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The role of academia in forging child-rights based legislation

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Abstract

The role of academia in law-making is rarely acknowledged. With respect to children's rights in particular, the implications of academia through their Child Rights Centers in shaping child rights-based legislation is crucial. Let's take parent-children's relationships as an example to illustrate this argument.

The Convention on the Rights of Children (the Convention) reflects a new vision of children, which requires States Parties to bring their legislation, policy and practice into accordance with its standards and principles. With respect to the family, by reaffirming that children are neither the property of their parents nor helpless objects of charity, the Convention has a substantial impact on the relationship between children and adults as well as between children and the State. As "*the primary responsibility for the upbringing and development of the child*", parents are thus called upon to ensure their home is a safe, happy and healthy place for children. Unfortunately, parents' responsibilities are often misunderstood. In trying to regulate family life and parents' duties towards their children, the legislators often create conditions and situations which may lead to violations of child's rights within the family and beyond.

As the prime duty bearers in guaranteeing human rights realization and addressing violations wherever they occur, the State has a duty – through its legal framework - to ensure the family environment is conducive to the realization of children's rights. This is not a task that can be left solely to legislators as one cannot expect legislators to have knowledge – even broad – on children's rights.

Academia's role is to engage in research on norms and behaviors that shape family life, provide advice to legislators on human rights principles and standards applicable to each situation and give precise recommendations on the content of national legislation. It is only by involving them in the law-making process that the State has the guarantee that its legal framework complies with the Convention and that the rights vested upon children are effectively realizable in everyday life.

References:

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Short CV: **Nadine Perrault** is UNICEF Representative in Cameroon. She is a lawyer by formation. With over 25 years of significant experience, she has held several positions at UNICEF, including at the Regional Office for Latin America and the Caribbean in Panama. Before that, she worked at UNICEF headquarters in New York, where she was working on Child Rights issues. Ms Perrault was also a UNICEF Representative in El Salvador and Guinea-Bissau before her appointment to Cameroon.