has to trust the other side, so states are dependent on each other. Some countries avoid this interdependence and believe that these dependencies limit sovereignty and pursue the idea of self-sufficiency, but in reality, self-sufficiency does not bring absolute sovereignty. Economic interdependence in international economic law and especially in international economic organizations is so strong that in all interpretations of international economic law, priority should be given to state interdependence, not their sovereignty. It should be noted that the economic interdependence of states from an economic point of view does not harm their economic sovereignty. International political, social, economic, and cultural covenants clearly state that all nations can freely use their wealth and natural resources to achieve their goals.

According to a traditional approach, international economic law does not care about environmental issues and only in international economic and trading efforts paying less attention to environmental damages. The main objective of the international economy in the post-World War II era has been to promote the free movement of goods and capital across borders and to enable governments to exploit their natural resources for economic development to regulate any possible economic activity, without paying attention to the environmental issues of economic development. The realization of development in other areas has overshadowed development in international economic law in recent years, and the observance of children's rights has also been affected.

3-4. Forms of economic and political development and its challenges in the international system

There are following forms in political and economic development:

1. Globalization: Creating a common space for interaction in the global community (global village) without any geographical fence is called globalization. Globalization is the first practical step for creating International sustainable developed. In fact, it is its form and structure.

2. Global joint management: international sustainable development is achieved when approach, tools and common purposes in economic and political development will be determined and formulated. The issue will be achieved under a global joint management charter (16).

3. Global sustainable development: this development should be erased as final aim in development policies in the international system. Economic and political development aligned with environmental development in international system is considered a desirable development (17).

4. International law: international law is the Foundation of international desirable development. Development should be in internationally approved law framework and not outside it. In fact, international law has limitation and regulation roll in international relations and interactions for the desired and sustainable International Development (18).

3-5. Political development indicators in the international system

Contrary to the criteria of economic development that is quantifiable, and through indicators such as gross national product, capital gains, increase or decrease in purchasing power, employment rate, etcetera, the rate of economic development can be evaluated and measured in statistical frameworks with accurate calculations, whereas political

development is not quantifiable. For example, determining the level of socialization or political legitimacy and institutionalizing them in society and understanding the extent of political development cannot be accurately measured. The important issue is the existence of relatively large variables and the complex relationship between them, making it challenging to accomplish (19). When looking at the main parameters of political development, like political legitimacy and participation, there is a consensus among political researchers. However, when these elements are related to different political, economic, and social societies and cultures, it is impossible to consider a society politically developed or another system complacent according to these parameters (20). However, at the international level, political legitimacy and participation have a different form and context. International policy's legitimacy is connected with the maximum participation of states, so international participation gives legitimacy to international policy. For political development in the international system, formal and substantive legitimacy is needed. International law can create both areas and facilitate inclusive political development in the international system (21).

The general indicators of international political development are:

1. Political legitimacy: Political structures develop in the international system when they lead to the development of the international political community, which has an international legal basis and is defined in internationally approved and defined legal frameworks (22).

2. Legal participation: Political development requires political influence in the first place. Political influence is achieved when a common political context is created. The political context is also provided when the political position and role of all political systems in the

international system is defined; in fact, to provide a platform for the political participation of all international political systems in the management of existing developments. Such a political structure has a steady approach to development in the international system.

3. Political legitimacy: Once political participation is maximized, political legitimacy will automatically emerge.

3-6. International economic law and civil benefit of child

In order to achieve sustainable urban development, conditions should be provided to enable the establishment of sustainable human development and the improvement of citizens' social welfare. In this context, it is possible to establish social justice, climate design in harmony with the human environment, strengthen social solidarity structures such as commitment and responsibility, strengthen social and family foundations to revive the public environment, and creating structural order in the urban space for aesthetic perception and urban readability and improving the utilization of urban spaces and increasing citizen satisfaction and integrating the visual structure of the urban environment and landscape (23).

Sustainable development is based on political development and is one of the purposes of international economic law to improve the quality of life in the social structure of society and vulnerable groups; hence, it also brings sustainable human development that helps the formation of social capital and the creation of social justice. The concept of sustainability in development would be implemented by enhancing citizenship welfare, improving infrastructure and urban housing, and distributing facilities fairly while defending their rights. Therefore, citizenship welfare can be considered one of the main axes of political development, providing the basis

for increasing human security and social satisfaction. In general, sustainable development is a combination of economic, social, and environmental development and is based on fundamental human rights and freedoms. Achieving more sustainable and lasting world peace is intellectual, moral, and spiritual development and brings social benefits for children. Therefore, the fundamental obligation to achieve sustainable development is the existence of democracy, government, and executive bodies accountable and required to respect the rights of citizens, transparent and representative against all social groups and effective participation of civil society and the legal protection of the child. With the realization of these components, the rights of the child will be passionately considered.

3-7. Economy welfare and family rights of the child

Political development through international economic law leads to welfare and joint responsibility of parents to realize children's rights. In Article 18 of the Convention on the Rights of the Child, while recognizing the common responsibility of parents in maintaining physical, mental health and promoting social and mystical happiness, member states have been asked to provide the necessary legal institutions, facilities, and services in order to achieve this goal. This article provides support for children who have working parents. With the support of political development and legal guarantees, economic welfare is a deterrent to the abuse of children by society and parents. Article 19 of the convention prohibits all forms of physical or mental violence, injury, abuse, neglect, negligent treatment, maltreatment, or exploitation, including sexual abuse. The protection measures of the member states have been emphasized in various legal, executive, social, and educational ways. According to

Article 20, which is ordered in three paragraphs. First, the deprivation or deprivation of a child of the family is generally prohibited. Second, in such an incident, countries must provide alternative care for such children, including foster placement, Kafalah of Islamic law, adoption, or, if necessary, placement in suitable institutions for the care of children. Third, in dealing with such an issue, due regard shall be paid to the desirability of continuity in a child's upbringing and the child's ethnic, religious, cultural, and linguistic background. In addition to Article 20, Article 21 also emphasizes that State Parties that recognize and permit the adoption system shall ensure that the child's best interests shall be the paramount consideration and prohibit children's abuse and mistreatment (24).

3-8. International economic law and children's social law development

International economic law helps children's social rights by establishing welfare and political law development. Also, in Article 8 of the convention, identity, including nationality, name, and family relations of the child recognized by law without unlawful interference, is recognized. In the event of illegal deprivation of some or all elements of his or her identity, States Parties shall provide appropriate assistance and protection to promptly re-establish identity (25). Article 10, which is connected with Article 9, has predicted "... applications by a child or his or her parents to enter or leave a State Party for family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. State Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and the members of their family". "A child whose parents reside in different States shall have the right to maintain contact regularly, except in exceptional

circumstances, have personal relations and direct contacts with both parents"; and "the right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect national security, public order, public health or morals, or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention." Article 11 has prohibited illicit transfer and the non-return of children abroad and asks State Parties to combat these efforts. Considering these recommendations are influenced by social welfare and political development, these two elements being purposes of international economic law.

3-9. Children's freedom of expression

International economic law is concentrated on political development, welfare, freedom of expression, and the rights of all groups of people. The policy is consistent with the Convention on the Rights of the Child. Article 12 states that "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child and the child shall, in particular, be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law". Restrictions on freedom of expression have been considered in Article 13 and the child's right to freedom of thought, conscience, and religion in Article 14. The problem with the previous articles is that they do not monitor and control the behavior of such children. If a child has access to information that is entirely contrary to his or her beliefs based on the right to liberty and has no control over it, the information may confuse him or her mentally and

emotionally. How is this possible in a system that is contrary to political development? Poverty is a factor in strengthening family and individual tyranny, and it challenges children's rights (26). The Convention on the Freedom of Thought and Religion states that the child should not be unreasonably pressured to perform certain religious rites and should be allowed to be brought up by his parents. After reaching puberty, he is free to adhere to belief and faith and choose a religion that will be the religion of his parents with a realistic vision (27). Transformation is linked with economic welfare and political development. According to Article 15 of the Convention, States Parties should recognize the rights of the child to freedom of association and freedom of peaceful assembly, and "no restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others".

3-10. Protecting the child's privacy

Observance of civil rights is one of the goals of the comprehensive development of the international economic system. Article 16 of the Convention also states that "no child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honor and reputation and also the child has the right to the protection of the law against such interference or attacks." It is noteworthy that this substance is used absolutely; that is, even parents cannot do this for the sake of the child's moral affairs or even for the sake of public health; It seems that this lack of parental intervention and the child's boundless independence in such a situation will not only not benefit the child, but will

also have side effects on the child (28). Article 17 is related to access to appropriate content and information. It states that "States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health". Article 28 recognizes the child's right to education, makes primary education compulsory and available free to all, and higher education accessible to all based on capacity by every appropriate means. Article 29 also refers to education program purposes in five axes, but it seems critical because it does not mention the cultivation and promotion of moral values and religious beliefs. A child belonging to ethnic, religious, or linguistic minorities or persons of indigenous origin has been respected in Article 30. Article 31 noted rest and leisure and engaging in play and recreational activities by children, and "States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts" and they "shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity."

3-11. Economic developments and political development of children's rights

The developmental government must ensure that families have access to various support for their caring role and inform them of the services available. Parents, other family members, or incompetent, reluctant, or those in need of assistance providing for the child's basic physical, mental, emotional, and social needs or

those who provide appropriate care should receive the necessary assistance. If the family puts the child at risk of neglect, abuse, exploitation, or exposure to abusive or exploitative actions, the government is responsible for protecting the child and must ensure that appropriate or permanent legal care is provided. In particular, the developmental government protects children from neglect, abuse, sexual abuse, economic exploitation, and all other forms of parental exploitation by other family members and guardians. In political development, some indicators of citizenship rights, such as the prohibition of kidnapping, sale, and trafficking of children, are considered. Theft, sale, and illicit transfer of children for any reason and in any form and manner are prohibited and punishable. The penalties should be strict and commensurate with the penalties for major offenses. Lack of economic well-being and political development violate certain child rights, such as child abduction. Child abduction means the illegal removal of a child from his or her place of residence by force, threats, deception, abuse of power, or seduction of a child and taking him or her to a place controlled by the agent or third party, or the illegal removal of a child from the legal custody of the parent, guardian, or custodian of the child, whether it is carried out, facilitated or coordinated within the country or transfer to or from the country. This includes child abductions caused by one of the child's parents due to poverty (29). Weak economic well-being and failure to achieve political development are factors in selling children, meaning any action or transaction, including offering, delivering, or accepting a child in any way, and that the child is being cared for by a person or group of persons in exchange for money or any other arrangements for economic and financial purposes. Illicit transfer of a child means the move, transfer, custody, or receipt of children with or without threats

or coercion, other methods of coercion, kidnapping, fraud, deception, abuse of power or vulnerability, or giving or receiving money or benefits to obtain parental consent, guardianship, caregivers or any other person who has control over the child, for exploitation purposes, including purposes such as economic exploitation and forced labor, including the worst forms of child labor, child labor that does not comply with the provisions of this law, child begging, child labor at home, and their exploitation in sporting events. Economic developments resulting from the impact of international economic law lead to political guarantees that result in the observance of children's rights.

3-12. Protecting children against sexual exploitation

Article 34 refers to sexual exploitation and sexual abuse and states "States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall, in particular, take all appropriate national, bilateral, and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity.
- (b) The exploitative use of children in prostitution or other unlawful sexual practices.
- (c) The exploitative use of children in pornographic performances and materials."

State officials must determine the age of children's consent to sexual activity. In a developed country, an adult's intentional offer, using information and communication technologies, to visit a child to commit any of the offenses outlined in this chapter should be prohibited. In addition to Article 32 of the convention, further severe punishment will be imposed if the offense is committed with a child who has not reached the age of consent (30). Preventive activities of

sexual abuse and sexual exploitation should be carried out, and relevant information should be provided. Economic well-being with the guarantees of political development is the only possible way to fulfill these supportive recommendations on children's rights.

3-13. Supervising the illicit exploitation of the child in accordance with the guarantees of development

As noted above, Article 34 refers to the prohibition of the use of children for prostitution. Child prostitution means using children for sexual activity in exchange for money or encouraging it, regardless of whether the award is given to the child or any other person who mediates sexual activity with the child, or the parent or guardian or custodian of the child (31). Protection Project of the International Centre for Missing & Exploited Children (*ICMEC*) is the law of child protection, which studies the development role in protecting children's rights, declares that political and economic development due to international economic law profits, and helps the right of citizenship and the rights of children. The law states that children should not be allowed to engage in prostitution and benefit from it.

Any participation in sexual activity with children under the age of consent outside the country's borders should be considered a punishable offense in the country. Those who commit any wrongdoing in this area will be held accountable. Organizing, promoting, or facilitating travel in which prostitution is imposed on children or participation in sexual activity with children under the age of consent must be considered a punishable offense. In the process of implementing Article 23 of this law, any participation or facilitation of such acts should be considered a punishable violation. According to Article 7 of this law, the purpose of the activities should be to involve companies active in

the travel & tourism industry in improving the level of awareness of their customers about the issue of child sexual tourism (32). A ban on child pornography has also been announced. Child pornography means any display of children in actual or simulated sexual activity or any display of children's sexual organs with the aim of sexual pleasure, which in any way, including but not limited to publications, movies, recorded sounds, games, electronic data, digital images, internet applications and, photographs.

This includes photos, drawings, and computer-generated images that cannot be distinguished from children's images. Production, use, or participation in children's pornography should be prohibited, along with any benefit gained from it. In fulfilling the obligations outlined in Article 14 of this law, electronic service providers who are aware that their services are being used to access or distribute child pornography items must report the matter to the police or other competent local authority.

Data and information will be used to identify victims and offenders. A system should be created to remove children's pornographic content from the source. The purpose of this system should be to help cut off access to children's pornographic content and cancel domain registrations allocated for the distribution of this type of content. Establishing such an order in a country's political and legal system requires the appropriate economic and political development to protect the child and the principle of its protection, which is what international economic law pursues.

3-14. Protecting children against economic exploitation

In a developmental society, children should have the right to work reasonably. Child labor should not infringe any of the rights outlined in the Convention, including the right to physical

and mental well-being, the right to education, and the right to play and recreation. Children who comply with the provisions of this law must have the right to a fair and just wage for their work. The government or public institutions should be responsible for overseeing children's employment to ensure that they are adequate and safe and that their working conditions are safe (33). The Convention will advise on developing policies to improve children's working conditions, including private employment agencies.

Private employment agencies should be held liable for any violation of this law as legal entities under the definition of Article 1 of Convention 181 of the World Labor Organization. Any violation of the provisions of this chapter shall be considered a punishable offense under Article 23 of this law. Any employer accused of violating the provisions of this chapter must pay compensation to the child victim as per Article 24 of this law. Methods of general promoting and promoting a children's right to work without adversely affecting their right to education and the extent that child labor is helpful for their mental, emotional, and social development are required. Law according to the time required to reach the children's appropriate physical and mental maturity and the time required to complete basic education should determine the minimum age for employment.

Children under the minimum age of employment should not be entered in any relationships or negotiations concerning employment, redundancy, or salary (34). Children's employment in hazardous occupations or activities that may harm children's health and physical well-being should be forbidden. Children should not be allowed to work in areas where there is a risk of physical, mental, emotional, or social developmental harm or barriers. It should be prohibited to expose children to substances and gases that could harm their

health and to use children to produce toxic or flammable substances and explosives. The worst types of child labor should be banned, especially all types of slavery and equivalent to slavery. These include, but are not limited to, forced labor, ransom, slavery, the sale, and trafficking of children for economic and sexual exploitation.

3-15. Economic development and protection of children deprived of liberty

According to the Convention, children whose freedom is restricted or deprived of their liberty must be protected, preventing their dignity and age-appropriate development from being compromised. Persons responsible for the care and protection of detained children should protect them against physical, psychological, and sexual violence, respect their human rights and treat them in a reasonable, humane, and fair manner; parents, guardians, or caregivers should be notified immediately of any arrest, detention, or other restriction or deprivation of liberty (35). The nature of the offense of the arrested child must be stated in this declaration, and legal aid and counseling should be offered as a fundamental right for the child.

The Convention emphasizes that detained children must be kept separate from adult detainees. Children must be able to maintain contact with their parents, family members, and other relatives through regular visits and correspondence. The child's right to health, safety, growth, and development following this law must be observed in detention facilities. Disciplinary measures in detention centers should not include torture, cruelty, or any degrading treatment. Placing a detained child under additional punishment should be prohibited. The use of restraints or coercion will only be permitted if there is

an immediate and imminent risk of harm to the child or others, but this should never be used as punishment. Detention should provide educational, technical, and professional programs to help the child overcome the problems that have contributed to the offense, and children should be prepared to return to society, family life, education, or employment after release (36). Other appropriate solutions, including reintegration facilities, such as continuous guidance and instruction as per the child's specific needs, should be offered to provide the child with a successful return to family, community, and social life and prevent future violations.

4- CONCLUSION

Given the subject of this study, which is to examine the impact of international economic law on the process of political development of children's rights, an attempt has been made to answer the question of what factors of global participation and coordination coincide with the expansion of the globalization process during the early decades of the twentieth century and whether it realizes the development of children's rights. Therefore, while being aware of the numerous factors affecting the development phenomenon, we responded by specifying a hypothesis that the right to development is not achieved without global participation. Furthermore, by focusing on this hypothesis, three variables were revealed. As stated in the preface, the economic development considered by this group is to consider the welfare and economic security of human beings. Discovery of an appropriate indicator to measure economic development, which includes the rights of the child. When looking at the role of international law in the field of economic development and ultimately the protection of the economic rights of societies and the development of human welfare and respect for children's

rights, this article believes, since the subjects of international law end up with individuals after governments and organizations, and the results of all the efforts and approaches made by institutions and governments ultimately lead to this category of subjects of international law; therefore, the essential aspects of international law have a mission of demanding basic human needs and testing the mechanisms required to meet these demands. Therefore, concerning the internal functions of international law, it seems appropriate to refer to Article 55 of the UN Charter (37):

"With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote: higher standards of living, full employment, and conditions of economic and social progress and development ...". According to Article 22 of the Universal Declaration of Human Rights, "everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality".

In addition, effective thinking supports the formation of international frameworks and the acceptance of its principles and perspectives by the general governments of the world, as well as the confirmation of its favorable role in achieving these goals by different schools of thought; the international community is committed to meeting human needs, including economic development. In order to create strategies for determining, pursuing, and realizing economic development as the aggregation of the ideas of multiple civilizations, the

United Nations has placed two fundamentally different schools of thought in the field of international relations, each reflecting sometimes similar needs and solutions, and sometimes it is different in terms of economic development. The formation of international economic institutions stemming from the Bretton Woods system, such as the World Bank for Reconstruction and Development, the International Monetary Fund, and the World Trade Organization, which reflects liberal and orthodox thinking in the global economy, is a matter of concern for economic stability and development. Its founders believe in the optimal role of these organizations in achieving the desired goals. On the other hand, institutions such as the United Nations Industrial Development Organization and the United Nations Industrial Development Organization have intertwined economic needs and development.

The Declaration of the Right to Development and the Millennium Development Goals and the acceptance of the principles and objectives of institutions such as the World Trade Organization (WTO) by countries have shown a consensus in creating peace and tranquility as the proper demand of societies. In addition, one of the principles of WTO is the principle of a fully-fledged government, which shows the multilateralism of this organization and considers having a common collective interest. It is evident that the performance of these institutions, their positive impact on their achievements, creating favorable conditions for achieving the goals of international resolutions, and ultimately attracting development indicators from its channels need mutual trust and agreement and adherence to principles, which is a shaper of these institutions. Therefore, to achieve development through the channel of international economic law, it is necessary to observe the standards of this

legal system. There is some skepticism from some conservative thinkers in developing and third world countries that accepting members into these organizations and engaging with them requires good governance. The influential members of these institutions have explained its components and consider the desired benefits only being available to select countries. It is worth mentioning that from Larson's point of view, "the important and permanent feature of the global economy is its inequality", and Jean-Jacques Rousseau's states, "conflict is one of the consequences of the formation of civil society, and according to this research, the law has never been and will never be separate from politics".

Thus, the clash of opinions and differences of opinion in today's vast human gathering is in line with the long process of historical experience. Also, in the sphere of economic interactions, even in the internal space of a country, competition is common and natural. What is essential, then, is to reduce the harmful effects of international vote-buying and the countries' share of the global economy and to achieve a common interest and stronger peace through international engagement that benefits development. Only in this situation will the realization of the child's rights and other vulnerable sections of society be possible. Therefore, this point should be considered by national governments and transnational institutions, which cannot be ignored from past experiences and teachings and put the fate of society at the center of numerous ideological experiments. Since the humanities subject is directly related to human society, the scope of activities of such abstract domains does not accept repeated trials and errors. If international peace requires a comprehensive unification (ideology and content) of the ideologies of all nations, no such thing will ever happen. Instead, relying on political development, efforts

can be made to fulfill the provisions of the Convention on the Rights of the Child for the welfare and growth of this group. Therefore, the absolute path is the path that, in the shortest time with the least damage to the man's material and spiritual life and the world around him, provides the most benefit for the growth and excellence of the child. In other words, the right path should be considered a less expensive path, which respects differences and the obligation to adhere to international agreements, being one of the most critical mechanisms in achieving this. Insisting on differences and adopting approaches of coercion and suspicion by each of the political, ideological, and productive branches will continue unrest, lack of stability, and lack of development, especially the lack of political development of societies.

The deep connection between economics and development shows that to realize the development of children's rights and using the power of political rights, the domestic economy must be reorganized, followed by the globalization of the economy. Evidently, the importance of economic development and the globalization of the economy, and the use of its capacity to protect the rights of the child, the laws have been scattered concerning the economy at domestic and international levels, as well as the rules that apply to international trade laws should be collected and gap-filled and made available to experts and government officials as a comprehensive and complete law. This has led to the further development of international economic law, and ultimately political and children's rights.

5- CONFLICT OF INTEREST: None.

6- REFERENCES

1. Cassese, Antonio, International law in a divided world, Translated by Morteza Kalantarian, Tehran, International Legal

- Services Office of the Islamic Republic of Iran, 1991: 36.
2. Gawor, Leszek, 'Globalization and its alternatives: Antiglobalism, alterglobalism and idea of sustainable development', Sustainable Development, John Wiley, 2018: 122. <https://doi.org/10.1002/sd.336>.
 3. Kelsen, Hans, "Introduction to the problems of legal theory" translation of the first edition of "the pure theory of law" a Bonnie Litschewski Paulson & Stanley L. Paulson, Published by Oxford University Press Inc, New York, 2012: 55.
 4. Lucas, Manuela. How can we make globalization work for sustainable development, Afrique PALOP: Developpement at mondialisation seminaire. 2017: 75.
 5. Rousseau, Jean Jacques, The Social Contract, Translated by G.D.H.Cole - public domain, available at: www.constitution.org/ijr/socon.txt. , 1012:24.
 6. Dirbaz A, Dadgar H. Islam, and Sustainable Development. Tehran: Canoon Andisheh Javan; 2007: 84.
 7. Evans P. Embedded Autonomy: States and Industrial Transformation, translated by Zandbaf and Mokhber, Tehran: Tarhe No; 1995: 203.
 8. Giddens A. The Consequences of Modernity, Translated by Mohsen Salasi, fifth ed. Tehran: Center Publications; 2009: 98.
 9. Hakan N, Scott V. Special Studies. Switzerland, WTO, 1999; 4:52.
 10. Badi B. Political Development, translated by Ahmad Naghibzade, Tehran Ghoomes Publications: 1996: 24.
 11. Barrye C. International Economic Sanctions: Improving the Haphazard us Legal Regime. Cambridge University, 1988: 54.
 12. Nuttall WJ. Provision of Sustainable Energy: Nuclear Energy, MPhil in Technology Policy, University of Cambridge: 2003: 56.
 13. Porter G, Brown JW. Global Environmental Politics (Boulder: Westview Press). 1996: 23.
 14. Sykes AO. The (Limited) Role of Regulatory Harmonization in national Good and Services Markets, 1 Journal of International Economic Law 1998;19: 52-57.
 15. Momtaz, Jamshid, Compliance of Security Council Economic Sanctions with Human Rights and Humanitarian International Law, Private law studies, Tehran University, 2008: 186.
 16. Bellamy, Richard, Sovereignty, Post-Sovereignty and Pre-Sovereignty: Three Models of The State, Democracy and Rights Within the EU (2003). Sovereignty In Transition, N. Walker, ed., pp. 167-190, Hart, 2003, Available at SSRN: <https://ssrn.com/abstract=1530445>.
 17. Chilcote RH. Theories of comparative politics, Translated by Vahid Bozorgi, Tehran: Rasa Publications; 2015: 192.
 18. Management of Organizational Behavior: Utilizing Human Resources, 3rd Ed: Paul Hersey and Kenneth H. Blanchard Englewood Cliffs, N.J.: Prentice-Hall, 1977. 360 pp., paper or hardbound. Group & Organization Studies. 1977;2(4):514-15.
 19. Seifzadeh H. Political Renewal and Transformation. Tehran: Ghoomes Publications; 1989: 97.
 20. Trooboff P. D., The Growing Interaction Between Private and Public international, Hague Yearbook of International Law, 1993;107-112.
 21. Drexhage, John and Deborah Murphy, Sustainable Development: From Brundtland To Rio 2012, Background Paper Prepared For Consideration By The High Level Panel On Global Sustainability At Its First Meeting, 2010:56.
 22. Ivaner G, Nonam J. The culture of international relations, Translated by Hamira Moshirzadeh and Hossein Sharifi Tarazkoochi, Tehran, Mizan Publishing, 2002: 116.
 23. Jackson, John H. "International Economic Law: Reflections on the "Boilerroom" of International Relations." American University International Law Review 10, no. 2 (1995): 595-606.

24. Jackson JH. The Crumbling Institutions of the Liberal Trade System¹² *Journal of World Trade Law*.1978: 98-99.
25. Kahf, Manzar, Sustainable Development in Islamic Countries, translated by Saeed & Mohammad FarahaniFard, Tehran, Islamic Economics Journal, 2005: 145.
26. Lang W. Treaties as a Source of International Environmental Law. *International Law and Institutions*, 1999: 32.
27. Lowenfeld A. *International Economic Law*, New York, Oxford University press: 2002.
28. Madani, Amir Bagher, Economic development strategies, comparison of development methods in Iran and South Korea, Tehran, Bavardaran Publications; 1991.
29. Marvin Meier, Gerald. Leading issues in economic development. Translated by Gholamreza Azad Armaki, Tehran, Ney Publications, 1999: 115.
30. Matthew and Paterson, in article entitled: "Green Politics", collected by Scott Burchill & Andrew Linklater, in book entitled "Theories of International Relations", (Deakin University, London: Macmillan Press LTD). 1996: 78.
31. Pierr-Marie Dupuy. Soft Law and the International Law of the Environment. *Michigan Journal of International Law*.1991; 12: 420.
32. Pekkanen R. After the Developmental State: Civil Society in Japan. *Journal of East Asian Studies*.2004; 4: 364.
33. Einhorn, Talia. *Rabels Zeitschrift Für Ausländisches Und Internationales Privatrecht / The Rabel Journal of Comparative and International Private Law* 63, no. 3/4 (1999): 766-69. Accessed April 26, 2021. <http://www.jstor.org/stable/27878148>.
34. Rao PK. *International Environmental Law and Economics*, Blackwell Publisher, 2002:19.
35. Schwartz, Herman M. *States versus Markets: The Emergence of a Global Economy*, 2nd ed., Basingstoke: Palgrave. 2000: 63.
36. Thurow, Lester. *The Future of Capitalism*, Translated by Aziz Kiavand, first ed., Tehran, Didar Publications, 2001: 29.
37. United Nations Charter. Available at: <https://www.un.org/en/about-us/un-charter>.