

Supreme Court Urged to Impose Un-ratified Treaty

WASHINGTON, Sept. 29 /Christian Newswire/ -- The Supreme Court this term has agreed to hear on appeal two cases which question the authority of a state to sentence juvenile violent offenders to life without parole. Amnesty International and other global organizations have filed briefs urging the Court to apply the U.N.'s controversial Convention on the Rights of the Child (CRC) to Florida law as a matter of binding "Customary International Law." On Monday, sixteen members of the U.S. House of Representatives filed an opposing brief which argues that this use of international law is contrary to both the facts and the law.

"Amnesty International believes that international law, rather than American law, should be used to make this decision. We have been warning people for some time that this theory could be used to force this treaty upon an unwilling American public. Americans want to retain family-based decision-making and American-made law. The UN Convention Rights of the Child would undermine both of these principles," constitutional lawyer Michael Farris said.

Amnesty International's brief asserts that the United States is the only nation with laws that permit juveniles to be sentenced to life in prison. The opposing brief, written by Farris and filed by the Members of the House, uses the records of the United Nations Committee on the Rights of the Child to demonstrate that at least 23 nations impose either life sentences or the death penalty for certain juvenile offenders. Moreover, the brief argues that the United States cannot be bound by any form of international law in a domestic case of this character.

Amnesty International's argument is premised on the prior Supreme Court decision of *Roper v. Simmons* in 2005. In that case, the Supreme Court ruled the imposition of the death penalty against juvenile murderers to be unconstitutional. In reaching that decision the Court relied on the unratified CRC as persuasive authority to support its decision. However, Amnesty International has asked the Court to move to the next step. Al contends that this treaty is already binding on the United States because 193 nations have adopted this convention.

Each brief was filed in both cases, *Graham v. Florida* and *Sullivan v. Florida*, which the Court will hear separately. Not only sentencing guidelines, but a vast majority of family law in every state could be impacted by such a ruling.

"While we hope to stop the use of international law in this case, those who are committed internationalists will not give up with just one attempt," Farris added.

Farris is the President of Parentalrights.org, an organization which seeks to prevent U.S. ratification of the CRC and to protect the fundamental liberty of fit parents to direct the upbringing of their children through an amendment to the U.S. Constitution.

"Only an amendment to the U.S. Constitution can protect traditional parental rights both from erosion in our courts system and from the threat of customary international law, which is being argued here," Farris concluded.

Farris submitted the brief on behalf of 16 Congressmen including Rep. Thaddeus McCotter and Rep. Doug Lamborn, co-chairs of the House Sovereignty Caucus. The other House members on the brief are: Rep. Pete Hoekstra, Rep. John Fleming, Rep. Trent Franks, Rep. Todd Akin, Rep. Robert Latta, Rep. Jim Jordan, Rep. Todd Tiahrt, Rep. Phil Gingery, Rep. Cynthia Lummis, Rep. Dan Burton, Rep. Gus Bilirakis, Rep. Mark Souder, Rep. John Boozman, and Rep. Rob Bishop.