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# Advancing a child rights informed approach to antislavery policy and practice

A systematic review of literature at the  
intersection of children's rights and modern  
slavery

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# ▶ Research to Action (RTA) Report

April 2023

## Advancing a child rights informed approach to antislavery policy and practice:

A systematic review of literature at the intersection of children's rights and modern slavery

Naomi Lott, Pamela Vargas-Gorena, and Katarina Schwarz<sup>1</sup>

### Key points

- ▶ There has been an increase in quantity of literature published at the intersection of modern slavery and children's rights over time—from 18 publications in 2000 to 119 in 2021.
- ▶ Rights-related discussions primarily addressed the rights to education, health, development, the best interests of the child, and non-discrimination. The rights to participation and voice, and to be protected from exploitation were also discussed.
- ▶ Few records conducted in-depth analysis of children's rights and their intersections with modern slavery.
- ▶ Greater interdisciplinary engagement with the topics of modern slavery and children's rights would be beneficial.

### Abstract

This study examines the intersections between children's rights and modern slavery literature to identify gaps in theory and understanding between the two fields, how the two fields can inform each other, and what aspects of children's rights practice are deemed crucial to countering modern slavery and child labour. The review shows that there is considerable value in meaningful interaction between the two fields of modern slavery and children's rights research, yet this is not currently common practice in academic literature. It reveals tensions between the two fields, particularly in relation to children's agency, as well as areas of agreement. It highlights the potential benefits of greater engagement between the two fields of research for both modern slavery and children's rights legislation, policies, theory, and practices. The review provides an in-depth examination and synthesis of literature at the nexus of children's rights and modern slavery.

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## 1 Introduction

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This section presents an introduction to the project and the key themes emerging in the review. It provides a foundational overview of the intersections between child rights and modern slavery in the literature, and the broader possibilities for cross-fertilisation of learning between the two fields.

This systematic literature review synthesises the two traditionally separate fields of children's rights and modern slavery to deliver new theoretical insights that will help reshape practice, taking understandings of both fields in new directions. It demonstrates the value of applying the child rights framework to pressing issues of global concern, considering awareness of children's rights as key to tackling modern slavery.

This evidence review aims to reveal the ways in which the two fields—modern slavery and children's rights—interact and can inform each other. Crucially, it asks:

- What does children's rights literature say about modern slavery and child labour?
- How can children's rights literature inform child labour and modern slavery policy and practice?
- How can modern slavery literature inform the development and theorising of children's rights?

In doing so, the project highlights gaps in theory and understanding within and between the two fields and exposes what child rights issues are deemed central to countering modern slavery and child labour.

The modern slavery of children is inherently related to children's rights before, during, and after exploitation. A children's rights framework alters the ways in which children are viewed and responded to. Smith argues that a children's rights perspective views children 'as full human beings, rights-holders who have agency and a weapon (the United Nations Convention on the Rights of the Child) to secure recognition and justice'.<sup>2</sup> This focus on agency and recognition sits in contrast with traditional perspectives of children as vulnerable,<sup>3</sup> but rather focuses on empowerment of the child. The children's rights framework informs ways in which children should be protected from harm, and the advocates a particular approach for supporting children's recovery and rehabilitation (Article 39, UNCRC). Dunhill et al., argue that a children's rights informed approach to combatting modern slavery is necessary to appropriately meet the needs of child victims of modern slavery.<sup>4</sup> This is particularly critical due to the fact that children have unique needs, with the immediate and long-term impact of gross violations of their human rights being 'greater than those experienced by adults due to their age and lower level of physical and mental development'.<sup>5</sup> Their unique needs, vulnerabilities, risks and experiences thus require a specialised approach to prevention, rescue, and rehabilitation.

Examples of literature produced in the child rights field that addresses modern slavery show that there is significant variation in how these themes are examined. Some studies offer significant reflection, discussion and engagement with both topics. Others neglect to engage with one of these fields in detail, offering only cursory remarks on either modern slavery or children's rights, whilst presenting detailed discussion of the other. Box 1 outlines a study by Gwirayi and Shumba.<sup>6</sup> This study provides an example of a piece of research that, whilst addressing both modern slavery and children's rights, did not draw together both fields substantively. The study has useful findings with implications for both modern slavery and children's rights, but the lack of meaningful engagement with both fields of literature – the study drew upon

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<sup>2</sup> Smith, A. (2007) 'Children as Social Actors: An Introduction', *The International Journal of Children's Rights* 15, 2

<sup>3</sup> Morrow & Pells (2012)

<sup>4</sup> Dunhill et al., (2020)

<sup>5</sup> Nolan, A. *Children's Socio-Economic Rights, Democracy and the Courts* (Hart, 2011), 15; Herring, J. 'Vulnerability, Children and the Law' in M Freeman (ed.) *Law and Childhood Studies: Current Legal Issues* (OUP, 2012)

<sup>6</sup> Gwirayi, P. and Shumba, A., (2011) 'Children's Rights: How Much Do Zimbabwe Urban Secondary School Pupils Know?', *The International Journal of Children's Rights* 19

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a single piece of literature from the field of modern slavery – reduces the potential impact and value of the research. This demonstrates the need to merge the two fields more successfully, as this review seeks to highlight.

This systematic evidence review provides both: (a) greater insight into how the fields of children’s rights and modern slavery intersect; and (b) an evidence base of research at the intersection of modern slavery and children’s rights that can inform future practice and research.

The report describes the literature reviewed in the study. It outlines the degree to which the literature engages with both fields of research; the geographical, methodological, and disciplinary foci of the literature; the forms of modern slavery discussed in the records; and the topics relating to children’s rights addressed. It also draws together key themes found across the literature reviewed related to modern slavery and children’s rights, and policy recommendations proposed in the literature. It then concludes the report, highlighting gaps in the literature, offering recommendations for future research, and reflecting on the relationship between the two fields.

The review demonstrates that there is considerable variation in the extent to which either field is addressed within research at the intersection of modern slavery and children’s rights.

**Box 1: Gwirayi and Shumba (2011)**

This study briefly touched upon issues of child labour, whilst exploring issues of child empowerment and education. The study was based on empirical research with 376 secondary school aged children (3 urban secondary schools in Zimbabwe) and focused on the issue of child empowerment through knowledge of their rights. Data was collected through questionnaires.

The study examined children’s knowledge of their rights and found that whilst 50% of children referred to their right to education, 18.7% referred to child labour. Despite this, the paper only briefly mentions child labour; in the context of the ILO, and as a right/category of rights. It does not provide any further analysis or description of the rights or issues pertaining to child labour. The paper’s main argument hinged upon the idea that children who know of their rights and know of organisations that can provide support regarding their rights, will be better enabled to claim their rights and be protected from harms. When examined from the context of modern slavery, the paper’s general arguments may suggest that increasing children’s knowledge of their rights relating to child labour, and organisations that can support them, will better protect children from harm and enable them to claim their rights. The paper’s findings therefore suggest that greater knowledge and education of children’s rights relating to modern slavery and child labour can empower children to better protect themselves from rights abuses. Its findings suggest that children’s rights education that relates to modern slavery and child labour should therefore be supported in schools.

There remains a need for both fields to engage with literature across their disciplinary boundaries to a greater extent, in order to offer research that can better inform modern slavery legislation, policies, programmes and practice.

## 2 Methodology

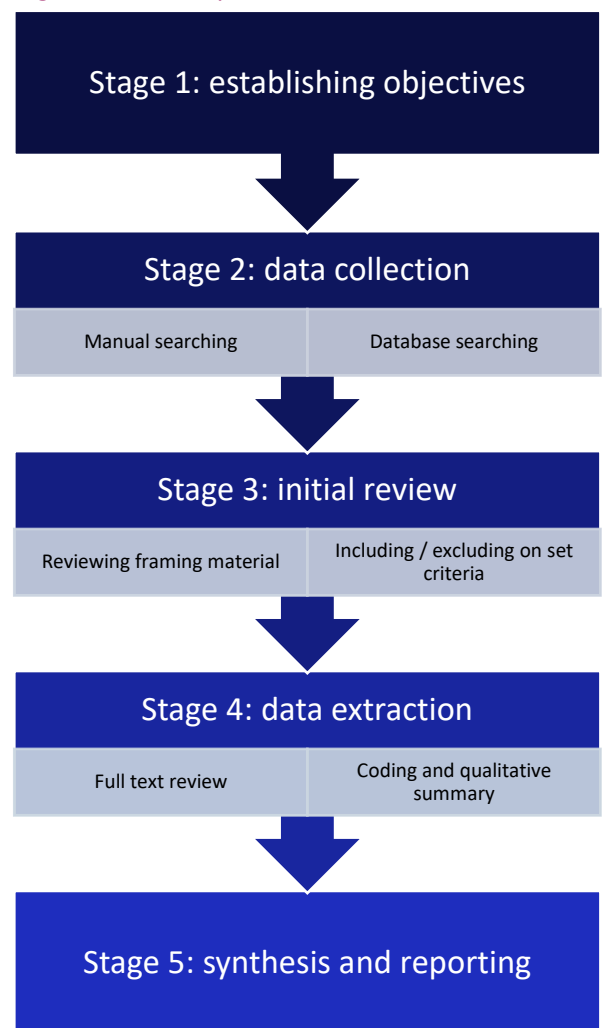
This section provides an overview of the project research methodology, and justifications for decisions made in research design and implementation. It outlines each stage of the research process, providing a clear framework for understanding the research findings. This includes an overview of search methods and records screened and analysed in the study.

Given the broad nature of the inquiry underpinning this review, the study necessarily traversed literature drawn from multiple disciplines and contexts, which adopted various research methods, approaches, and theoretical frameworks. The mix of qualitative, quantitative, and mixed research methods necessitated a mixed research synthesis.<sup>7</sup> This approach is intended to integrate results from across the evidence base, summarising what is known in a particular area and thereby directing future practice and research.<sup>8</sup>

The review involved five key stages: (1) developing the research question, sub-questions, and objectives; (2) identifying and collecting relevant literature through a standardised and systematic search protocol developed *a priori*; (3) screening and selecting literature through the application of inclusion and exclusion criteria identified *a priori* in the search protocol; (4) extracting data from the literature, including qualitative summary in prescribed format and coding records against established matrix; and (5) synthesising and reporting findings and results.

Informational value (signal) and methodological flaws (noise)<sup>9</sup> of records varied across the body of evidence collected. However, no records were excluded for reasons of quality.<sup>10</sup> Rather, the strength and quality of evidence collected was assessed in the analysis and synthesis stages.

Figure 1. Review process



<sup>7</sup> Sandelowski, Voils and Barroso define mixed research synthesis as ‘systematic review aimed at the integration of results from both qualitative and quantitative studies in a shared domain of empirical research’. M Sandelowski, CI Voils and J Barroso, ‘Defining and Designing Mixed Research Synthesis Studies’ (2006) 13(1) *Research in the Schools* 29.

<sup>8</sup> Ibid.

<sup>9</sup> A Edwards, G Elwyn, K Hood, and S Rollnick, ‘Judging the “Weight of Evidence” in Systematic Reviews: Introducing Rigor into the Qualitative Overview Stage by Assessing Signal and Noise’ (2000) 6 *Journal of Evaluation in Clinical Practice* 177; A Edwards, IT Russell, and NC Stott, ‘Signal versus Noise in the Evidence Base for Medicine: An Alternative to Hierarchies of Evidence?’ (1998) 15 *Family Practice* 319.

<sup>10</sup> Scholarship on systematic review methods advises against exclusions on the basis of quality – VS Conn and MJ Rantz, ‘Research Methods: Managing Primary Study Quality in Meta-Analyses’ (2003) 26 *Research in Nursing and Health* 322; H Cooper, *Synthesizing Research: A Guide for Literature Reviews* (1998, Sage); JPT Higgins and S Green (eds), *Cochrane Handbook for Systematic Reviews of Interventions* (Cochrane Training, 2005) <https://training.cochrane.org/handbook/current>.



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## 2.1 Review parameters

Table 1. Review parameters

Search and review languages	English
Publication date	01 January 2000- 01 February 2022
Publication types	Academic literature
Accessibility	Accessible online either publicly or with existing institutional permissions
Geographic coverage	Global

Inclusion in the review was determined on the basis that the record makes explicit reference to both children’s rights and modern slavery themes (see term harvesting template). Given the constraints of the project, the review focused on academic literature. Further review of grey literature would provide useful additional insights on the intersections between modern slavery and children’s rights.

Failure to meet the inclusion criteria resulted in exclusion from the review. The number of excluded studies (including reasons for exclusion for those excluded following review of the full text) was recorded at each stage.

Sources were also excluded on the basis of:

- **Recency:** all records with a publication date prior to 01 January 2000 were excluded
- **Source type:** Editorials, newspaper articles and other forms of popular media were excluded.

## 2.2 Stage 2 data collection

### 2.2.1 Database searching

The research team systematically searched for relevant academic literature across the University of Nottingham Libraries database (NUSearch) which houses over one million print books, 300,000 e-books, and 20,000 e-journals as well as providing centralised access to hundreds of academic and grey literature databases including EconLit, IBSS, ICPSR, JSTOR, OECD iLibrary, ProQuest, SAGE, and Scopus.<sup>11</sup> Language (English) and time (2000-present) limits were placed on searches.

Database searches combined two Boolean search strings, reflecting relevant modern slavery and children’s rights terms respectively. Strings were constructed to include all key search terms and relevant synonyms for the two fields (see Table 2). To refine the scope of results returned, and maximise relevance to the research questions, search strings were combined in two searches. The first required a modern slavery term to appear in the title, while a children’s rights term could appear anywhere in the record. The second, required a children’s rights term to appear in the title, while a modern slavery term could appear anywhere in the record.

Table 2. Database search strings

Modern slavery search string	Children’s rights search string
“Slavery” OR “forced labour” OR “forced labor” OR “trafficking” OR “child labour” OR “child labor” OR “child soldier” OR “children in armed conflict” OR “child exploitation” OR “child marriage” OR “forced begging” OR “servitude” OR “forced marriage” OR “debt bondage” OR “child sexual exploitation” OR “sexual exploitation of children” OR “child workers” OR “working children” OR “domestic labour” OR “domestic labor”	“children’s rights” OR “child rights” OR “rights of children” OR “children’s human rights” OR “rights of the child” OR “UNCRC” OR “CRC” OR “right of the child” OR “children’s right” OR “children’s human right”

The first search yielded a total of 1,671 records, while the second yielded 1,105. All record titles and abstracts were reviewed, applying the project inclusion and exclusion criteria for this stage. An inclusive approach was adopted at this stage, including all potentially relevant literature against a relatively low threshold. In total, 2,776 records were screened,

<sup>11</sup> A full list of databases accessed through NUSearch can be found at <https://nusearch.nottingham.ac.uk/primo-explore/dbsearch?vid=44NOTUK>.

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with 784 included for further consideration—617 from search one and 167 from search two (see Table 3). The overall inclusion rate for both searches was 28.2%. The first search string (modern slavery term required in the title) had a higher inclusion rate, with 36.9% of the total yield included. The second search string (child rights term required in the title) had an inclusion rate of 15.1%.

*Table 3. Summary of records reviewed in stage 2 database searching*

	Yield	Included	Excluded
Search 1	1671	617	1054
Search 2	1105	167	938
<b>TOTAL</b>	2776	784	1992

### 2.2.2 Manual searching

Selected sources were manually searched for relevant texts. Key sources for manual searching were identified, with a focus on specialist children’s rights and modern slavery publications. These sources were searched manually for relevant materials, with all sources (published in English and since 2000) reviewed. In total, 4,491 records across eight key sources were reviewed. From these, 4,162 were excluded at the initial screening stage and 329 were included for further review (see Table 4).

*Table 4. Summary of manual searches and records reviewed*

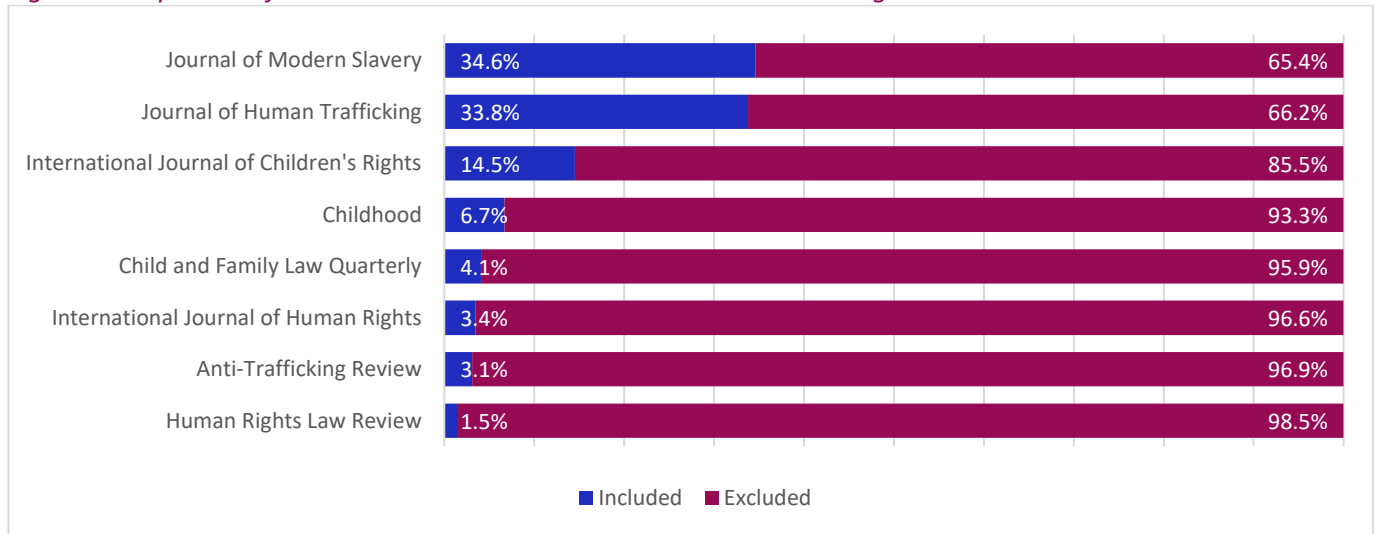
Source	Yield	Included	Excluded
Anti-Trafficking Review	838	26	812
Child and Family Law Quarterly	416	17	399
Childhood	674	45	629
Human Rights Law Review	456	7	449
International Journal of Children’s Rights	834	121	713
International Journal of Human Rights	1047	36	1011
Journal of Human Trafficking	148	50	98
Journal of Modern Slavery	78	27	51
<b>TOTAL</b>	4491	329	4162

The primary reason for excluding records reviewed in manual searches upon initial screening was the lack of relevance to both children’s rights and modern slavery issues together. Book reviews and editorials were also excluded in this stage.

The initial manual searching list included a range of general human rights publications in addition to child rights and modern slavery specific publications. However, review of two publications within this category revealed a low rate of inclusion—3.4% for the International Journal of Human Rights and 1.5% for the Human Rights Law Review. Further manual searching of general human rights publications was therefore not pursued.

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*Figure 2. Proportion of records included and excluded in manual searching*



**2.3 Stage 3 initial review**

Every record included in Stage 2 Data Collection was reviewed to determine application of the inclusion and exclusion criteria and which records would progress to full text review. In this stage of the review, records collected in Stage 2 Data Collection were assessed by conducting a limited review focused on the abstracts, summaries, introductory materials, and conclusions. Only where these framing materials were unclear would a brief review of the whole text be considered. This review allowed for the collection of records to be included in the next stage of the review to be refined. Studies were not included or excluded on the basis of methodological quality. In marginal cases, an inclusive approach was adopted.

All records collected during Stage 2 Data Collection were coded in the Stage 3 Records Database (S3RD), collecting a limited number of key source variables and characteristics (see Table 5). This provides an overview of the full evidence base collected through database and manual searching, including key descriptors of the extent to which the records deal with the intersections between modern slavery and children’s rights. A total of 1,113 records are coded in the Stage 3 Records Database.

*Table 5. Stage 3 Records Database (S3RD) with sample entries*

1. Publication information				2. Decision	3. Reasons for excluding*			4. Topics addressed	
1.1. Author	1.2. Title	1.3. Publication	1.4. Year of publication	2.1. Decision	3.1. Only passing reference to CR	3.2. Only passing reference to MS	3.3. No connection between CR and MS	4.1. Forms of exploitation	4.2. Rights related topics
Arnold, S.	Child refugee and subsidiary protection appeals in Ireland	Child and Family Law Quarterly	2018	Exclude	0	1	1	Child trafficking	CRC
Bainham, B.	International adoption from Romania: why the moratorium should not be ended	Child and Family Law Quarterly	2003	Exclude	0	1	0	Sale of children	Child Rights
Barret, D. & Melrose, M.	Courting controversy: children sexually abused through prostitution are they everybody’s distant relatives but nobody’s children?	Child and Family Law Quarterly	2003	Exclude	1	0	1	Sexual abuse/exploitation	Income-Housing
Chatterjee, B.	Fighting child pornography through UK encryption law: a powerful weapon in the law’s armoury?	Child and Family Law Quarterly	2012	Include	0	0	0	Sexual abuse/exploitation	Human Rights
...	...	...	...	...	...	...	...		

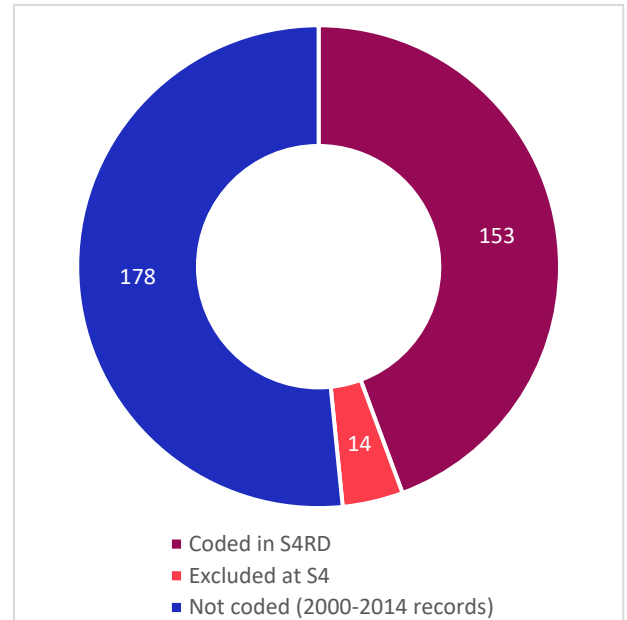
\*Reasons for excluding are indicative, additional reasons are outlined and coded in the database

## 2.4 Stage 4 data extraction

Records from the S3RD screened for inclusion in the Stage 3 review were included in the more detailed Stage 4 Records Database (S4RD) and the full text reviewed and analysed. At this stage, source characteristics were abstracted in a detailed source coding matrix (see Annex I), including qualitative literature summary fields. In total, 134 fields were recorded for each source included in the S4RD. Field entry types included defined entry lists, binary inputs, scores, and free text entries. Qualitative summary fields provided succinct summary of key issues of focus, including evaluation of methods, consideration of modern slavery and children’s rights respectively, implications for the modern slavery and children’s rights fields respectively, and the source as a whole.

During the Stage 4 review, a small number of records were excluded on the basis of the established inclusion/exclusion criteria. In total, 14 records were excluded for these reasons. Coding and analysis were limited to records published from 2015 onwards, given time and resource constraints. This represented a total of 153 records. A further 178 records published from 2000-2014 were progressed from Stage 3, but not analysed at this stage.

Figure 3. Summary of Stage 4 sources



## 2.5 Stage 5 synthesis and reporting

Mixed methods analysis of the 153 records coded in the S4RD was conducted, to understand how records engaged with issues in children’s rights and modern slavery, which specific rights and forms of exploitation were considered, and how these intersected. Qualitative analysis examined how each aspect of the record coded was addressed across relevant records, through thematic synthesis. Descriptive statistical analysis provides insights both on the characteristics of the S4RD evidence base as a whole, and features of the records within it.

### 3 Overview of the literature

This section provides an overview of the literature examined in this study. This includes insights from the Stage 3 Records Database (S3RD) (n=1,058) and the more focused Stage 4 Records Database (S4RD) analysing the most directly relevant records published since 2015 (n=153). The section reviews key trends in publication of sources assessed in the study, aspects of research design and methodology, as well as the topics and themes addressed.

#### 3.1 Overview of evidence assessed

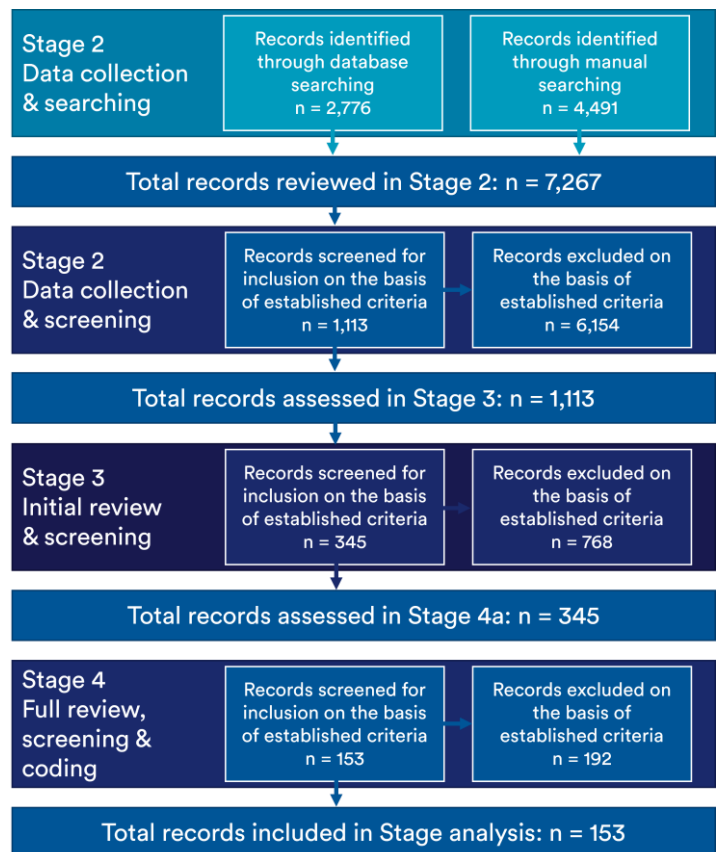
A total of 7,267 records were reviewed in the study, with 1,113 passing initial Stage 2 screening, and 1,058 included in the Stage 3 Records Database (S3RD) after removal of duplicates.

Records excluded in Stage 2 were omitted from the study on the basis of failure to fulfil the specified inclusion criteria, based on relevance to both modern slavery and children’s rights. While records included at this stage were not required to have deep and substantive consideration of both fields, they were required to make at least passing reference to both. The majority of the 4,491 records excluded at this stage were omitted from the S3RD on the basis of lack of relevance to both fields, because they were book reviews or editorials (and therefore not eligible for inclusion), or because they were duplicates of results from another Stage 2 search.

Further screening of the S3RD resulted in 768 records being excluded from further analysis, while 345 S3RD records were progressed for full text analysis and inclusion in the Stage 4 Records Database (S4RD).

A total of 345 records were included in the S4RD. Of these, 14 were excluded on full text review on the basis of established inclusion/exclusion criteria. Records published from 2015 onwards were coded and analysed for this study—a total of 153 sources. A further 178 sources published from 2000-2014 were progressed from the S3RD, but were not coded and analysed in this study due to time and resource constraints. Further research should therefore be conducted to analyse the full set of S4RD data, providing insights on patterns and trends in the literature from 2000-2022.

Figure 4. Adapted PRISMA flow chart



Adapted from Moher, D., Liberati, A., Tetzlaff, J., Altman, D. G., & The PRISMA Group, 'Preferred Reporting Items for Systematic Reviews and Meta-Analyses: The PRISMA statement' (2009) 6(7) PLoS Med.

#### 3.2 Overview of evidence in the Stage 3 Research Database (S3RD)

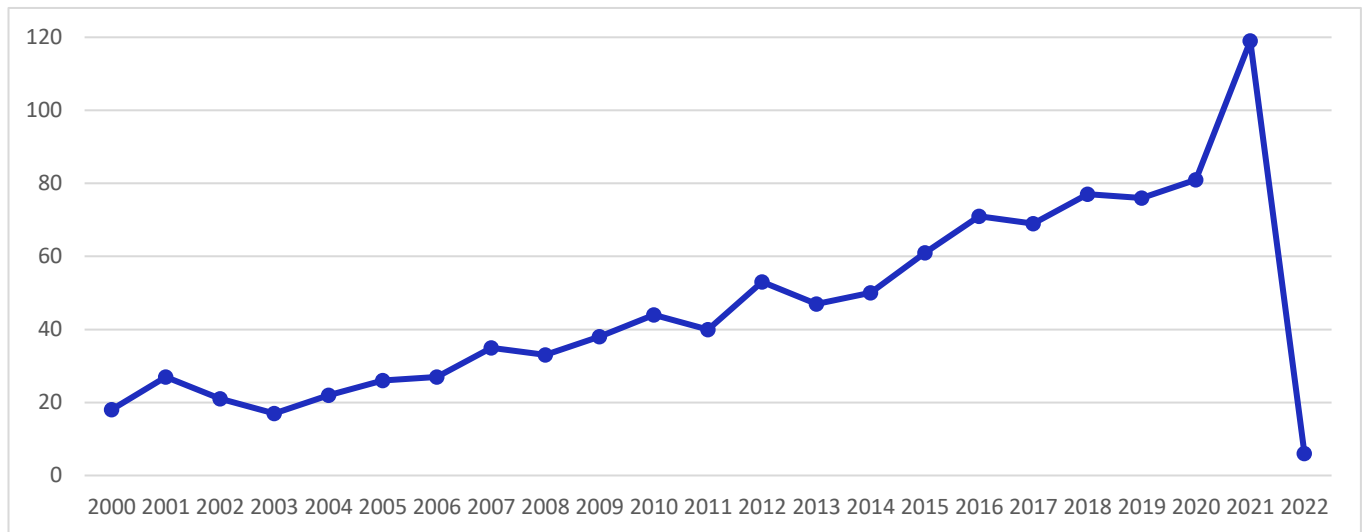
The S3RD provides a mapping of evidence at the intersection of modern slavery and children’s rights. By tracking across the wider evidence base of literature at the nexus of these two fields, the S3RD generates insights on how

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they interact—not only in evidence considering both in depth, but also where they appear in conversation in more limited ways. Variables coded for all records included in the S3RD include publication information (author, title, source, and year of publication), characteristics related to inclusion criteria (including depth of reference to modern slavery practices, depth of reference to child rights, connections between child rights and modern slavery), and the forms of exploitation and rights addressed in the piece.

*Figure 5. Number of S3RD publications over time*



A clear temporal trend is evident in the S3RD, showing gradually increasing numbers of sources over time (see Figure 5). While individual years evidence minor fluctuations, a clear overall trend shows increasing literature being published at the intersection of modern slavery and children’s rights over time—from 18 publications in 2000 to 119 in 2021. As the study was conducted early in 2022, the number of sources included in the S3RD is not reflective of a full year, and therefore the lower number in this year is not necessarily reflective of a decreasing publication rate on these intersecting issues.

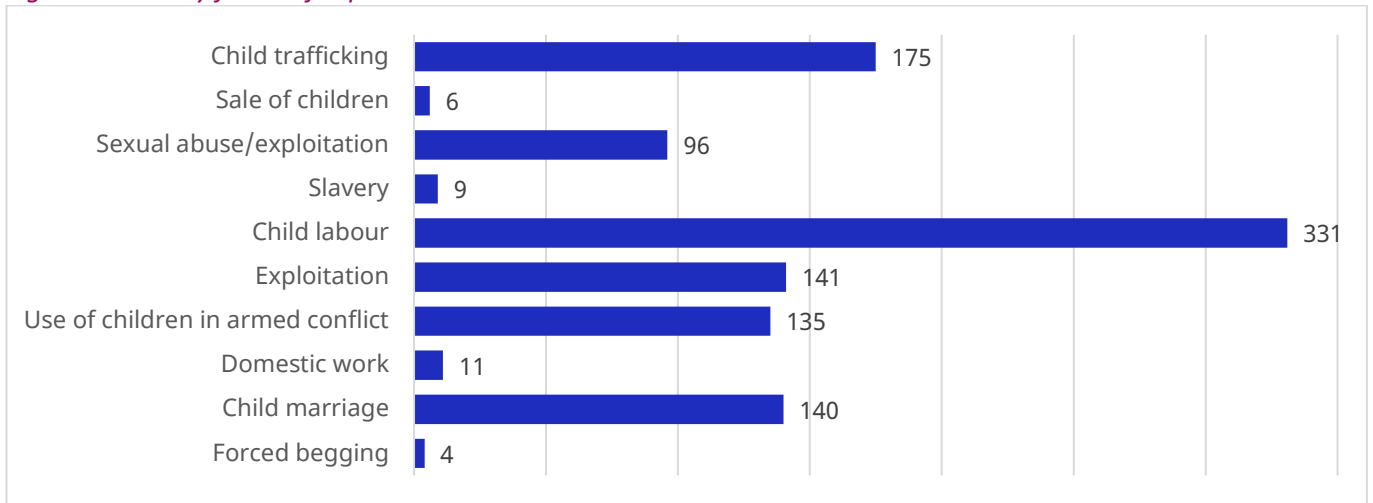
### 3.2.1 Forms of exploitation considered in S3RD records

Primary forms of exploitation considered in S3RD records were diverse, however clear concentrations in relation to particular forms of exploitation and framings were evident (see Figure 6). Child labour was the dominant framing for consideration by a significant margin, addressed in 331 of the sources considered in the S3RD (31.3% of all records assessed at this stage). This was followed by child trafficking, which was considered in 175 records (16.5%), exploitation as a general concept considered in 141 records (13.3%), child marriage considered in 140 records (13.2%), and use of children in armed conflict considered in 135 records (12.8%). Sexual abuse and exploitation were also considered in a relatively high proportion of S3RD records—96 records (9.1%).

While these forms of exploitation were strongly represented in the S3RD evidence base, other forms of exploitation were the primary focus of relatively few sources. Slavery itself was not the dominant framing employed in many records included in the S3RD, with only 9 records (0.9%) addressing slavery as the primary form of exploitation under discussion. Domestic work was considered in 11 records (1.0%), sale of children in 6 (0.6%), and forced begging in 4 (0.4%).

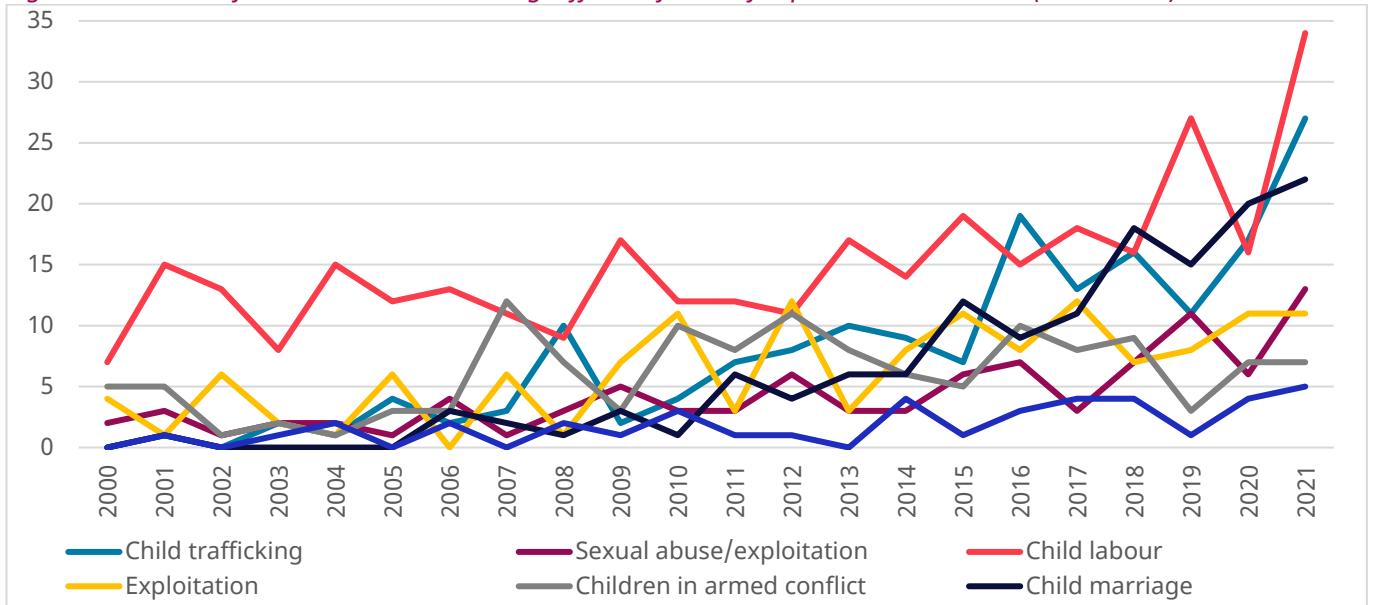
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Figure 6. Primary forms of exploitation considered in S3RD records



Despite the overarching dominance of child labour as a topic of discussion, the proportion of sources assessing different forms of exploitation fluctuated over time (see Figure 7 and Figure 8). Reflective of the overall proportion of records focused on child labour, this form of exploitation was the dominant form of exploitation discussed across most publication years considered in the study. Child labour was the form of exploitation addressed in the majority of records published in 2001, 2002, and 2004 and the highest frequency form of exploitation considered across 15 of the 21 years from 2000-2021 (all publication years except 2007, 2008, 2012, 2016, 2018, and 2020).

Figure 7. Number of S3RD records addressing different forms of exploitation over time (2000-2021)

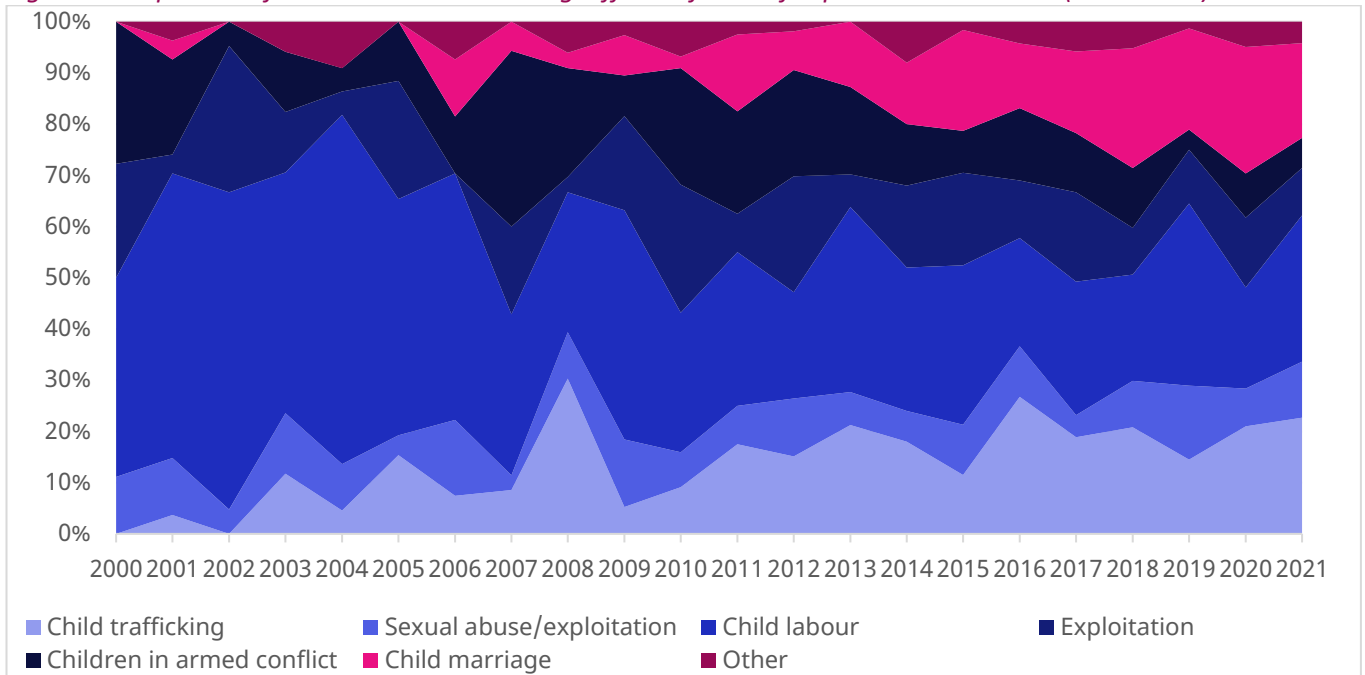


Overall, most exploitation types saw a gradual increase in references over time in line with the gradual increase in number of sources assessed year on year. As a proportion of total S3RD records, child trafficking showed its most significant spikes in 2008 (representing 30.3% of sources assessed for that year) and 2016 (representing 26.8% of records). Child marriage also demonstrated a general increase in reference to the number of sources referring to child marriage rising from 0% for most years from 2000-2005 to consistently above 10% from 2013 onwards, and above 15% from 2017 onwards.

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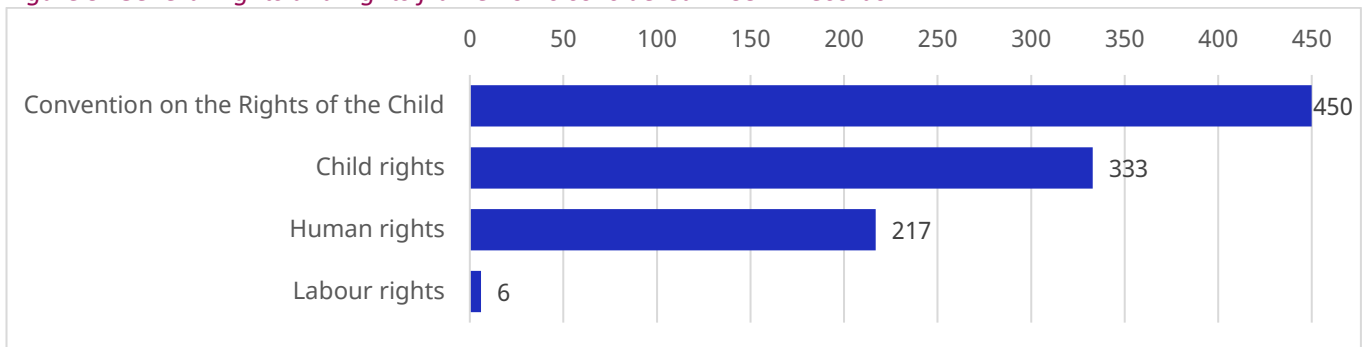
*Figure 8. Proportion of S3RD sources addressing different forms of exploitation over time (2000-2021)*



The total number of sources addressing children in armed conflict spiked in 2007, when it represented 34.3% of all records assessed. From this point, this exploitation type showed a gradually decrease in representation in S3RD records, remaining below 15% from 2014 onwards and below 10% from 2019.

**3.2.2 Rights and rights frameworks considered in S3RD records**

*Figure 9. General rights and rights frameworks considered in S3RD records*



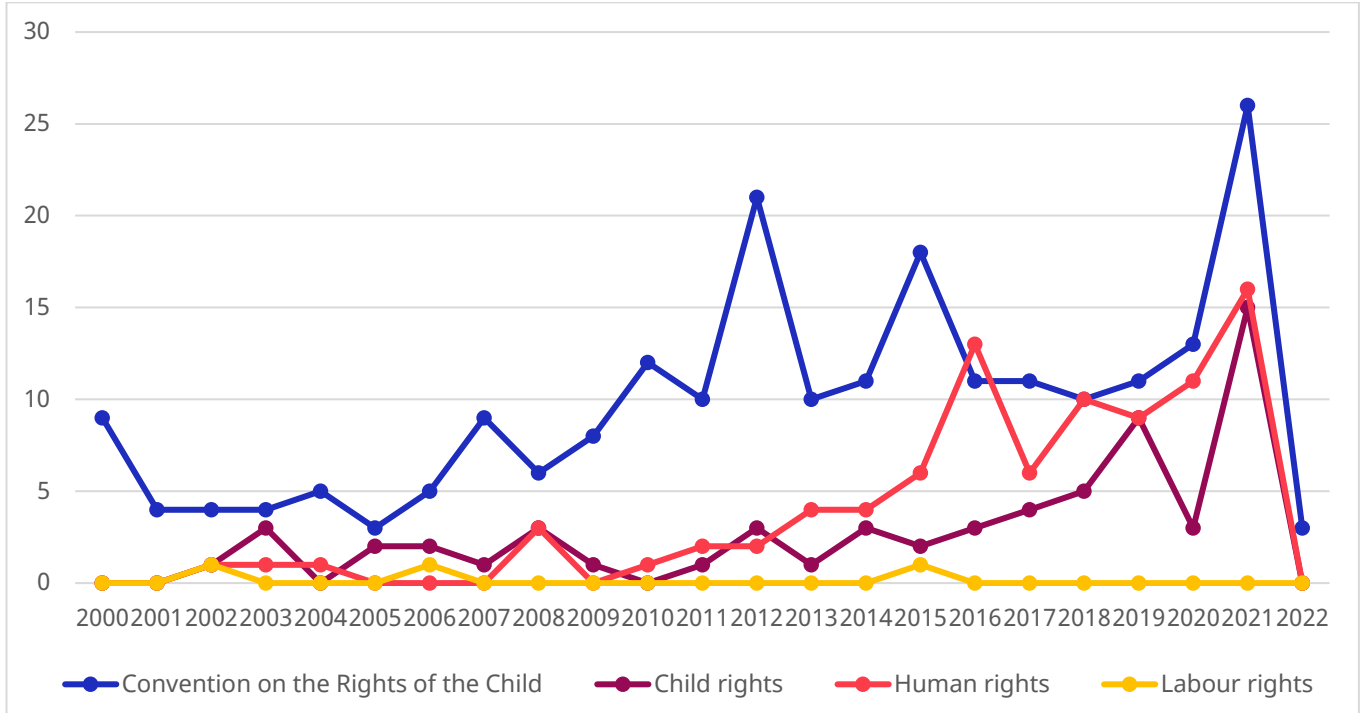
Specific rights considered were not coded in the S3RD. However, general rights and rights frameworks engaged were considered at this stage (see Figure 9). Consideration of the Convention of the Rights of the Child as the dominant rights framing was represented across 450 of the 1058 S3RD records (42.5%).<sup>12</sup> A more general child rights framing was evidenced in 333 records (31.5%) and a general human rights framing in 217 (20.5%). Labour rights were the dominant framing in only a small number of S3RD records (6 records, 0.6%). This demonstrates a clear differentiation between the literature focused on children and consideration of modern slavery more broadly, where the latter frequently engaging a labour rights framing.

<sup>12</sup> Records were considered to evidence a CRC framing where they made explicit reference to the convention, rather than the more general language of child rights or the rights of the child.



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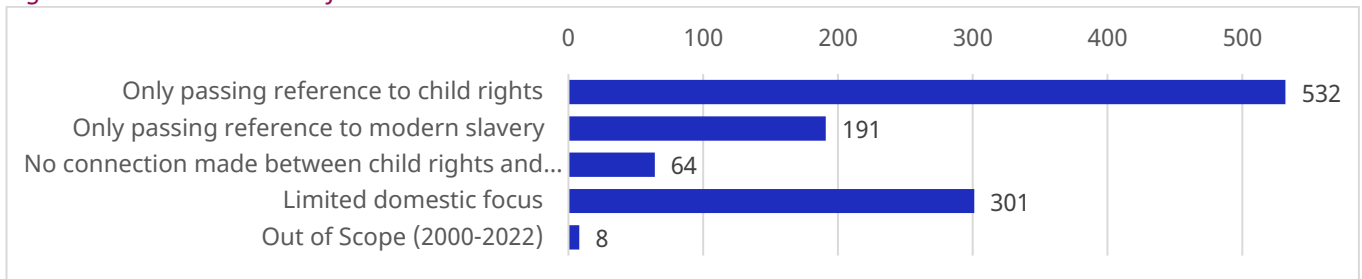
*Figure 10. Rights and rights frameworks considered in S3RD records over time*



**3.2.3 Reasons for exclusion from the S4RD**

The primary aim of the study was to examine the literature at the nexus of children’s rights and modern slavery. Key criteria for progression to the S4RD therefore focused on the intersections between these two fields, requiring substantive consideration of both topics within each record. Records were therefore excluded from further analysis in the S4RD on the basis that they made only passing reference to either child rights or modern slavery, or did not draw a connection between the two. Lack of substantive reference to child rights was the most common ground for exclusion from the S4RD at this stage, representing 532 records (50.3% of all S3RD records). Similarly, 191 records (18.1%) made only passing reference to modern slavery and were excluded on this basis. This suggests that many records focused on either child rights or modern slavery may simply pay lip-service to the relevance of the other field, seldom interrogating these connections in a detailed and meaningful way. This highlights the need for greater interdisciplinarity and for more intentional and meaningful efforts to bridge, and work across, the two fields.

*Figure 11. Characteristics of S3RD records related to inclusion and exclusion*



Given the number of records included in the S3RD, and the limits on research time for this project, a further level of exclusions sought to narrow the field of records assessed in the S4RD to those most significant and relevant. A total of 445 records in S3RD had a purely domestic focus, from which 301 were omitted. These records dealt with the assessment of specific legal domestic instruments with no substantive contribution to a wider discussion of the fields under study, and this often overlapped with other reasons for exclusion. These records could usefully be examined in further research on the modern slavery-children’s rights nexus.

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Child trafficking was the second most prominent form of exploitation considered in S3RD records (see Figure 6). However, in the S4RD, a large portion of these records were excluded due to a weak nexus with children’s rights. Closer review of records in the S4RD analysis also resulted in an increase in the total number of records related to domestic work and forced begging compared against the S3RD. This is because the more detailed review involved in the analysis for S4RD led to the identification of forms of slavery in each of the sources not previously identified in the brief S3RD review.

### 3.3 Overview of evidence in the Stage 4 Research Database (S4RD)

The S4RD provides a mapping of evidence situated strongly at the intersection of modern slavery and children’s rights. While the S3RD tracks across the wider evidence base of literature at the nexus of these two fields, the S4RD focuses on the smaller cross-section of records engaging more deeply and substantively with both modern slavery and children’s rights. Detailed coding of S4RD records included a wide range of quantitative variables (binary measures and scores) as well as descriptive qualitative summaries of key issues.

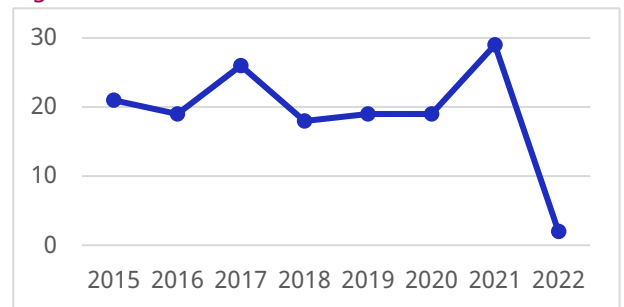
Variables coded for all records included in the S4RD include:

- Publication information (author, title, source, year of publication, source field)
- Research design and methodological variables (research type, methods, design, engagement with participants)
- Modern slavery practices considered
- Rights and rights frameworks considered
- Geographical scope
- Policy recommendations
- Thematic concerns

The full list and description of S4RD entry fields and variables coded is included in [Annex I. S4RD codebook](#).

A total of 345 records were progressed to stage 4 for full text review, coding, and analysis. A small number of sources (n=14) were excluded in this stage on the basis of failure to satisfy inclusion criteria. A further 178 records published from 2000-2014 were not coded and analysed at this stage of the research, which focused on more recent records published from 2015 onwards as a result of time and resource constraints. In total, 153 records were therefore coded in the S4RD, and are analysed in sections 4 to 7 below.

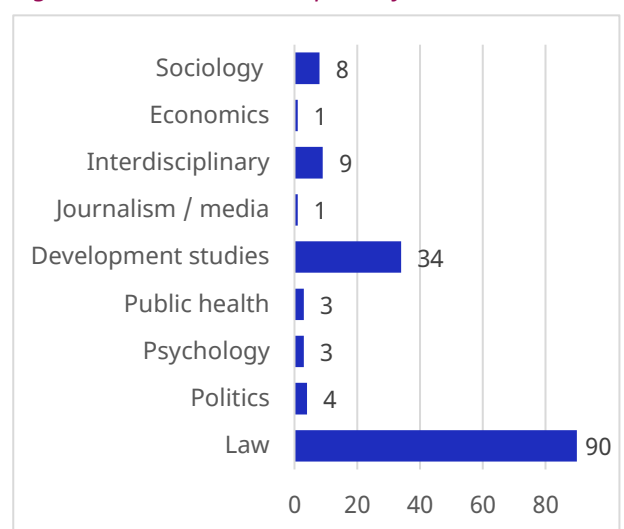
Figure 12. S4RD records over time



#### 3.3.1 Publication date

Although the number of records in the S3RD increased steadily year on year, for the period from 2015-2022, records included and coded in the S4RD remained relatively stable year on year. With the exception of 2022, which represented only a partial year, the total number of records per year ranged from 18 (in 2018) to 29 (in 2021).

Figure 13. Dominant discipline of S4RD records



#### 3.3.2 Discipline

Identifying disciplinary fields within which sources were situated presented a challenge, as sources often crossed multiple fields. However, dominant disciplines were identified for all sources (see Figure 13). Law was the most dominant field by a significant margin, representing 90 of the 153 S4RD records (58.8%). This is unsurprising given the inclusion requirement of substantive consideration of children’s rights. This was followed by

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development studies, the dominant discipline for 34 S4RD records (22.2%). No S4RD records were assessed to fall primarily within the medical discipline.

**3.3.3 Extent of reference to modern slavery and children’s rights**

In line with inclusion criteria, no records coded and assessed in the S4RD were assessed to have only a ‘moderate’ connection to either modern slavery or child rights. All records were assessed to have either a ‘substantive’ or an ‘extensive and central’ connection to both fields (see Figure 14 and Figure 15). The proportion of records assessed as having the higher level of connection (extensive & central) in relation to modern slavery was higher than that for child rights—representing 115 records (75.2%) and 92 records (60.1%) respectively. This suggests that records in the S4RD overall were more deeply engaged in the modern slavery field than children’s rights. However, in line with the intended focus of the study, the majority of records were assessed to have an extensive and central connection to each field.

A large proportion of records in the S4RD were assessed as having an extensive and central connection to both modern slavery and child rights, representing 63 records (41.2%) (see Figure 16). These records dealt with modern slavery and children’s rights as central themes in their research and analysis, demonstrating a clear focus on both fields. These records are therefore those situated strongly at the intersection between modern slavery and children’s rights.

In addition to these strongly intersectional records, a large proportion of records (52 records, 34.0%) dealt extensively and centrally with modern slavery and substantively with children’s rights. This group of records addressed modern slavery as a central focus of research and engaged meaningfully with children’s rights. A smaller group of records (29 records, 19.0%) represented the reverse, dealing extensively and centrally with children’s rights and substantively with modern slavery.

A small number of records (9 records, 5.9%) were assessed as dealing substantively with both modern slavery and children’s rights. These records were less strongly situated within each field than their S4RD counterparts, but nonetheless were clearly situated at the intersection of modern slavery and children’s rights.

**3.3.4 Perceptions of children’s rights**

Children’s rights were generally assessed to operate as a positive tool, delivering overall benefits for children at risk of, experiencing, or recovering from modern slavery experiences. In total, 124 S4RD records (81.0%) presented children’s rights as a positive tool (see Figure 17). While perspectives on the value of

Figure 14. Extent of modern slavery reference in S4RD

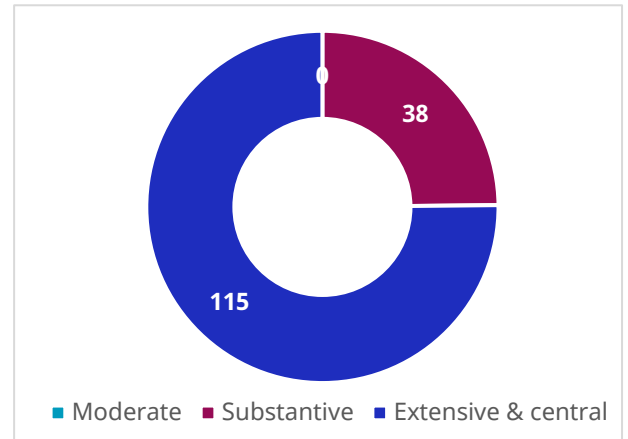


Figure 15. Extent of child rights reference in S4RD

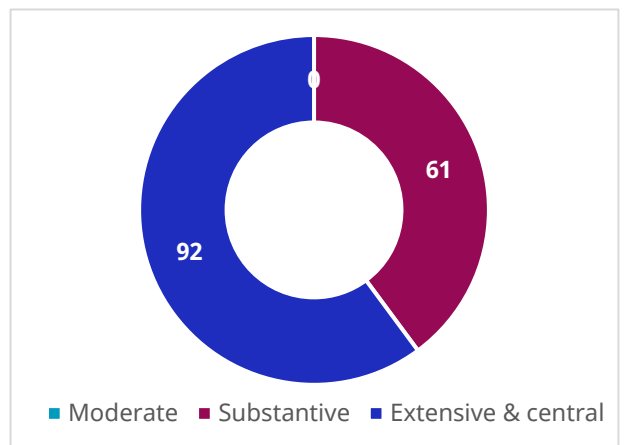


Figure 16. Extent of references to modern slavery and child rights in S4RD: intersections



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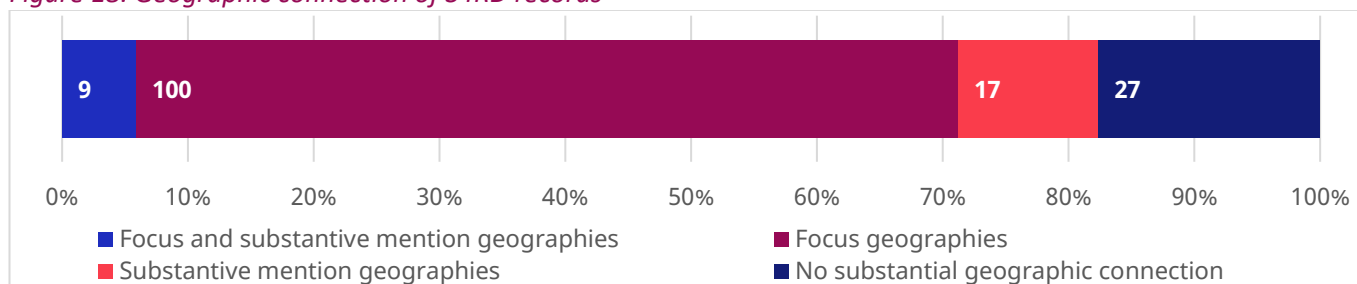
children’s rights as a framework were generally positive, 3 records (2.0%) considered children’s rights to be a negative tool.<sup>13</sup> They highlighted the cultural specificities of conceptions of childhood, suggesting that the children’s rights framework is not always well situated in different contexts, and that dominant framings can fail to address fundamental issues and root causes. With 2 of these records geographically focused on Ghana, and 1 international in scope, findings from these studies are not easily generalisable across contexts. A further 26 records (17.0%) had mixed perspectives on the value of children’s rights, recognising both strengths and shortcomings of the child rights framework.

**3.3.5 Geographic distribution of research**

Geographic coverage of S4RD records was assessed across two categories—geographies of focus and geographies substantively mentioned in the record. The former recorded the relevant regional, national, and sub-national geographies considered as a central focus of the research, while the latter recorded geographies analysed within the study that were not the central focus of the research.

Not all records presented geographically tied analysis. In total, 27 records (17.6% of all S4RD records) demonstrated no substantial consideration of particular geographies, instead adopting a broadly global perspective (see Figure 18). An additional 17 records (11.1%) did not include focus geographies in the research, but did make substantive mention of particular geographies. On the other hand, 109 records (71.2%) were assessed as having a particular geographic focus, 100 (65.4%) without additional substantive mention of other contexts, and 9 (5.9%) with additional geographies substantively considered.

*Figure 18. Geographic connection of S4RD records*



A large proportion of S4RD records involved a geographic focus or consideration of African countries or regional contexts.<sup>14</sup> A third of records—51 of the 153 records (33.3%)—included a focus on an African geography or geographies. In addition, 19 records (12.4%) included substantive mention of African contexts.<sup>15</sup> In total, 65 records (42.5%) included substantive attention or focus on African geographies. This was followed in frequency by Asia-Pacific, represented in 44 S4RD records (28.8%)—as a focus country in 32 records (20.9%) and substantively mentioned in 14 records (9.2%).

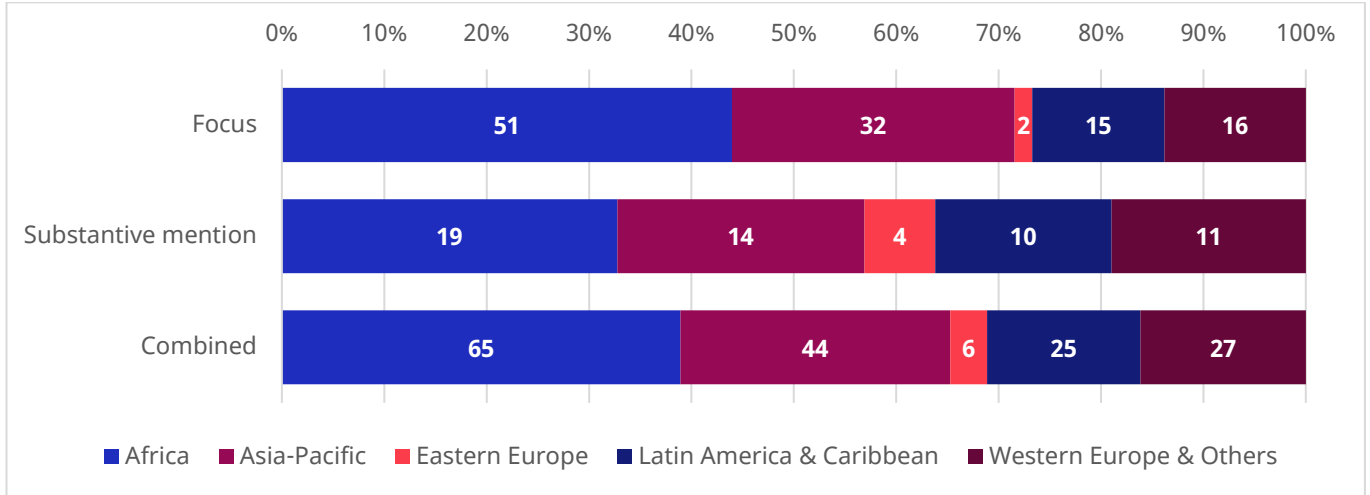
<sup>13</sup> Horii (2020); Koomson & Abdulai (2021); Okyere (2017).

<sup>14</sup> Regional groupings were based on United Nations ‘Regional groups of Member States’, available [here](#). Groupings are not purely geographical in nature—for instance including Australia and New Zealand in the ‘Western Europe and Others’ group rather than Asia-Pacific. The Asia-Pacific region includes the Middle East. The number of States in each grouping varies—Africa with 54 States, Asia-Pacific with 55, Eastern Europe with 23, Latin America and Caribbean with 33, and Western Europe and Others with 29. In line with neighbouring States, Kosovo was included in Eastern Europe and Palestine in Asia-Pacific.

<sup>15</sup> Substantive mention of particular African geographies may have overlapped with focus on others, creating an overlap in some records.

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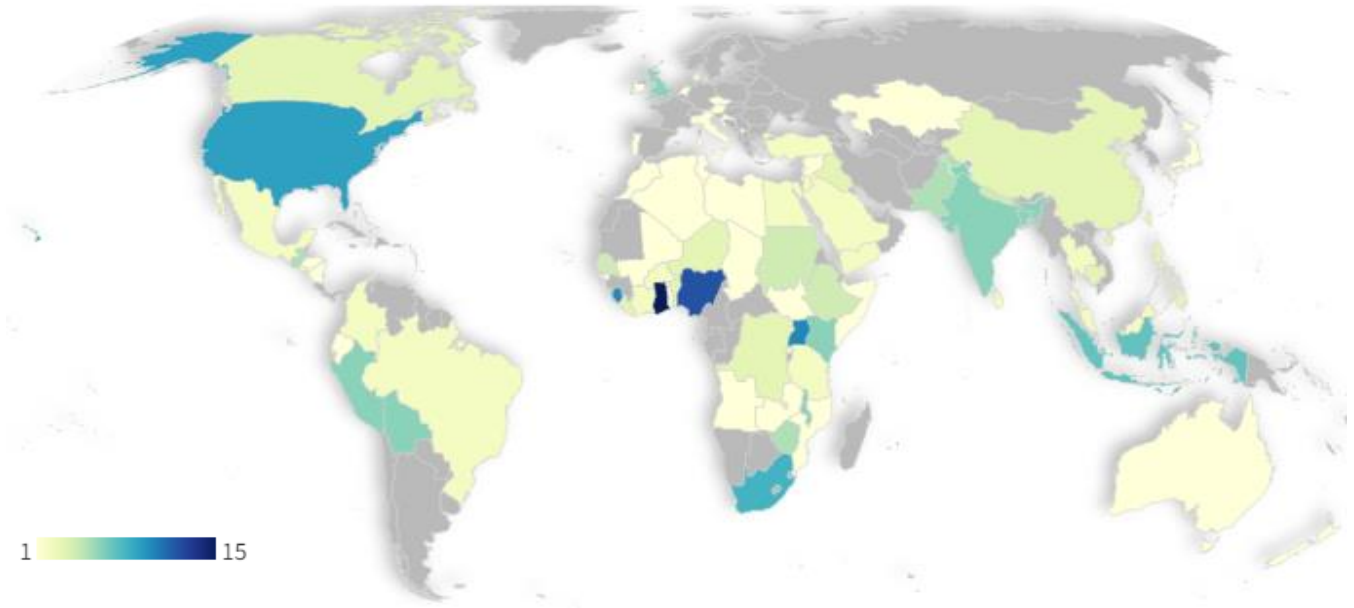
*Figure 19. Regional distribution of S4RD records*



The Latin America and Caribbean and Western Europe and Others regional groupings were relatively evenly represented across the S4RD, reported in 25 (16.3%) and 27 (17.6%) total records respectively. Eastern Europe was represented in relatively few records, reported as a focus of study in only 2 records (1.3%) and substantively mentioned in 4 (2.6%). However, in two of the latter sources, the consideration was broadly focused on Europe or the European Union (including Eastern European states) rather than specifically on Eastern European geographies.

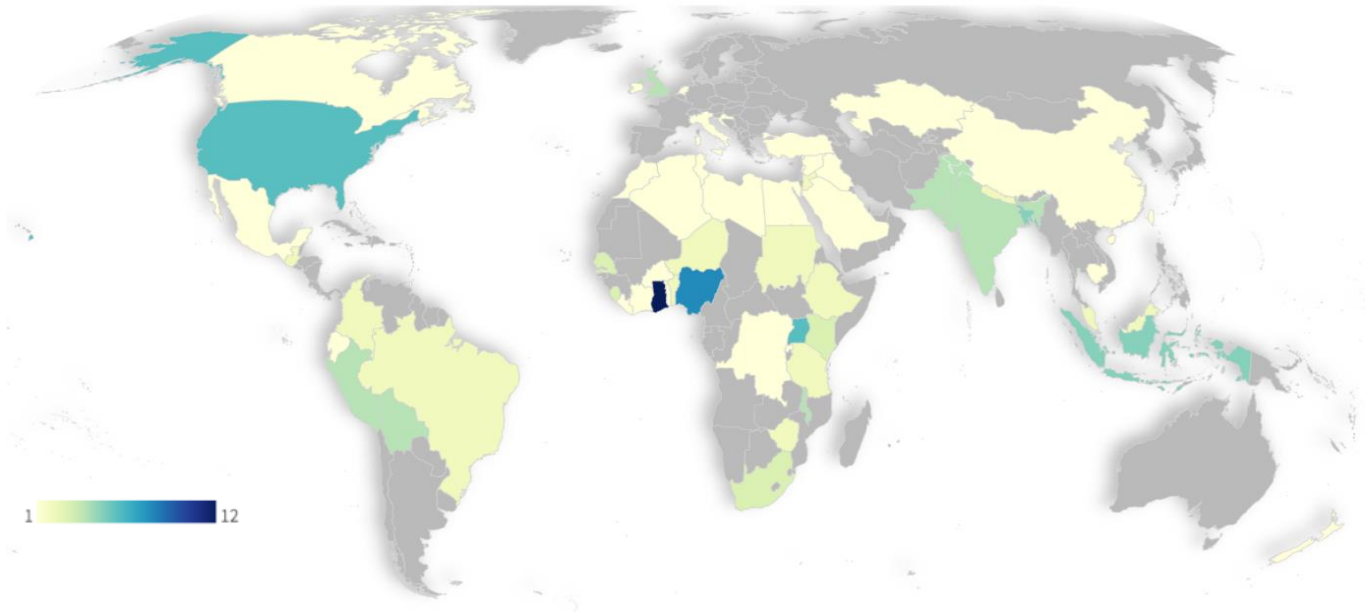
In total, 86 distinct national geographic contexts were considered in S4RD records. Ghana was most strongly represented, both overall (15 records) and as a central focus of the research (12 records). This was followed by Nigeria (represented in 12 records overall and 8 as a focus country), Sierra Leone (10 overall and 8 as a focus), and Uganda (10 overall and 6 as a focus). Sierra Leone was also represented in 10 records overall, although was more often the topic of substantive mention than a central focus (identified as a focus in only 3 records). The United States (9 records), South Africa (8 records), and Indonesia (7 records) were also strongly represented.

*Figure 20. Geographies of focus and substantive mention (number of records)<sup>16</sup>*



<sup>16</sup> Countries on which no records focused or made substantive mention are visualised in grey.

Figure 21. Focus geographies (number of records)



A large proportion of the national geographic contexts represented in the S4RD were referenced in only 1 record—representing 39 of the 86 distinct contexts identified (45.3%).

The geographic distribution of S4RD shows a high representation of African and Asia-Pacific states in the literature at the intersection between children’s rights and modern slavery, and a relative underrepresentation of other geographies. It further demonstrates a high level of focus on particular countries within these regions, to the exclusion of others. This shows the need for more geographically diverse research on modern slavery and children’s rights.

### 3.3.6 Research methodologies

Studies included in the S4RD deployed a diverse range of methods to examine issues at the intersection of modern slavery and children’s rights. The diversity of methods employed provides a strong foundation for observations. However, when considered in conjunction with the geographic diversity of records it provides for relatively little confirmation and triangulation of findings beyond particular contexts.

The majority of records involved empirical research methods, representing 86 of the 153 S4RD records (56.2%). The remaining 67 records (43.8%) deployed non-empirical approaches (see Figure 22). Qualitative research methods were most common for empirical studies, representing 59 records (38.6%), while quantitative studies represented only 4 records (2.6%). An additional 23 records (15.0%) adopted mixed methods approaches.

Secondary studies were the most common research type, representing 100 of the 153 S4RD records (65.4%) (see Figure 23).

Figure 22. Research method (approach)

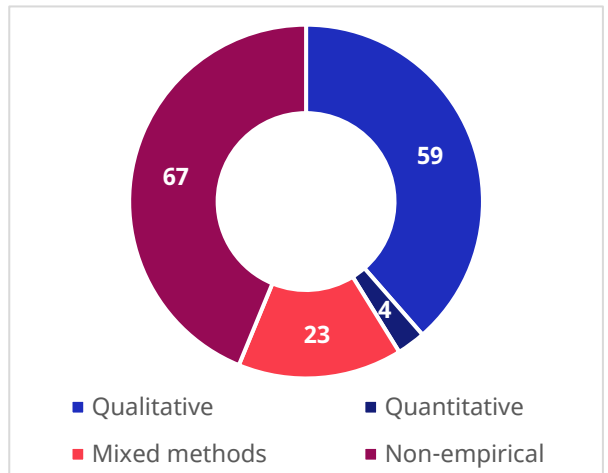
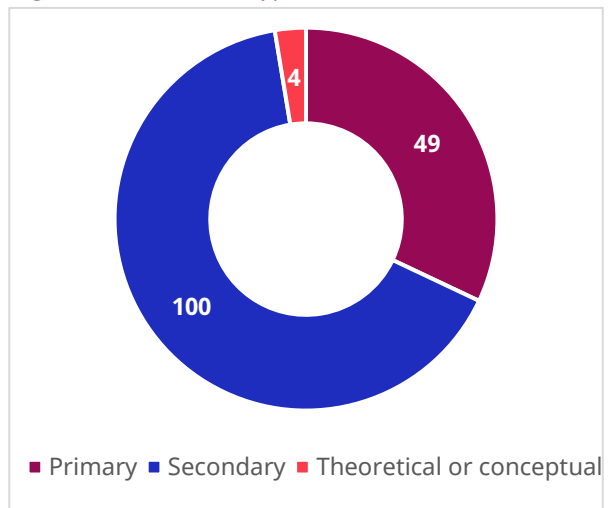


Figure 23. Research type



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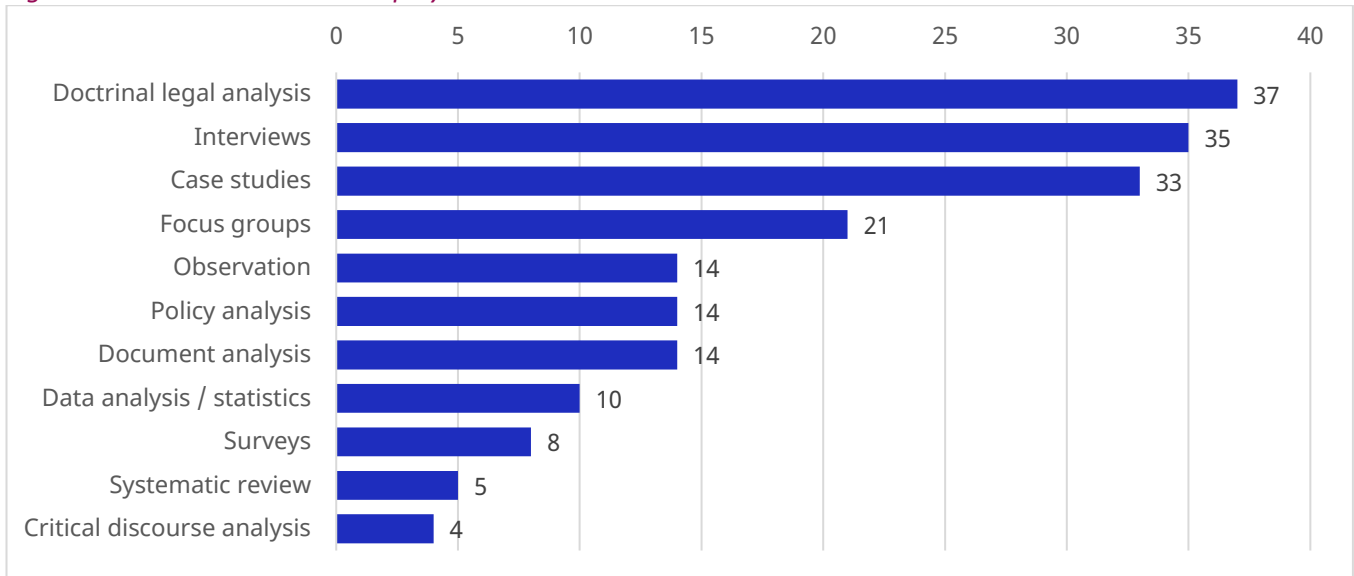
Despite this, primary studies remained relatively well represented—with 49 of the 153 records (32.0%) analysing findings from primary data collected for the study in question. Only a small number of records—4 records (2.6%)—were predominantly theoretical or conceptual in nature.

Research methods used to collect and analyse data were varied, ranging from interviews, focus groups, and surveys to critical discourse analysis and systematic review (see Figure 24). Doctrinal legal analysis was common in S4RD records (found in 37 records, 24.2%) reflecting the disciplinary contexts of records assessed (see Figure 13). Interviews and case studies were also commonly employed, reflected in 35 (22.9%) and 33 (21.6%) records respectively.

The total number of research participants engaged in primary studies varied significantly. For interviews, participant numbers ranged from 3 to 220, with an average (mean) number of participants of 42 and median of 21. Focus group data collection involved between 8 and 480 participants in the studies assessed, with an average (mean) of 60 participants per study, and a median of 20. In this case, the mean was skewed by one study involving 480 focus group participants, where the next highest number of participants in a single study was 113.

Surveys engaged the highest numbers of participants overall, although were employed in relatively few studies (n=8). The number of respondents in survey studies varied significantly, from 57 to 4434. Survey studies also often employed other (qualitative) primary data collection methods. Of the 8 survey studies, 6 also conducted interviews or focus groups—4 conducting focus groups, 1 conducting interviews, and 2 conducting both.

*Figure 24. Research methods employed in S4RD records*



## 4 Modern slavery

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This section summarises the key findings in the review in relation to modern slavery. It offers a thorough analysis of discussion surrounding ten forms of modern slavery referenced in the literature.

Across the literature reviewed in this study, a variety of different forms of exploitation were considered in combination with topics relating to children's rights. Although the language of modern slavery is increasingly utilised in international and domestic policy, it remains undefined in international law and appears in domestic law in only a few states. The dominant understanding of modern slavery is as an umbrella term, as a broad category of practices, each of which is separately defined. However, the lack of a unifying, authoritative international definition results in divergence in the specific forms of exploitation covered under the umbrella of modern slavery.<sup>17</sup>

Different forms of slavery are included within the umbrella of modern slavery by different actors. The ILO treats modern slavery as constituted by two practices: forced labour and forced marriage, including sexual exploitation and bonded labour within forced labour (2017). The UK's 2015 Modern Slavery Act treats it as four concepts: slavery, servitude, forced labour, and human trafficking. The UK Home Office has further articulated a typology of 17 types of modern slavery offences in the UK, falling within four overarching categories: labour exploitation; domestic servitude; sexual exploitation; and criminal exploitation (Cooper, Hesketh, Ellis, & Fair, 2017). Australia's 2018 Modern Slavery Act encompasses a wider set of practices, namely slavery, servitude, forced labour, deceptive recruitment for labour or services, forced marriage, trafficking in persons, debt bondage, and the worst forms of child labour. This divergence creates a lack of definitional clarity for defining modern slavery in the context of a systematic literature review, and is potentially problematic for interdisciplinary research.

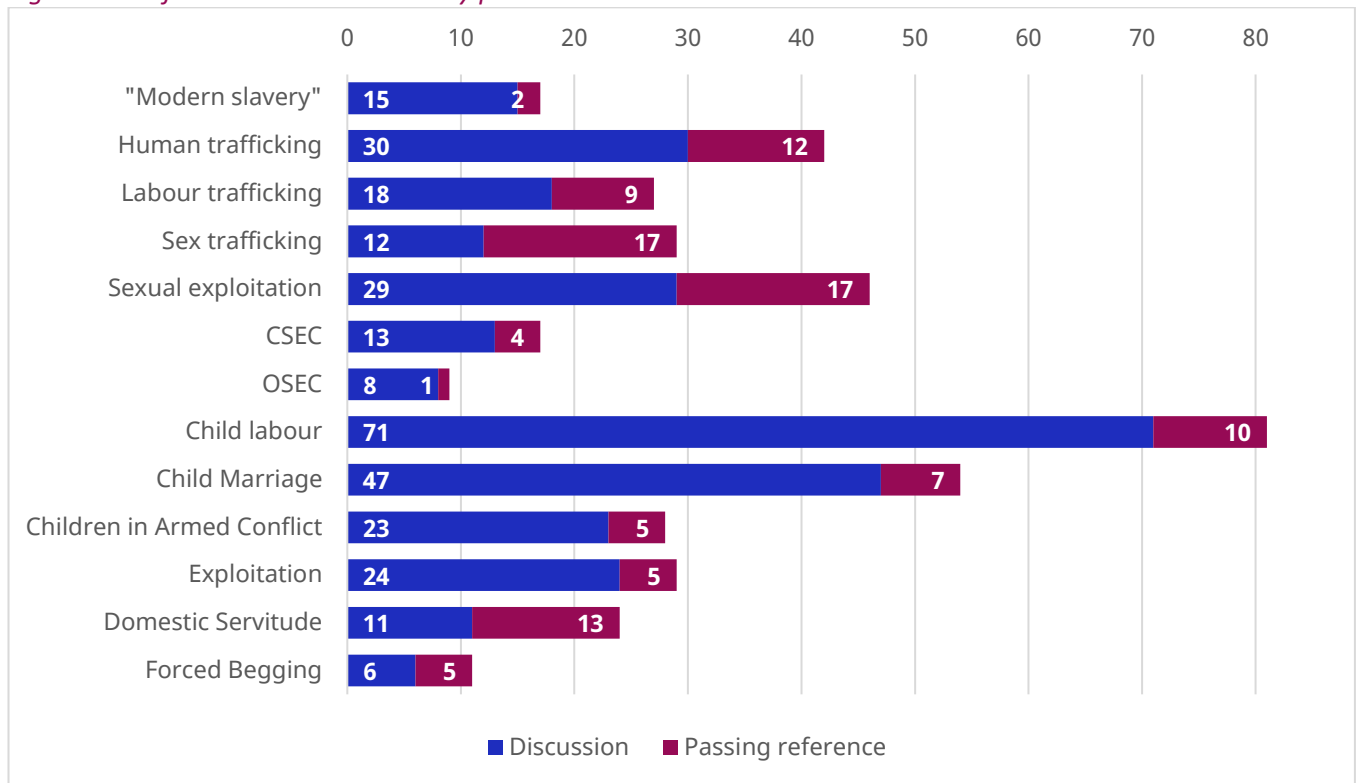
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<sup>17</sup> See Schwarz, K. 'Fragmentation and Convergence in International Antislavery Law' in Daniela Méndez Royo and Enrique Díaz Bravo (eds), *Dialogue in Public International Law* (Tirant Lo Blanch 2021).



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*Figure 25. Reference to modern slavery practices in S4RD records*



For the purpose of this study, an inclusive approach to different forms of exploitation relevant to modern slavery was adopted. This included consideration of the various forms of exploitation emerging within the evidence base collected on the basis of the defined search strategy (as outlined in section 2.2.1). In addition to the key search terms utilised in data collection, coding of exploitation type included all specific forms of exploitation identified in the literature reviewed.<sup>18</sup> This resulted in thirteen distinct exploitation type codes being identified and examined (See Figure 25).

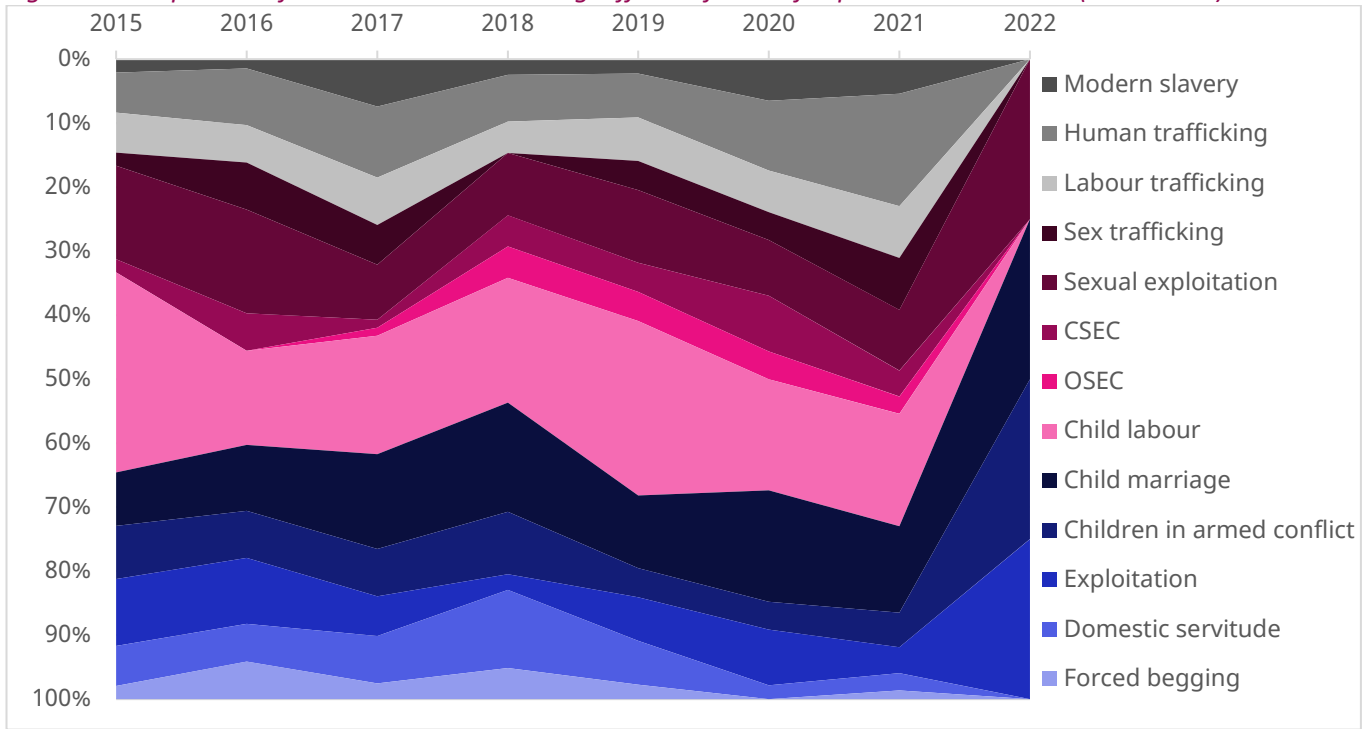
Child labour was the predominant theme addressed across records in the review, representing a total of 81 records (52.9%). The second highest form of exploitation dealt with was child marriage, in 54 (35.3%) records. Sexual exploitation and child trafficking are the third major form of modern slavery addressed, representing 46 records (30.1%) and 42 (27.5%) respectively. Domestic servitude and forced begging, on the other hand, were the least discussed types of exploitation when it came to the intersection of modern slavery and children's rights, accounting for only 24 (15.7%) and 11 (7.2%) respectively. Varying degrees of overlapping forms of exploitation are presented within records.

<sup>18</sup> Additional exploitation types were introduced into the coding matrix whenever identified in the literature reviewed, until saturation point.

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Figure 26. Proportion of S4RD sources addressing different forms of exploitation over time (2015-2022)<sup>19</sup>



Minor fluctuations in exploitation types show some forms addressed with greater frequency in particular years (see Figure 26). However, the proportion of records addressing each of the different forms of exploitation remained relatively stable in the period from 2015 to 2021 overall.

<sup>19</sup> Although 2022 records are included in the visualisation, it should be noted that the limited number of records examined from the partial year are not necessarily representative of the full range of relevant publications for the year as a whole.

## 4.1 ‘Modern slavery’

The number of records that expressly refer to the framing of ‘modern slavery’ was low, representing a total of 17 (11.1%) S4RD records. This may have a relationship with the geographical scope of the records, given that one third focus on African contexts, where the language of ‘modern slavery’ is not common. However, this is not conclusive given the small number of records in this section, requiring further examination.

‘Modern slavery’ was discussed with a clearer emphasis in the contexts of Australia, the US, and the UK. For the UK and Australia, where modern slavery is a legal concept enshrined in domestic modern slavery legislation, this is in line with relevant legal and political terminology used.<sup>20</sup> Three records referred to ‘modern slavery’ with a geographical focus on Africa, in the context of discussion on child and labour exploitation, considered as analogous practices to the slave trade.<sup>21</sup> Dunhill et al provided the most robust examination of ‘modern slavery’, in research at the intersection between child trafficking and children’s rights in the UK context.<sup>22</sup>

Records engaging with ‘modern slavery’ discussed the contested nature of this umbrella term and other connotations around the term ‘child slave’.<sup>23</sup> In the context of the UK’s legislation, the terminology was linked to trafficking, slavery, servitude, and forced and compulsory labour whilst discussion on modern slavery theory highlighted a lack of a clear-cut definition. Charnley & Nkhoma, presented the link between modern slavery, human trafficking, and child prostitution, arguing that the theoretical clarity has been clouded by competing theoretical (feminist) approaches seeking to bring perspectives into clearer focus.<sup>24</sup> The ambiguity in the use of terminology was found to be relevant due to its impact on policy.<sup>25</sup>

The majority of references to ‘modern slavery’ across records were linked to child trafficking.<sup>26</sup> This included the recognition of ‘orphanage trafficking’ in Australian legislation,<sup>27</sup> child trafficking in the football industry,<sup>28</sup> intercountry adoption,<sup>29</sup> forced child labour in supply chains in the UK and US contexts,<sup>30</sup> as part of SDG 8.7,<sup>31</sup> and as part of Article 3

Figure 27. Publication date of S4RD records related to ‘modern slavery’

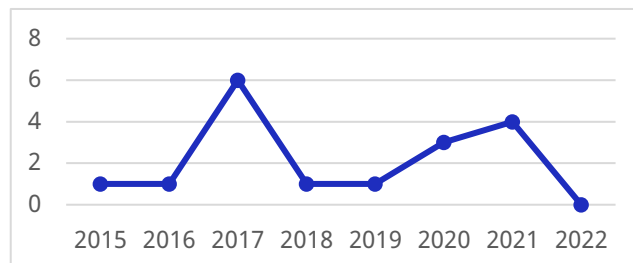


Figure 28. Discipline of publications

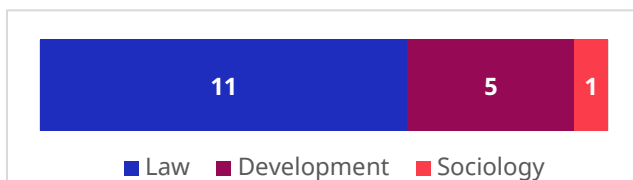


Figure 29. Research type

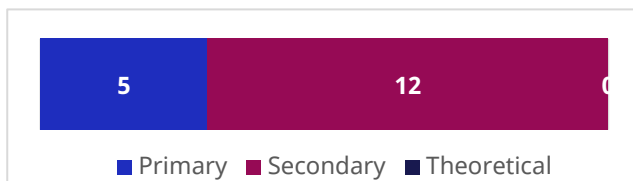
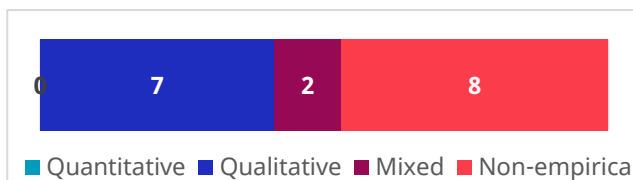


Figure 30. Research method (approach)



<sup>20</sup> Cheney (2021); Dunhill et al. (2020); Feasley (2016)

<sup>21</sup> Esson & Drywood (2018); Ezeibe (2021); Gyurácz (2017)

<sup>22</sup> Dunhill et al. (2020)

<sup>23</sup> Charnley & Nkhoma (2020); Dunhill et al. (2020)

<sup>24</sup> Charnley & Nkhoma (2020)

<sup>25</sup> Dunhill et al. (2020)

<sup>26</sup> Ezeibe (2021); Charnley & Nkhoma (2020); Cheney (2021); Feasley (2016); Gibbons (2017); Kamaruddin & Mohd Zin (2021); Okyere (2017)

<sup>27</sup> Cheney (2021)

<sup>28</sup> Esson & Drywood (2018)

<sup>29</sup> Gibbons (2017)

<sup>30</sup> Feasley (2016)

<sup>31</sup> Türkelli (2021)

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(a) of ILO Convention 182 on the worst forms of child labour.<sup>32</sup> Overall, the literature at the intersection of modern slavery and child trafficking is not regularly engaging with the framing of ‘modern slavery’, except for in relation to those jurisdictions where legislation embraces the terminology. Literature that does interact with the framing maintains a broad and blurred understanding of modern slavery. Although the literature is aware of the inconsistent use of terminology and its potential impact on how the literature interacts across regions and how exploitation is conceived, this has not been explored specifically with a focus to understand how this may or not affect the perception or fulfilment of children’s rights.

Records utilising or addressing the ‘modern slavery’ framing showed its most significant spikes in 2017 (6 records) and 2021 (4 records). Secondary studies were the predominant research type applied whilst the methodological approach is almost evenly split between qualitative and non-empirical methods.

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<sup>32</sup> Fontana & Grugel (2015)

## 4.2 Human trafficking

Child trafficking was addressed in a total of 42 (27.5%) records with 30 (19.6%) making substantive references, and 12 (7.8%) passing references. The evidence showed connections between human trafficking and child labour, child marriage, prostitution and sexual exploitation, and illegal adoption. Often parents were described as enabling the child’s mobility, deceived by recruiters and under the belief that children would be better-off or receive an education as in the context of Ghana and Kathmandu.<sup>33</sup>

Several records criticised the narrow focus of the anti-trafficking response. These studies suggested that the current approach is focused on criminal repression, overlooking the subsequent life of the survivor after the event.<sup>34</sup> These records identified the need to increase attention to prevention and the root causes of trafficking, as well as strengthening identification of and assistance to victims and existing remedial and reintegration strategies.<sup>35</sup> It was highlighted that the care of children is often insufficient, consisting primarily of food and shelter, whilst reintegration requires long-term solutions, access to justice and closer monitoring with suitable indicators for children.<sup>36</sup>

Records relating to child trafficking were strongly related to intercountry adoption processes with a global and regional scope in America and two specific countries: Uganda and Guatemala. The perverse incentives created by lucrative orphanage and adoption businesses uncovered weak protection systems in national contexts.<sup>37</sup> Identified factors enabling the exploitation of vulnerable children and families included: the mythification of voluntourism and altruism to rescue child orphans in the Global South; demand from the Global North; corruption in government systems and domestic courts; and weak child protection systems that do not consider adoption as the last resort.<sup>38</sup>

A key related discussion referred to whether children subject to irregular intercountry adoption can be automatically considered trafficking victims, even when it takes place without exploitative purposes.<sup>39</sup> Van Doore argued that these children became trafficking victims when they were taken away from their parents, even if they go to a loving home.<sup>40</sup> The separation is followed by subsequent denial of rights that, in Gibbons’ view, amounts to exploitation.<sup>41</sup> However, there is not uniform consensus on the subject, since adoptions are documented through legitimate migratory channels. The

Figure 31. Publication date of S4RD records related to human trafficking

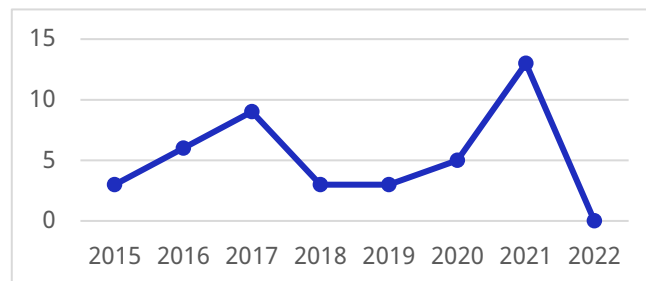


Figure 32. Research type

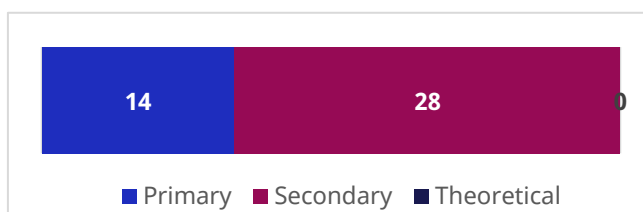


Figure 33. Discipline of publications

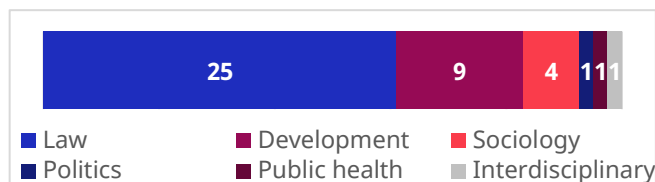
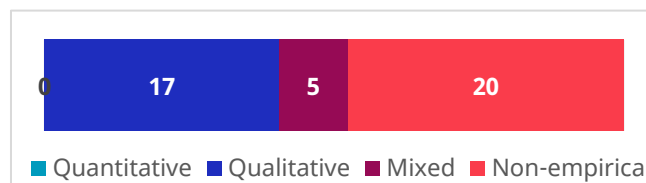


Figure 34. Research method (approach)



<sup>33</sup> Gyuracz, (2017); Van Doore (2016)

<sup>34</sup> De Felice (2021)

<sup>35</sup> Donger & Bhabha (2018); Božić (2017); Warria (2017)

<sup>36</sup> Kamaruddin & Mohd Zin (2021); Muraya & Fry (2016); Warria (2017)

<sup>37</sup> Cheney, (2021); Monico (2021); Van Doore (2016)

<sup>38</sup> Cheney, 2021); Van Doore (2016)

<sup>39</sup> Van Doore (2016)

<sup>40</sup> Van Doore (2016); Gibbons (2017)

<sup>41</sup> Gibbons (2017)

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treatment of illegal adoptions as trafficking under international law is seen in jurisprudence of the Inter-American Court of Human Rights, although with no clear resolution.<sup>42</sup> Van Doore highlighted that whilst the nexus between inter-country adoption and child trafficking has attracted academic attention, little has been written about 'paper orphans', children removed from their home with consent to place them in orphanages where they experience different forms of exploitation<sup>43</sup>. Makinde emphasised the need for additional research on infants being born in situation of neo-slavery, in what he calls 'baby factories' in Nigeria.<sup>44</sup> Both topics link back to domestic child protection systems, as mentioned above. Given the limited number of records gathered with a children's rights lens addressing these issues, a more systematic approach to the study of intercountry adoption and the child protection systems that examines the processes by which children are institutionalised, either for purposes of intercountry adoption or long-term institutionalisation, would be beneficial in the understanding of the intersection between modern slavery and children's rights.

Violations of children's rights in this field were identified at different moments of the event and response. Trafficked children suffer a particular violation of rights due to their mobility, including their rights to birth registration, nationality, family and care, and identity. Taken from their families, trafficked children are subject to subsequent deprivations that violate their rights to education and health, among others.<sup>45</sup> Dongher and Babher, based on an empirical study in India, identified children's rights as at risk during rescue operations when operators lack the required training or resources, and note that children are often re-traumatised in police stations.<sup>46</sup> A clearer framework would be made possible by mapping the incidents, actors, and categories of rights violations, throughout the actual or potential paths of trafficked children.

The increasing recognition of child trafficking as a children's rights violation was acknowledged by Okyere.<sup>47</sup> However, Okyere also criticised the way in which the framework is applied, particularly the emotive language employed by anti-trafficking organisations, which he argued pursues a melodramatic 'shock and awe' effect that serves hidden purposes. The records, covering a breadth of geographic locations, show that a diverse range of perceptions have emerged regarding the role of NGOs. However, the limited number of records addressing this issue directly within the frame of child trafficking impedes the generalisability of research conclusions and recommendations.

Two studies showed the positive effects of education on preventing child trafficking. The implementation of free education programmes in Nigeria was associated with increased school enrolment and reduced child trafficking.<sup>48</sup> This study was based on empirical research involving a considerable number of participants including school children, rescued victims, and education authorities (61 interviewees and 480 participants in focus groups). In the US (Central Texas), specialised content in the curriculum of school programmes resulted in raising anti-trafficking awareness and advocacy among High School students.<sup>49</sup> This study involved 188 participants, with 156 participants completing both a pre and post survey. Both of these studies employed a robust mixed method approach, suggesting that supporting educational programmes or programmes with a special anti-trafficking focus would serve to support the prevention of child trafficking. Whilst these studies engaged with children's rights, the right to education was not the central focus of the study.

Whilst migration was linked to exploitation and trafficking within records included in the review, it was not often presented as a central focus of study, nor did it provide key insights on the intersection between modern slavery and children's rights. However, three records were noted as addressing migration to a greater extent. Seatzu highlighted children's migration as one of the areas in which the UNCRC had an influence in the Inter-American Court of Human Rights while dealing with child trafficking.<sup>50</sup> Esson provided a detailed analysis of the migration of young Ghanaian football players, with a focus on their decision and agency in their migration.<sup>51</sup> De Felice briefly explored the relationship between

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<sup>42</sup> Seatzu (2020)

<sup>43</sup> Van Doore (2016)

<sup>44</sup> Makinde (2016)

<sup>45</sup> Van Doore, K. (2016)

<sup>46</sup> Donger & Bhabha (2018)

<sup>47</sup> Okyere (2017)

<sup>48</sup> Ezeibe (2021)

<sup>49</sup> Scott et al. (2019)

<sup>50</sup> Seatzu (2020) in reference to the Advisory Opinion OC-21/14, "Rights and Guarantees of Children in the Context of Migration and/or in Need of International Protection"

<sup>51</sup> Esson (2018)

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migration policies and trafficking in cases of child trafficking from Nigeria to Italy and the need for non-contingent and legal migration routes in Europe and Africa.<sup>52</sup>

Labour trafficking was addressed in a total of 27 records (17.6%), 18 (11.8%) with substantive consideration and 9 (5.9%) with passing references. However, only 2 records dealt with labour trafficking as a main focus of study.<sup>53</sup> According to the literature, the boundaries between human trafficking and child labour are not well defined.<sup>54</sup> The inclusion of child trafficking and prostitution within the umbrella of the worst forms of child labour in ILO C182 was considered problematic by Charnley and Nkhoma, preventing adequate response and support to children in need.<sup>55</sup> However, the implications of how this could affect children’s rights was not further explored.

Egan noted that the European Court of Human Rights (ECtHR) has not yet applied a child-centred lens to judgements regarding child trafficking with the purpose of labour exploitation, barely considering the particular status of the child or the role that the UNCRC plays.<sup>56</sup> The academic discussion of children rights in the resolution of modern slavery cases within the human rights regional systems was limited in the review. However, the two references in this regard were linked to child trafficking.<sup>57</sup>

The socioeconomic conditions of children are often presented as a push factor for child trafficking, where parents in some cases were seen to endorse the child’s mobility.<sup>58</sup> The need for an understanding of socio-cultural factors to inform research and conclusions on child trafficking was also stressed. For example, in Ghana the transportation of children to other fishing communities was noted not to amount to trafficking in the eyes of the community, considered instead as part of children’s training.<sup>59</sup>

Child trafficking in the context of the football industry was considered in a few records, calling attention to the need for better alignment between the football industry and the children’s rights framework. Three out of four of these studies had a geographical focus on Ghana whilst other substantive mentions included South America, Europe, Japan, Portugal and China. A core discussion across these records emphasised that restrictions on children’s mobility as measures to prevent trafficking need to be balanced with the agency and the best interests of the child, who may desire to migrate in pursuit of better standards of living, healthcare, and education.<sup>60</sup> These studies show a need to further explore children’s agency in the field of child trafficking. This is examined in more detail in Section 6.5.

Sex trafficking was addressed in a total of 29 records (19.0%); 12 (7.8%) records with substantive consideration of the exploitation type and 17 (11.1%) records with passing references. These records considered trafficking flows and routes.<sup>61</sup> Emerging discussions in this field include: a dominant emphasis on sexual exploitation and child trafficking;<sup>62</sup> limited literature on child sex trafficking;<sup>63</sup> a need to understand the context in which such abuse occurs in order to identify children’s vulnerabilities;<sup>64</sup> a risk of overlooking the child’s agency for mobility and the structural constraints that influence their involvement;<sup>65</sup> limited data for assessing prevalence and impacts on victims; a need to implement programmatic approaches; and the overemphasis in law and migration<sup>66</sup>.

The number of sources addressing child trafficking has fluctuated over time since 2015, reaching the highest spike in 2021 (13 records). Secondary studies were the most common research type among records addressing child trafficking (28

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<sup>52</sup> De Felice (2021)

<sup>53</sup> Egan (2015) and Donger & Bhabha (2018)

<sup>54</sup> Adhikari, S. & Turton, J. (2020); Yilmaz, S. et al. (2020)

<sup>55</sup> Charnley & Nkhoma (2020)

<sup>56</sup> Egan (2015)

<sup>57</sup> Egan (2015) and Seatzu (2020)

<sup>58</sup> Gyuracz, (2017); Van Doore, K. (2016)

<sup>59</sup> Koomson & Abdulai (2021)

<sup>60</sup> Esson & Drywood (2018); Koomson et al. (2021); Mason et al. (2019); Yilmaz et al. (2020)

<sup>61</sup> Warria (2015); Warria (2017)

<sup>62</sup> Adhikari & Turton (2020)

<sup>63</sup> Muraya & Fry (2016)

<sup>64</sup> Adhikari & Turton (2020)

<sup>65</sup> Charnley & Nkhoma (2020)

<sup>66</sup> Franchino-Olsen (2021); Muraya & Fry (2016)

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records) although primary research was also well represented (14 records). Law (26 records) was the dominant field of study under the frame of child trafficking. However, primary studies were mainly conducted within the scope of other disciplines such as development studies and sociology. There were no records registered in the disciplines of economics, psychology, media, or economics.



### 4.3 Sexual exploitation

Sexual exploitation was referenced in a total of 46 records (30.1%), 29 (19%) with substantive consideration and 17 (11.1%) with passing mention. A significant set of these records dealt with sexual exploitation in the context of child marriage.<sup>67</sup> The intersection between child marriage and sexual consent was not always presented as clear-cut.<sup>68</sup> However, the dominant trend was to consider child marriage as a form of exploitation often involving an economic transaction and marked by sexual abuse and violence that starts from the first sexual encounter and is carried out throughout the marital life.<sup>69</sup> These records were geographically concerned with Nigeria, Uganda, and West Africa. Sexual exploitation was strongly associated with violations of the child’s rights to health, life, and development across these records, seen in long-term afflictions of the child’s mental, physical, and sexual and reproductive health.<sup>70</sup>

Conversely, the practice of child marriage was also regarded in several records as a means of protection from sexual exploitation and securing the safety of the child. This was seen in records in the context of Bhutanese stateless refugee children in Nepal and Syrian refugee children in the Netherlands.<sup>71</sup> As seen in Table 6 (below), refugee children’s rights seem to be an under researched area in this intersection of these two fields of research.

This type of modern slavery was also related to internal and transnational child trafficking and environments of conflict.<sup>72</sup> In settings of armed conflict, children were found to be subject to sexual exploitation (sexual slavery) during their captivity, the impacts of which extended into times of peace for child survivors.<sup>73</sup> Darkwa’s empirical study in Liberia argued that sexual violence during armed conflict could not only be attributed to premeditated military strategy, but was also a result of pre-existing psycho-cultural structures that were exploited during the conflict and maintained post-conflict.<sup>74</sup> Souris highlighted that child survivors’ situations lured them to survival sex, and that they then suffered stigma attached to their sexual lives during the conflict. These physical and emotional harms affect children’s right to life and dignity.<sup>75</sup> Conklin and Mason argued for a gender-focus and interdisciplinary approach, with inputs from public health as well as inter-treaty and inter-agency coordination, for a more holistic understanding of the unique harms experienced by female child soldiers.<sup>76</sup>

Figure 35. Publication date of S4RD records related to sexual exploitation

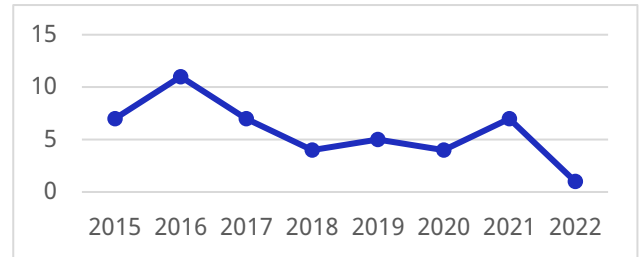


Figure 36. Discipline of publications

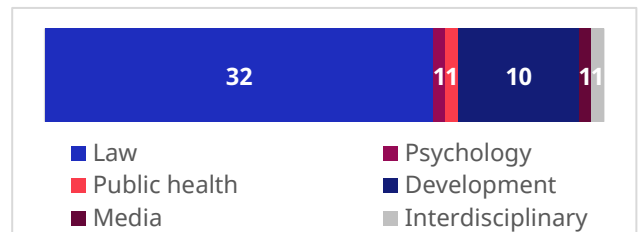


Figure 37. Research type

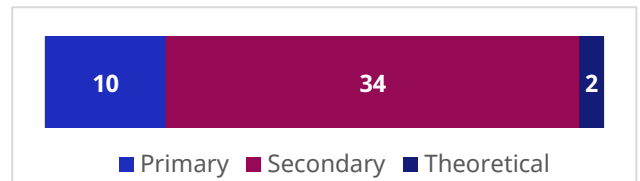


Figure 38. Research method (approach)



<sup>67</sup> Acca (2019); Chinyere Anozie et al. (2018); Kitson (2016); Menz (2016)

<sup>68</sup> Acca (2019)

<sup>69</sup> Addaney & Azubike (2017); Chinyere Anozie et al. (2018); Kitson (2016)

<sup>70</sup> Chinyere Anozie et al. (2018)

<sup>71</sup> Menz (2016); Wijffelman (2017)

<sup>72</sup> Adhikari & Turton (2020); John (2020); Mason et al. (2019); Muraya (2016); Ogunniran (2017)

<sup>73</sup> Conklin & Mason (2017); Darkwa (2015); Evans (2016); Kiyala (2021); Souris (2022)

<sup>74</sup> Darkwa (2015)

<sup>75</sup> Souris (2022)

<sup>76</sup> Conklin & Mason (2017)

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Literature examined within this theme emphasised social issues such as socio-economic structural and systemic inequalities, discrimination, and exclusion, which leaves children with limited options for survival and pushes them into sex work.<sup>77</sup> Cultural and social norms were further noted to inhibit self-reporting in some contexts. For example, in conservative societies such as Pakistan, it was noted that sexual exploitation may be under-reported due to the taboo of talking about the issue.<sup>78</sup> The realisation of children’s economic and social rights, strengthening state institutions and social protection, and ending cultures of impunity were considered significant steps to combat this.<sup>79</sup>

The number of sources dealing with sexual exploitation has fluctuated over time since 2015, reaching the highest spike in 2016 (11 records). The dominant fields of study addressing sexual exploitation were law (32 records) and development studies (10 records). Secondary studies were the most common research type among records addressing this theme (34 records) although primary research was also well represented (10 records). Only two records were theoretical in nature. Most of studies employed empirical methods (30 records), primarily qualitative methods (22 records), whilst the remaining records (16 records) were non-empirical.

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<sup>77</sup> Amusan (2018); John (2020); Duger (2015); Franchino-Olsen (2021); Ogunniran (2017)

<sup>78</sup> Akhunzada et al. (2016)

<sup>79</sup> Darkwa (2015); Duger (2015)

### 4.4 Commercial sexual exploitation of children (CSEC)

Commercial sexual exploitation of children was referenced in a total of 17 records (11.1%), 13 (8.5%) with substantive consideration and 4 (2.6%) with passing mention. Although this is a small number of records within the review, with a diverse geographical focus it is notable that the US was addressed in two sources.

CSEC was considered a broad term, with a variety of definitions.<sup>80</sup> In the US, it was noted that regulation varies across states, applying different definitions of CSEC.<sup>81</sup> A study in Malawi examined the engagement of children in prostitution, departing from both radical and liberal feminist approaches to dealing with sexual exploitation, suggesting that this is an area still struggling with clear conceptualisation.<sup>82</sup> Simon et al. claimed that global efforts to identify children who have been exploited are hampered by this lack of consensus on a definition of child sexual abuse and exploitation which influences the way it is measured in scope, impact, and risk factors.<sup>83</sup>

Prominent topics discussed included flaws in the current approaches to address CSEC. Authors noted a need to increase interdisciplinary engagement, particularly input from the social sciences and public health, as the fields of law and immigration seem to dominate the debate.<sup>84</sup> A systematic review of US-based journals in the area explored 12 relevant frameworks to address CSEC, suggesting that a rights-based model would fail to capture the broad scope of the problem, which required programmatic prevention understandings provided by other frameworks.<sup>85</sup> This seems to be in line with a call for interdisciplinary research on children’s sexual exploitation.

The lack of a victim-based approach was also a concern expressed by several authors. This involved a diverse set of claims that involved children being considered as juvenile offenders and criminally prosecuted for prostitution instead of being treated as victims; the need to have human rights and trauma-informed service provision; and understanding of children’s agency to engage in prostitution to escape from poverty and structural constraints.<sup>86</sup>

Figure 39. Publication date of S4RD records related to CSEC

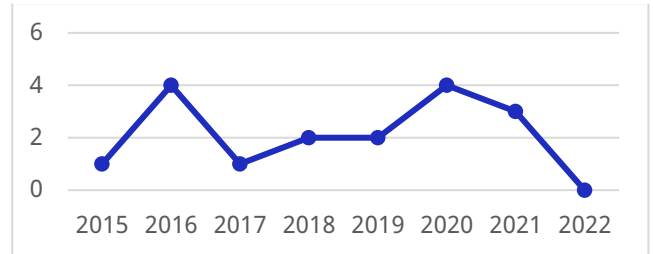


Figure 40. Discipline of publications



Figure 41. Research type

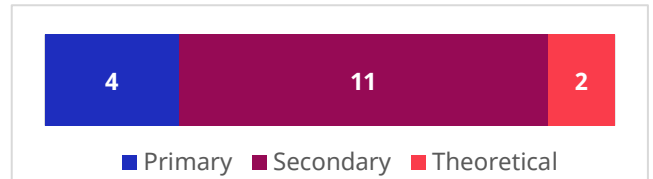
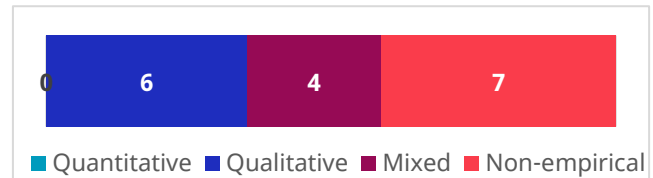


Figure 42. Research method (approach)



<sup>80</sup> Akpınar (2019)  
<sup>81</sup> Duger (2015)  
<sup>82</sup> Charnley & Nkhoma (2020)  
<sup>83</sup> Simon et al (2020)  
<sup>84</sup> Muraya & Fry (2016)  
<sup>85</sup> Franchino-Olsen (2021)  
<sup>86</sup> Akpınar (2019); Duger (2015); Charnley & Nkhoma (2020); Muraya & Fry (2016)

## 4.5 Online sexual exploitation of children (OSEC)

Online sexual exploitation of children (OSEC) was referenced in a total of 9 records (5.9%), 8 (5.2%) with substantive consideration and 1 (0.7%) with passing mention. The main geographical foci of these records are West African states, Nigeria, the UK, and Turkey. The predominant theme presented in these records was concern on the increase in use of the internet by children and the risk of exploitation through these channels, with sexually explicit content available, and the risk of online grooming.<sup>87</sup> Legislation and the response to this phenomenon were not found to keep up with the pace and complexity of digital technology.

The transnational nature of OSEC was found to bring additional challenges to legal harmonisation and states’ jurisdiction. Witting suggested that although guidelines of extraterritorial jurisdiction are provided in the Budapest Convention and Lanzarote Convention, the jurisdiction still depends on the decision of State Parties.<sup>88</sup> In his view, jurisdiction of the country where the abuse takes place (the home country of the child) was the best suited for the interest of the child, minimising the interruption of the child’s life.

To meet the rising problems that children’s online interactions bring, the literature suggested the need for better collaboration within and between States and stakeholders, as well as harmonisation of legislation to enable a safe online environment and to close the gaps that perpetrators exploit (e.g. age verification and filtering).<sup>89</sup> Due to the impact on children’s physical and mental wellbeing, this type of exploitation is associated with the right to development, health, the best interests of the child, and the right to be protected from sexual exploitation.<sup>90</sup> Mapping legislation and how it engages with the children’s rights framework would be beneficial given the limited literature produced in recent years and the lack of primary research approaches dealing with this theme. The sources included in this review that address OSEC are primarily in the field of law (6 sources). Given the intricacy of the technology involved, it is expected that research on this topic will require greater interdisciplinarity in order to lead to impactful changes.

Figure 43. Publication date of SARD records related to OSEC

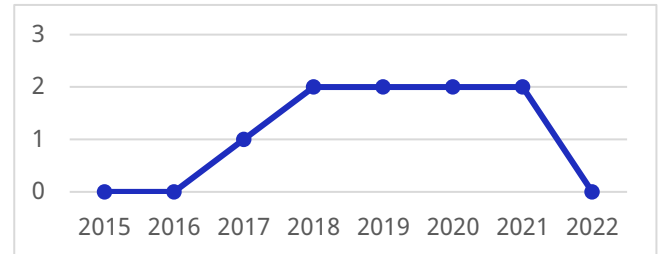


Figure 44. Discipline of publications

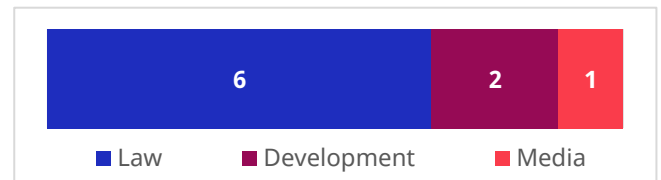


Figure 45. Research type

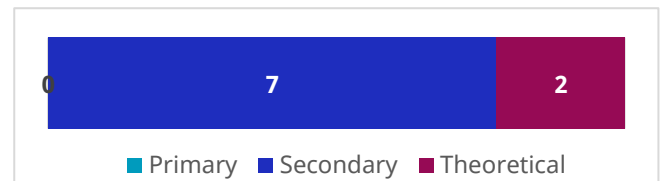


Figure 46. Research method (approach)



<sup>87</sup> Binford (2018); Simon et al. (2020); Ogunniran (2017)

<sup>88</sup> Witting (2021)

<sup>89</sup> Binford (2018); Ogunniran (2017); Simon et al. (2020)

<sup>90</sup> Binford (2018); Witting (2021); Ogunniran (2017)

## 4.6 Child marriage

Child marriage was addressed in a total of 54 records (35.3%), 47 (30.7%) with substantive consideration and 7 (4.6%) with passing references. This form of modern slavery represented the second-largest subject studied across the systematic review, with the highest spikes of academic production in 2017 and 2021. A closer look at the literature, however, reveals that there are still inconclusive debates and gaps to be addressed.

The current recognition of child marriage in the international framework was raised as a concern within these records, including over the lack of codification of child marriage as a crime or a form of enslavement in international criminal statutes,<sup>91</sup> and the inconsistent and various connotations of its definitions.<sup>92</sup> Child marriage terminology and its implications were comparatively more discussed than in relation to other forms of modern slavery in the review, from the disqualification of existing terms to new proposals.

Questions were raised surrounding the way in which child marriage should be addressed in the international framework. Discrepancies regarding the suitable minimum legal age was a key theme identified in the review. Core discussion related to the maturity and readiness of a child to take part in marriage. Some argued that a child is not considered to possess the emotional and physical maturity to have a family.<sup>93</sup> However, in specific cultural contexts, the threshold to assess readiness is based on other factors, such as puberty (e.g. Saudi Arabia).<sup>94</sup> Allowing flexibility was presented as a way to engage Muslim scholarship in agreeing on a minimum age.<sup>95</sup> A clear-cut threshold of 18 years of age was also noted to leave out the examination of consequences and variations in the age of marriage: it does not investigate the differences in impact between a child marrying at 12 years or at 17 years.<sup>96</sup>

Countries that have set the minimum age for marriage at 18 were reported to still face issues of enforceability (e.g. Uganda, Nigeria, Bangladesh).<sup>97</sup> Loopholes in the domestic legislative frameworks and issues of enforceability have brought a diverse range of claims: the misuse of legislation for personal vendetta and unjust prosecution;<sup>98</sup> uneven protection and enforceability within states deriving from the constitutional distribution of competencies;<sup>99</sup> the criminalisation of these practices implying that the children would send their own parents to prison;<sup>100</sup> and the unintended consequences of regulation. In the Netherlands, the legal system no longer recognises child marriages entered into abroad. However, concerns were raised regarding restrictions on children being reunited with their adult husbands in the

Figure 47. Publication date of S4RD records related to child marriage

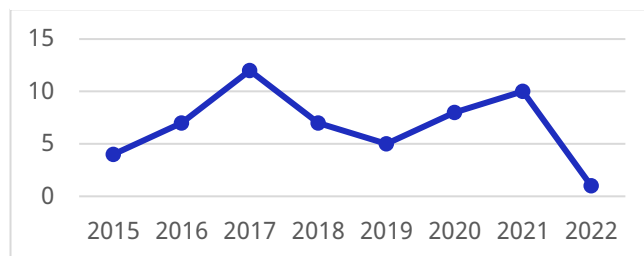


Figure 48. Discipline of publications



Figure 49. Research type

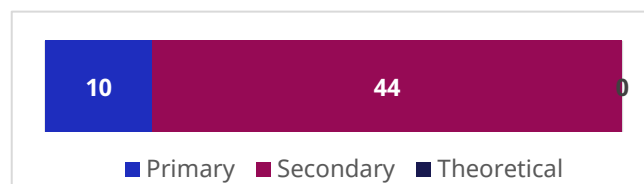
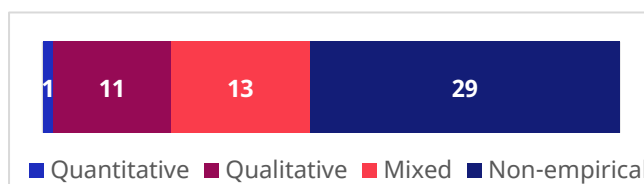


Figure 50. Research method (approach)



<sup>91</sup> Chinyere Anozie et al. (2018); Maloney (2021)

<sup>92</sup> Efevbera & Bhabha (2020); Maloney (2021); Van Coller (2017)

<sup>93</sup> Mayasari (2020)

<sup>94</sup> Al-Hakami & McLaughlin (2016); Mayasari (2020); Nwauche (2015)

<sup>95</sup> Nwauche (2015)

<sup>96</sup> Diala (2019); Chaney (2017); Efevbera & Bhabha (2020)

<sup>97</sup> Addaney & Azubike (2017); Akter et al. (2021)

<sup>98</sup> Acca (2019); Horii (2019)

<sup>99</sup> Eboerah & Eboibi (2017); Emeno (2022)

<sup>100</sup> Mwambene & Mawodza (2017)

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country, as such restrictions may place children at further risk of exploitation in their home countries.<sup>101</sup> Consistent reference throughout the records to challenges in the implementation of domestic legislation shows the study of child marriage regulations, and assessment of the strengths and weaknesses in the design of child marriage provisions, to be a valuable line of research.

The role of the parents was considered to be central in this type of modern slavery. Parents were seen as often enabling child marriage, through manipulation, endorsement, or receiving a monetary benefit.<sup>102</sup> Children were reported to marry in order to resolve conflicts between families, in Pakistan.<sup>103</sup> Consequently, the appropriateness of parental consent enabling legal child marriages emerged as a key concern.<sup>104</sup> In a study focused on the Asia-Pacific region, Scolaro et al found that only 4 countries (Bhutan, China, Mongolia, and Vietnam) had set the minimum age of marriage at 18 or above with no exceptions, while 23 set the minimum age for girls at 18 with exceptions upon parental or court's consent.<sup>105</sup> A more recent global study in 191 countries found that child marriage was permitted by legal exceptions on the basis of parental consent or customary and religious laws in 104 countries, while 23 countries still permitted girls to be legally married below the age of 18 without requiring any special permissions.<sup>106</sup> Some countries such as Malawi, and Trinidad and Tobago, were found to have taken steps to eliminate parental consent from their legal systems.<sup>107</sup>

Poverty, educational levels, illiteracy, domestic violence, sexual harassment, emergencies and crises were considered factors that foster the occurrence of child marriage.<sup>108</sup> Several records identified child marriage as an act of protection, with families fearing for the safety of their children perceiving marriage as a viable option for guaranteeing the child's well-being. For example, sexual harassment was identified as a dominant cause of marriage in Bangladesh, and in refugee camps in Jordan, Lebanon, Nepal, and Malaysia.<sup>109</sup>

Culture and religion were largely identified as key determinants in the definition, behaviours, and implementation of child marriage prohibitions.<sup>110</sup> Diala enumerated eleven specific factors that hinder interventions and programmes aimed at eradicating child marriage, five of which are linked to culture.<sup>111</sup> The recognition of religious or customary law (legal pluralism) was seen as frequently conflicting with state laws, and social practices deeply entrenched in culture and religion were noted to be more relevant in the community than the law (e.g. South Africa, Zimbabwe, Nigeria, Trinidad and Tobago, Ghana).<sup>112</sup> For example, in Indonesia domestic courts were found to be allowing marriage dispensation as a way to reconcile the legal system with communitarian values.<sup>113</sup> This strongly indicates that child marriage requires an approach that goes beyond regulation to consider societal attitudes and geographical variations.<sup>114</sup> Therefore, a more interdisciplinary focus of research, combining law with other fields of study such as sociology, psychology, or politics, would advance the understanding of cultural dynamics and contexts where children's rights are enforced in relation to child marriage. Discussion on child marriage in records included for the review was dominated by law as the primary source field (39 records), followed by development studies (11 records).

Despite concern over the international regime governing child marriage, the growing adoption of international standards was discussed across the records. Scobie and France examined the case of legal reforms in Trinidad and Tobago, where the children's rights framework had penetrated spheres of public opinion and government.<sup>115</sup> Legal reforms in Malawi

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<sup>101</sup> Wijffelman (2017)

<sup>102</sup> Addaney & Azubike (2017); Akter et al. (2021); Chaney (2017)

<sup>103</sup> Akhuzada et al. (2016)

<sup>104</sup> Mayasari (2020)

<sup>105</sup> Scolaro et al (2015)

<sup>106</sup> Arthur et al. (2018)

<sup>107</sup> Mwambene & Mawodza (2017)

<sup>108</sup> Addane & Azubike (2017); Akter et al. (2021); Božić (2017); Bouah & Sloth-Nielsen (2021); Deane (2021)

<sup>109</sup> Akter et al. (2021); Arab & Sagbakken (2019); Menz (2016)

<sup>110</sup> Addaney & Azubike (2017); Akter et al.(2021); Chinyere Anozie et al. (2018); Diala (2019); Mwambene & Mawodza (2017); Ogunniyi (2018); Scobie & France (2020)

<sup>111</sup> Diala (2019)

<sup>112</sup> Addaney & Azubike (2017); Akhuzada et al. (2016); Chinyere Anozie et al. (2018); Diala (2019); Ogunniyi (2018)

<sup>113</sup> Horii (2019)

<sup>114</sup> Chaney (2017); Karamalla-Gaiballa (2021)

<sup>115</sup> Scobie & France (2020)

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and Zimbabwe seem to be outlawing customary or religious practices engrained in culture such as ‘ukuthwala’, ‘kutwala’ (marriage by abduction) or ‘kupawila’ (paying off a debt by marrying a daughter).<sup>116</sup> Further, in Zimbabwe, the Constitutional Court declared legislation that authorises children to be married before the age of 18 on basis of customary and religious practices invalid.<sup>117</sup> In contrast, other judicial systems were found to be more cautious. In Indonesia, the core law on child marriage has been constitutionality challenged twice before the Constitutional Court, with no successful outcomes.<sup>118</sup> An empirical study assessing the response and effects of child marriage legislation would illuminate the potential for effective compliance.

Child marriage is recognised to overlap with multiple crimes against humanity, causing multi-layered injuries to child victims.<sup>119</sup> The physical and emotional abuse inflicted on the child by husbands and other family members can include servile isolation, trauma, forced sexual encounters, early pregnancy, and gender-based violence.<sup>120</sup> Conklin and Mason further emphasise gender-specific health attached to female genital injuries and reproductive rights, and the long-term individual and societal consequences of child marriage.<sup>121</sup> Married children were reported to have little or no opportunities to improve their socio-economic conditions through education or training, or to be independent and actively participate in social and political life.<sup>122</sup> Therefore, child marriage is seen as an impeding factor for the enjoyment of their childhood and children’s rights such as protection, discrimination, health, consensual marriage, equality, free and full consent to marry, freedom from torture and slavery, among others.

The coding revealed a strong connection between records dealing with child marriage and the right to education (45 records), health (37), development (33 records) and non-discrimination (31). The right to education is connected with reductions in child marriage for its potential to reinforce the child’s voice and agency, providing better prospects for the future.<sup>123</sup> Evidence in the review suggested that there is an association between investment in education and attainment and the likelihood to marry.<sup>124</sup> However, whilst empirical studies on child marriage explore the right to education, there is a need to research the relationship between child marriage and other children’s rights. Two sources addressed the agency of child brides, arguing that scholarship often presents agency as a ‘good choice’ when this should be problematised in certain contexts.<sup>125</sup>

Secondary studies were the most common research type among records addressing this theme (44 records) although primary research was also well represented (10 records). Most studies employed empirical methods (31 records), while the remaining records (23 records) applied non-empirical methods. However, few records engaged with child participants or families. Most of the primary research approaches captured the perception of state officials.

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<sup>116</sup> Mwambene & Mawodza (2017)

<sup>117</sup> Idem

<sup>118</sup> Prameswari & Agustin (2018)

<sup>119</sup> Maloney (2021)

<sup>120</sup> Addaney & Azubike (2017); Chinyere Anozie et al. (2018); Karamalla-Gaiballa (2021); Mukum (2020); Warri (2019)

<sup>121</sup> Conklin & Mason (2017)

<sup>122</sup> Msuya (2020); Mukum (2020)

<sup>123</sup> Addaney & Azubike (2017); Bouah & Sloth-Nielsen (2021); Deane (2021); McCleary-Sills et al. (2015); Psaki (2016)

<sup>124</sup> McCleary-Sills et al. (2015); Psaki (2016)

<sup>125</sup> Lokot et al. (2021); Horii (2020)

## 4.7 Child labour

A total of 81 records (52.9%) in the S4RD addressed child labour, making it the most prominent theme in the review—71 (46.4%) records with substantive consideration and 10 (6.5%) with passing reference. The predominant geographical focus of these studies was on Africa, Latin America, and Asia.

Several records dealt with the ILO’s role in addressing child labour. Convention 182 on the worst forms of child labour<sup>126</sup> was considered a comparatively clearer and more well-received global standard within states than C138—the Minimum Age Convention.<sup>127</sup> However, a global study across 169 UN member states found that C138 ratifier states had stronger legal safeguards than non-ratifiers, indicating a positive correlation between ratification and improved legal safeguards.<sup>128</sup> 82% of C138 ratifier states were found to have established 18 as the minimum legal age to perform hazardous work and 78% of states to have a minimum age for admission to employment of at least 15 years of age. Even though enforcement is reported to remain a problem in a number of nations, this study suggests that adopting regulatory action to address child labour influences the levels of protection in domestic contexts and therefore should be part of a multifaceted approach to tackle child labour.<sup>129</sup>

The minimum age for work drew criticism of C138, for establishing a standard that pays little attention to children’s particular contexts.<sup>130</sup> Despite legislative bans to prevent children from joining the workforce before 14 years of age, several studies found millions of children continue to labour, and legislation remains unenforceable.<sup>131</sup> De Guzman et al. noted countries such as Burkina Faso, Sierra Leone, Equatorial Guinea, Angola, Cambodia and Comoros as places where high levels of child labour coexist with minimum age restrictions.<sup>132</sup>

A prominent discussion in relation to child labour was the identification of two approaches to child labour: eradication/abolitionist and protectionist/regulationist.<sup>133</sup> In the latter, greater flexibility for children to engage in labour (legalisation) was presented as having the potential to enhance protection for children and their working conditions—children protected *in* work rather than *from* work.<sup>134</sup> Literature showed connections with the right to protection, right to work, right to participation, and economic and labour rights such as minimum wages, limitation on working hours, time for leisure and play, and daily rest, among others. In this debate, Bolivia was observed as an example of a country taking a middle ground between eradication and protectionism, and the first to allow child labour under the international

Figure 51. Publication date of S4RD records related to child labour

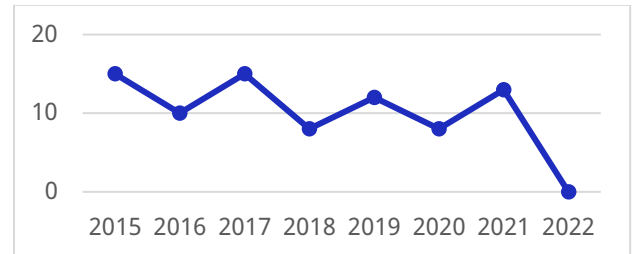


Figure 52. Discipline of publications

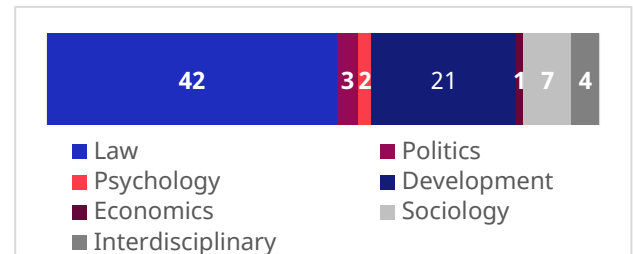


Figure 53. Research type

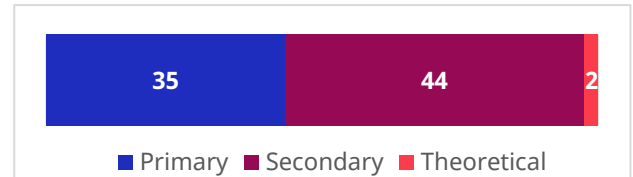
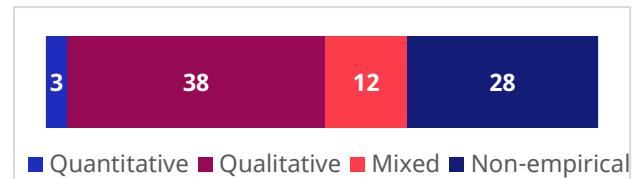


Figure 54. Research method (approach)



<sup>126</sup> International Labour Organization (ILO), Worst Forms of Child Labour Convention, C182, 17 June 1999, C182, available [here](#).

<sup>127</sup> Dillon (2015), referring to the International Labour Organization (ILO), Minimum Age Convention, C138, 26 June 1973, C138, available [here](#).

<sup>128</sup> De Guzman et al. (2019)

<sup>129</sup> Idem

<sup>130</sup> Peleg (2018); Gasson et al. (2015)

<sup>131</sup> Akhunzada et al. (2016); Balagopalan (2019); Liebel (2021); Ramos (2018)

<sup>132</sup> De Guzman et al. (2019)

<sup>133</sup> Ferreira (2017 b); Fontana & Grugel (2015)

<sup>134</sup> Fontana & Grugel (2015); Gasson et al. (2015); Liebel (2021); Peleg (2018); Taft (2019)



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minimum age, although these measures were reversed in 2018.<sup>135</sup> Although lack of legal protection for working children under the minimum legal age was mainly identified in the Global South, the discussion of risks of economic exploitation of children younger than the legal minimum age was also presented in other contexts, such as the UK and New Zealand.<sup>136</sup> Hobbs’ study with 20 focus group participants and 809 survey participants found strong support for a minimum wage for children under 16 and the regulation of child employment in the UK<sup>137</sup>. The protectionist approach seemed to be growing in support. However, conclusive agreement was not found,<sup>138</sup> and discussion on the regulation of working children in other geographies remained limited. In this regard, it was acknowledged that the UNCRC (Art 32) has taken a more cautious approach, as it does not ban child labour entirely.<sup>139</sup>

Records identified a range of flaws in the ILO frameworks and governance, including: failing to hear the voices of working children’s movements and their perceptions of their rights;<sup>140</sup> global child labour policymaking being restricted to limited CSOs;<sup>141</sup> contradicting messages in the objective to eliminate either child labour or hazardous work;<sup>142</sup> the lack of differentiation between young children and adolescents;<sup>143</sup> and the lack of clarity to differentiate light and non-harmful work from hazardous work.<sup>144</sup>

The infrastructures around the areas where children work was considered to expose children to further risk of exploitation and trafficking.<sup>145</sup> Various sectors involving child labour were identified across 27 records, including farming<sup>146</sup>, fishing, aquaculture, forestry, livestock, service sectors,<sup>147</sup> street vending, retail, travel, tourism, brickmaking, sale of alcoholic beverages, garbage collection, cleaning of hospitals, mining,<sup>148</sup> domestic work, delivery, hotel and catering, modelling with erotic elements, quarrying, manufacturing, construction and public utilities. Additionally, discussions of potential exploitation also pointed to the football industry, vloggers, e-sports players and the armed forces. With rare exceptions that addressed specific sectors as part of the main topic of analysis,<sup>149</sup> discussion of children’s rights in the context of specific sectors was limited.

The coding showed the strongest associations between child labour and child rights themes related to the right to education (69 records), right to health (51 records), right to development (47 records) and best interests of the child (38 records). While work was seen to be harmful to the health and education of children, and as affecting their best interests and development,<sup>150</sup> it was also described as a means of gaining access to these same rights, exercising their autonomy, and self-determination.<sup>151</sup> For example, child labour was presented as an enabling means for education in several records.<sup>152</sup>

The labour of children in some cases was viewed with no connotations of harm or exploitation, attached instead to the acquisition of skills, development of values (maturity and responsibility), or as part of cultural practice.<sup>153</sup> These authors identified working as not meant to compromise the health or education of the child, and often implied endorsement from

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<sup>135</sup> Chambi Mayta (2017); Fontana & Grugel (2015); Jijon (2020); Liebel (2015) and (2021)

<sup>136</sup> Jijon (2020); Gasson et al. (2015); Hobbs et al. (2017)

<sup>137</sup> Hobbs (2017)

<sup>138</sup> Ferreira (2017 b); Fontana & Grugel (2015); Holzscheiter et al. (2021)

<sup>139</sup> Peleg (2018)

<sup>140</sup> Van Daalen & Mabillard (2019)

<sup>141</sup> Holzscheiter (2016)

<sup>142</sup> Fontana & Grugel (2015)

<sup>143</sup> Fontana & Grugel (2015); Peleg (2018)

<sup>144</sup> Hoque (2021); Fontana & Grugel (2015); Pasaribu & Vanclay (2021)

<sup>145</sup> Arifin et al. (2020); Goldstein (2016)

<sup>146</sup> Sugar, chestnut, cocoa, tobacco, oil palm, tobacco

<sup>147</sup> Retail, hotel and catering industry, personal services, babysitting, car-washing, wholesale, trade, restaurants, transport; storage; communications, finance, insurance, real estate, and business services.

<sup>148</sup> Gold, silver, tin, coal, and zinc

<sup>149</sup> These exceptions include tourism, mining, agriculture, farming and finishing, oil palm and tobacco.

<sup>150</sup> Akhuzada, Z. et al. 2016; De Guzman et al. (2019)

<sup>151</sup> Osei-Tutu & Tatek (2019); Koomson et al. (2021); Mason et al. (2021); Liebel (2015)

<sup>152</sup> Hoque (2021); Liebel (2015); Maconachie & Hilson (2016); Mason et al. (2019); Osei-Tutu & Tatek (2019)

<sup>153</sup> Adonteng-Kissi, O. 2020; Arifin et al. (2020); Bolten (2018); Lubaale (2015); Cruz et al (2020); Eriksen & Mulugeta 2021; Gasson et al. (2015); Koomson & Abdulai (2021); Sackey & Johannesen (2015)

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the community as a means of socialising or gaining respect from peers. In these cultural contexts, debate is evident over whether child labour should be considered automatically as a violation of children’s rights.<sup>154</sup> In contrast, Chambi Mayta outlined concern over loose legal restrictions in this area enabling and legalizing exploitation, and called for greater attention on labour in familial and community contexts.<sup>155</sup>

The work of children alongside family or domestic labour was a concern raised in a few records and was recognised as a gap, or loophole, within legislation. De Guzman et al. identified that 40% of countries legally permit children’s engagement in hazardous work before the age of 18.<sup>156</sup> For example, they identified no minimum age for engaging in hazardous work alongside family in countries such as Antigua and Barbuda, Singapore and Saint Vincent and the Grenadines. These exceptions are reported to limit the coverage of labour law, leaving children unprotected.

The perceptions of parents reported across the studies were also diverse. In Ecuador and Bolivia, it was found that neither children’s rights nor empowerment were part of the discussion or language used by parents. Instead, their relationships centred on mutual responsibility, whereby the parents cared for children whilst equally accepting the children’s care for them.<sup>157</sup> Two studies, based in India (Uttar Pradesh) and Bangladesh (Bandarban district), found that while parents may have awareness of child labour legal restrictions and may agree that child labour is harmful or should be eradicated, they still reported sending their children to work or having no option but to do so.<sup>158</sup>

Records related to child labour included a significant proportion of primary empirical studies engaging directly with working children, families, and communities. Relevant insights included that child labourers often combine their spaces between home, school, and the streets, and that education is not necessarily incompatible with labour.<sup>159</sup> Two empirical studies in Mexico and Ethiopia examined the motivation of children who engage in work, showing variations tied to specific country contexts and the work industry.<sup>160</sup> Poverty and economic hardship were identified as the main causes of child labour where children often willingly decide to help their families.<sup>161</sup> Conversely, in a few cases, child labour had the simple purpose of enhancing the child’s solvency.<sup>162</sup>

The influence of global actors on child labour was dealt with in a small number of records, connecting children’s rights to protection to these actors’ duties and actions. This included the WTO’s intervention to regulate and prevent the exploitation of children in international trade<sup>163</sup> and the accountability of multinational companies to act against child labour in their supply chains.<sup>164</sup> In this regard, Engelbertink and Kolk highlighted successful approaches that addressed direct and indirect causes of child labour, as well as children and community members who were not directly involved in the company’s supply chain (in Uganda, Ghana, and India).<sup>165</sup> A study on Indonesia found that companies believe that it is the government’s responsibility to protect and promote children’s rights, not theirs.<sup>166</sup> Further, literature suggested that IMF policies relating to revenue and social policies negatively affect the health and education system, particularly in relation to access for impoverished households, resulting in an increase in child labour.<sup>167</sup>

Literature at the intersection between child labour and children’s rights showed greater levels of interactions with other disciplines beyond law, which continued to be the dominant source field (43 records). Further, child labour presented the

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<sup>154</sup> Ogunniyi (2018)

<sup>155</sup> Chambi Mayta (2017)

<sup>156</sup> De Guzman et al. (2019)

<sup>157</sup> Jijon (2020)

<sup>158</sup> Islam et al. (2015); Pandey & Gautam (2015)

<sup>159</sup> Jijon’s (2020); Eriksen & Mulugeta (2021)

<sup>160</sup> Cruz et al (2020); Eriksen & Mulugeta 2021

<sup>161</sup> Amusan (2018); Arifin et al. (2020); Azhar (2015); Fuseini & Daniel (2018); Jijon (2020); Maconachie & Hilson (2016); Hoque (2021); Eriksen & Mulugeta (2021)

<sup>162</sup> Cruz et al (2020); Eriksen & Mulugeta 2021

<sup>163</sup> Dillon (2015); Williams (2015)

<sup>164</sup> Engelbertink & Kolk (2021); Feasley (2016); Goldstein (2016)

<sup>165</sup> Engelbertink & Kolk (2021)

<sup>166</sup> Pasaribu & Vanclay (2021)

<sup>167</sup> Mark et al. (2021)

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highest number of interdisciplinary studies (4 records). The field of development studies was also well-represented in the review (21 records). Nevertheless, considering the large amount of records addressing child labour within the review, the number of records representing other fields of study such as psychology, economics, or sociology, remained limited. Records from fields such as medicine, public health, journalism, or media were absent. A more thorough understanding of child labour and children's rights would benefit from more interdisciplinary research.

## 4.8 Children in armed conflict

The involvement of children in armed conflict was addressed across 28 records (18.3%), 23 (15.0%) with substantive consideration and 5 (3.3%) with passing reference. A broad range of geographical locations were mentioned across the records, including African, American, European, Middle Eastern, and Asian countries. This suggests that recruitment practices are a worldwide concern. Records emphasised an increasing use of children in contemporary armed conflicts that harm children over time.<sup>168</sup> Armed conflict is considered to affect both child combatants and other children affected by sexual exploitation, violence, and displacement triggered by war. Records dealt with three core discussions.

First, the weaknesses in international humanitarian law and the international human rights frameworks to protect children from recruitment. The age range of protection provided in the Geneva Convention Protocol I (Art 77(2)),<sup>169</sup> which set the prohibition of recruitment of children under 15 years old and was reinforced by the UNCRC (Art 38), was considered to leave the most vulnerable age group unprotected—children aged 15 to 18 years old.<sup>170</sup> These records advocate for governments to increase the minimum age of recruitment to 18 years old, following the extended legal protection of the first Optional Protocol to the CRC on the involvement of children in armed conflict.<sup>171</sup>

The children’s rights framework is described as being concerned with recruitment as the initial point of deprivation of rights such as life, survival, development, health, care, protection, and education.<sup>172</sup> A connection between recruitment and risk factors such as poverty, ethnic, racial or religious characteristics was also noted in a small group of records, with children from low-income households described as prone to, or targets of, recruitment.<sup>173</sup> Waschefort explored the state’s duty of care regarding children lawfully recruited in the context of the UK, Canada, and Australia, finding, for example, a lack of specific legislative provisions for children in conflict with the military justice system, offering child-specific protection and processes.<sup>174</sup> The varying degrees and scope of legal protection to prevent children from being recruited allowed by these overlapping international prohibitions (international humanitarian law and international human rights law)<sup>175</sup>, seem to be a persistent problem that should be monitored through future research. According to Derluyn et al. the recruitment of children is overemphasised in the global

Figure 55. Publication date of S4RD records related to children in armed conflict

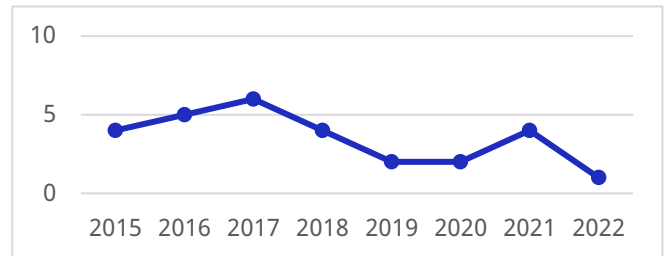


Figure 56. Discipline of publications



Figure 57. Research type

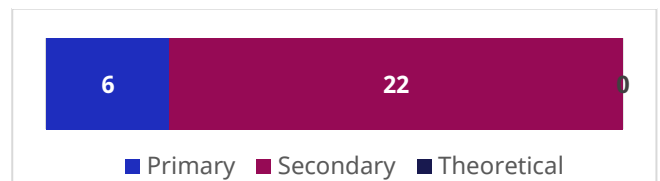
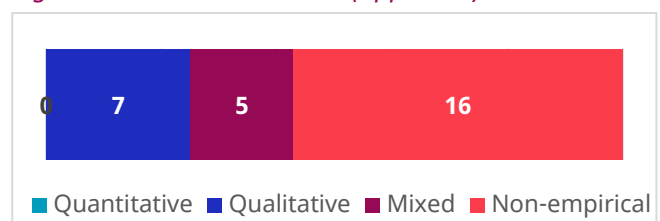


Figure 58. Research method (approach)



<sup>168</sup> Barret (2019); Roughley (2017); Souris (2022)

<sup>169</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977.

<sup>170</sup> Kononenko (2026); Waschefort (2016)

<sup>171</sup> Ferreira (2017); Kononenko (2016)

<sup>172</sup> Alzubairi (2021); Barret (2019)

<sup>173</sup> Garbarino et al. (2020); Harding & Kershner (2018)

<sup>174</sup> Waschefort (2016)

<sup>175</sup> Kononenko (2026); Waschefort (2016)

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humanitarian agenda, compared to issues of rehabilitation, reintegration, and reconciliation that need more consideration.<sup>176</sup>

Second, the complex dichotomy of children as both perpetrators and victims due to their participation in armed conflicts.<sup>177</sup> This was connected to broader discussions of children's rights such as agency and autonomy, the right to be heard, and a fair trial in the justice system. The perception of the child as a perpetrator, exercising agency, was presented as conflicting with their criminal responsibility for their actions. Garbarino and Waschefort reflect on the child rights framework, noting that the UNCRC incorporates both protection rights and children's agency.<sup>178</sup> The recognition of the children's evolving capacities does not replace the protective dimension of children's rights but rather holds this in tandem with recognition of children's agency and participatory rights. Due consideration of the children's unique vulnerabilities and need for protection, jurisdictions and means to deal with responsibility/prosecution, and the severity of penalties remain relevant and connected to juvenile justice as provided by the UNCRC (Art 40).<sup>179</sup> In this regard, Sampaio and McEvoy considered that criminal responsibility and punishment should be aimed at the adults responsible for the recruitment of children, since children should never be deemed legally able to make decisions to join belligerent forces, regardless of their age or level of maturity.<sup>180</sup> The records show that debates remain over the tensions between agency and accountability.

The rehabilitation, reintegration, and reconciliation of former child soldiers into society after leaving armed conflict was also a core, related, discussion topic. A perpetrator dimension was highlighted as particularly important for understanding a shift in perceptions of the child in the eyes of the community. Former child soldiers are considered a threat or danger which leads to stigma and social exclusion.<sup>181</sup> These issues were presented as areas where a combination of transnational justice, psychosocial approaches, and the children's rights framework must intertwine.<sup>182</sup> Neglecting either of these dimensions was seen to hamper the reintegration process of children with the psychological and physical assistance they need.<sup>183</sup> Victimhood was perceived as the dominant label in the children's rights framework, with the need to strike a balance between a victim or perpetrator approach highlighted.<sup>184</sup> Further, Chaney noted that the realisation of children's rights remains challenging in post-conflict settings, requiring closer monitoring.<sup>185</sup>

Thirdly, three records were concerned with practices that consider child soldiers as valid targets by opposing armed forces. This literature advocated for different treatment of children in both split-second and planned targeting operations. Records proposed greater protection for children, contesting national security and military effectiveness as an inevitable trade-off for enhanced protection.<sup>186</sup> These discussions were also concerned with child agency and the need for special protection. Appropriate guidelines on the use of force that could potentially spare the life of child combatants, what Barret calls the 'humanisation of the law of targeting', were considered to have the potential to advance the right to life.<sup>187</sup>

Records often referred to multiple interconnected violations of human rights.<sup>188</sup> Academic discussion at the intersection of children's rights and the involvement of children in armed conflict highlighted four rights as of particular concern – the rights to development, education, health, and the best interests of the child – identified as dominant themes in the review in similar proportions (14 or 15 records). The right to protection and the right to life, each with 12 records, are the next most frequently mentioned rights in this context. As discussed above, the right to be protected from recruitment with a clear and compatible legal framework is a key concern at this intersection. The right to life as a non-derogable right

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<sup>176</sup> Derluyn et al. (2015)

<sup>177</sup> Derluyn et al. (2015); Evans (2016); Martuscelli & Duarte Villa 2018

<sup>178</sup> Garbarino et al. (2020); Waschefort (2016)

<sup>179</sup> Alzubairi (2021); Derluyn et al. (2015); Kiyala (2021); Waschefort (2016)

<sup>180</sup> Sampaio & McEvoy (2016)

<sup>181</sup> Alzubairi (2021); Garbarino et al. (2020); Martuscelli & Duarte Villa 2018;

<sup>182</sup> Derluyn et al. (2015)

<sup>183</sup> Kiyala (2021)

<sup>184</sup> Derluyn et al. (2015)

<sup>185</sup> Chaney (2017)

<sup>186</sup> Alzubairi (2021); Barret (2019); Roughley (2017); Sampaio & McEvoy (2016)

<sup>187</sup> Barret (2019)

<sup>188</sup> Garbarino et al. (2020)

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continues to be protected during armed conflict,<sup>189</sup> often presented in the literature in connection with both the right to survival and development and the child’s dignity.<sup>190</sup> Souris explored the harms and impact of involvement in armed conflict on the life of a child, resulting in a ‘moral dystrophy’.<sup>191</sup> Conklin and Mason identified a spectrum of rights that apply distinctively to girl soldiers. The violation of the right to life of female children displayed a connection with sexual slavery since they are subjugated by fighting forces in the context of armed conflict, causing them infections such as HIV infections and maternal mortality.<sup>192</sup>

The number of records published over time relating to children in armed conflict remained relatively low. The highest number of records was published in 2017 (6 records) while in 2019 and 2020 only two records in the systematic review were published. Few studies addressed this form of exploitation by conducting primary research (6 records) whilst most of the records applied a secondary research type (22 records). Kiyala conducted a primary study, with a sample of 57 former child soldiers involved in the armed conflict in the Democratic Republic of Congo.<sup>193</sup> This study was the most robust on this topic, included in this review, and engaged deeply with the children’s rights framework. Kiyala’s study reflected on the difficulties of participants’ identification, especially in areas where conflicts are still active, and addressed reintegration and the rights to be heard, development, and non-discrimination, noting hopeful outcomes from a local jurisprudence through which child soldiers seek asylum and seem to achieve reconciliation.

The dominant discipline among these records was law (22 records), mostly from international law journals, three records addressed the topic from a development studies perspective, two are based on interdisciplinary studies and one is from the perspective of politics. The records show the importance of interdisciplinarity and combined efforts in both research and practice addressing children in armed conflict.

A number of records drew connections with children involved in criminal activities and organisations, and children involved in armed conflict. Atkinson-Sheppard investigated the exploitation of street children hired by ‘mastaans’, an organised crime group in Bangladesh, to commit a wide range of criminal activities (distribution of drugs, contract killings, money collection from extorsions, among others). Based on 80 interviews and three years of participant observation, she found that protection, support, and more autonomy were the main reasons for children’s involvement in the organisation, exerting a sort of ‘protective agency’.<sup>194</sup> Garbarino et al. also referred to children involved in gangs, arguing that their characteristics overlap with those of child soldiers, in terms of the attributes that make them prone to recruitment and the violence, discrimination and stigma they experience.<sup>195</sup> Therefore, they advocate for the framework of the CRC regarding child soldiers in armed conflict to be applied to children involved in gangs, highlighting the right to be protected from violence.

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<sup>189</sup> Conklin & Mason (2017); Sampaio & McEvoy (2016)

<sup>190</sup> Souris (2022)

<sup>191</sup> Souris (2022)

<sup>192</sup> Conklin & Mason (2017)

<sup>193</sup> Kiyala (2021)

<sup>194</sup> Atkinson-Sheppard (2017)

<sup>195</sup> Garbarino et al. (2020)

## 4.9 Domestic servitude

Domestic servitude was discussed in a total of 24 records (15.7%), 11 (7.2%) with substantive consideration and 13 (8.5%) with passing references. These records associated this form of modern slavery with child trafficking networks, child marriage, child labour, and child soldiers.

Records noted children being abused and exploited while being trafficked with the purpose of servitude,<sup>196</sup> in processes of intercountry adoptions,<sup>197</sup> and transnational marriages.<sup>198</sup> Children were sent by their parents to wealthier families to receive education (Benin), and to religious leaders due to religious beliefs or duties (Ghana and Togo).<sup>199</sup> Girls were found to be offered to religious leaders to become ‘wives’, subjected to sexual exploitation and domestic servitude throughout their lives (ritual slavery). Gyuracz suggested that ‘local’ forms of slavery do not receive sufficient attention from the international framework as contemporary forms of slavery.<sup>200</sup>

Records acknowledged that female children are particularly affected by domestic servitude.<sup>201</sup> They experience restrictions on the enjoyment of their child-specific rights as well as general civil and political rights, economic, social, and cultural rights, and women’s rights. For instance, during armed conflict, female children were reported to be subject to domestic servitude by fighting forces and assigned duties of a gender-stereotypical nature.<sup>202</sup> The overlapping harms and rights violations suffered by female children was highlighted, with age and gender causing a cumulative violation, suggesting a need to examine the intersectionality of children’s rights violations.<sup>203</sup>

Child domestic work was addressed in the context of the family sphere, with particular focus on work involving an abusive and harmful relationship. Child domestic work was considered to expose children to inhuman treatment, affecting their right to education and health, and entailing deprivation of food, adequate breaks, and sleep.<sup>204</sup> However, children’s domestic work was also analysed as a means of socialisation, with connotations that children’s engagement in domestic work does not automatically entail a violation of human rights.<sup>205</sup> Egan presented a robust analysis of domestic work within the European context, highlighting issues linked to the diversity of cultural perceptions of what constitutes acceptable work for children, the hidden nature of this form of modern slavery, and the ILO’s efforts to differentiate domestic work from helping-hand tasks.<sup>206</sup>

Figure 59. Publication date of S4RD records related to domestic servitude

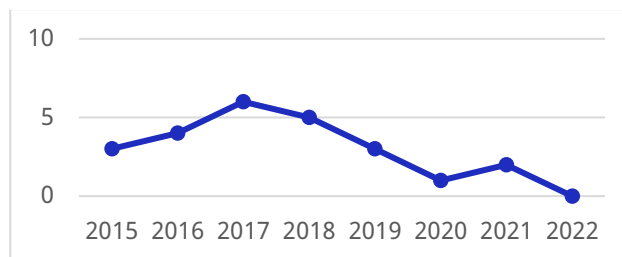


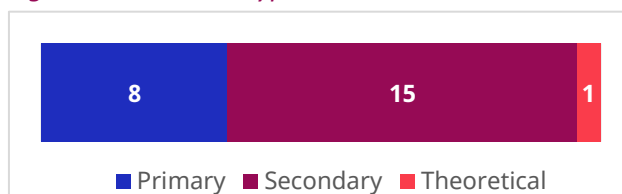
Figure 60. Discipline of publications



Figure 61. Research method (approach)



Figure 62. Research type



<sup>196</sup> Warria (2019)

<sup>197</sup> Kamaruddin & Mohd Zin (2021); Van Doore (2016)

<sup>198</sup> Božić (2017); Warria (2019)

<sup>199</sup> Gyuracz (2017)

<sup>200</sup> Idem

<sup>201</sup> Conklin & Mason (2017); Peleg (2018)

<sup>202</sup> Conklin & Mason (2017)

<sup>203</sup> Idem

<sup>204</sup> Peleg (2018); Donger & Bhabha (2018); Egan (2015); Kamaruddin & Mohd Zin (2021)

<sup>205</sup> Peleg (2018); Liebel (2015); Renzaho et al. (2018)

<sup>206</sup> Egan (2015)

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According to Peleg, the UNCRC (Art 32) overlooks domestic labour conducted by the child in the family context, placing greater attention on labour that takes place in the public sphere.<sup>207</sup> Both Gyuracz and Peleg argued that the Committee on the Rights of the Child needs to address the private family sphere of domestic work.<sup>208</sup> Chambi Mayta highlighted that the probabilities of children engaging in domestic work in Bolivia are higher among indigenous children, and especially those who migrate to urban settings.<sup>209</sup> Balagopalan and Donger and Bhabha criticised legal exceptions in India that allow children under 14 years of age to work in domestic spheres and family businesses, claiming that these exceptions leave room for exploitative practices.<sup>210</sup> Socioeconomic factors at the family level were presented as drivers of domestic servitude, and the inherent relationship with economic, social, and cultural rights was highlighted.

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<sup>207</sup> Peleg (2018)

<sup>208</sup> Gyuracz (2017); Peleg (2018)

<sup>209</sup> Chambi Mayta (2017)

<sup>210</sup> Balagopalan (2019); Donger and Bhabha (2018)



### 4.10 Forced begging

Only 6 (3.9%) records investigated forced begging as the core focus of analysis and 5 (3.3%) made passing reference, accounting for a total of 11 records (7.2%). These records associated child begging in all cases with child labour. Another strong association was seen in relation to child trafficking, dealing with children as either trafficked or adopted for this purpose or as orphans used as a profit-making tool.<sup>211</sup>

Three records had a geographical focus on Senegal,<sup>212</sup> and one record conducted a primary qualitative study with the participation of child beggars in Ghana (Dagbon).<sup>213</sup> This small group of records highlighted the exploitative conditions and risks child beggars face while on the streets, subject to abuse of strangers and adverse weather conditions. This type of modern slavery was considered to inflict psychological and physical harm on children, leading to the violation of children’s rights such as the right to education, food, hygiene, and health, among others.<sup>214</sup> The right to education was stressed in connection with this form of exploitation, with begging affecting children’s ability to focus on schoolwork and limiting access to the opportunities that education can provide in the long run.<sup>215</sup>

Cultural and religious contexts were identified as factors promoting child begging. In specific contexts, begging is a widespread practice (Nigeria)<sup>216</sup> and children are commonly given the responsibility to support their families (Ghana), which operates as a push factor. The influence of religion was illustrated in two of the studies with a focus on Senegal,<sup>217</sup> addressing the topic of ‘talibe’ beggars exploited by ‘marabouts’ (religious leaders). These children were sent by their parents to receive a religious education, with an expectation of positive socialisation for children, a religious reward, or simply due to parents lacking the means for formal education for their children. Due to the interconnected themes of, inter alia, religion, poverty, and culture, impacting children’s involvement in forced begging, and the range of effects of forced begging on children themselves, interdisciplinary research in this area would be beneficial.

Figure 63. Publication date of S4RD records related to forced begging

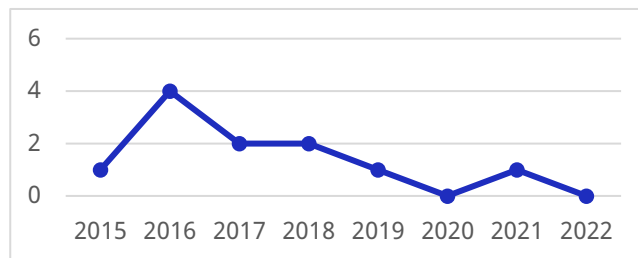


Figure 64. Discipline of publications

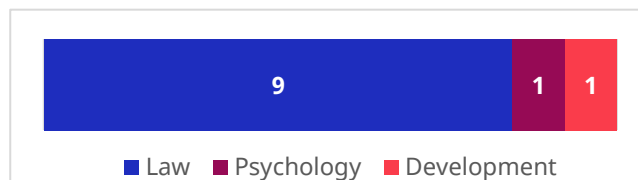


Figure 65. Research type

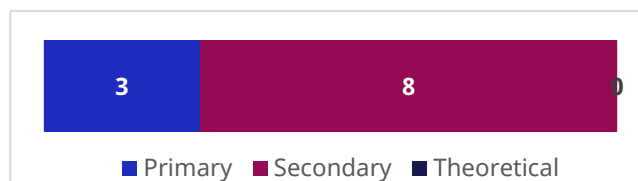


Figure 66. Research method (approach)



<sup>211</sup> Johnson (2015); Van Doore (2016); Warri (2017)  
<sup>212</sup> Fuchs (2019); Gyan Nyarko & Markfre Ekefre (2016); Zoumanigui (2016)  
<sup>213</sup> Fuseini & Daniel (2018)  
<sup>214</sup> Idem  
<sup>215</sup> Idem  
<sup>216</sup> Ogunniyi (2018)  
<sup>217</sup> Gyan Nyarko & Markfre Ekefre (2016); Zoumanigui (2016)

## 5 Child rights

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This section summarises the key findings in the review in relation to children’s rights. It offers a thorough analysis of twelve topics relating to children’s rights evidenced as key areas of discussion in the literature.

A wide range of different children’s rights were identified in S4RD records. An inductive coding process allowed for the introduction and coding of all rights referenced in the literature examined, resulting in the identification and examination of 29 distinct rights in connection with modern slavery. Figure 67 shows all rights considered. Rights-related discussions primarily addressed the rights to education (74.5%), health (62.1%), development (56.2%), the best interests of the child (50.3%), and non-discrimination (35.3%).

A closer examination of specific references to children’s rights as provided in the UNCRC framework revealed an emphasis on the right to respect the views of the child (Art 12) and of being protected from economic exploitation (Art 32), both presented in 33 records (see Table 6). This demonstrates that the literature has taken a significant interest in the voice and views of the child. The focus on the right to be protected from economic exploitation may be influenced by the dominant number of records in the S4RD dealing with child labour.

The best interests of the child was the second most referenced UNCRC right—considered across 31 records—affirming its significance in the literature on the intersection of modern slavery and children’s rights, likely also due to its position as a general principle of the UNCRC. There were also significant concerns regarding the right to be protected from violence, abuse, neglect, sexual abuse, and exploitation, as well as the right to non-discrimination, education, and health, all of which were mentioned in over 20 records. No S4RD records expressly refer to UNCRC provisions in relation to refugee children, or children from minorities or indigenous groups. Similarly, provisions in connection to child protection and preservation of identity, non-return of children, and family reunification were each covered in less than 6 records. This indicates that there is a significant gap in the literature considering the unique contexts and needs of specific groups of children.

The literature reviewed often either acknowledged the violation of children’s rights caused by modern slavery practices or included a general rights framework as an introduction. Few records conducted in-depth analysis of children’s rights and their intersections with modern slavery. Most sources listed the rights considered to be infringed upon by the practice, while few records proceeded to analyse their core connections and implications.

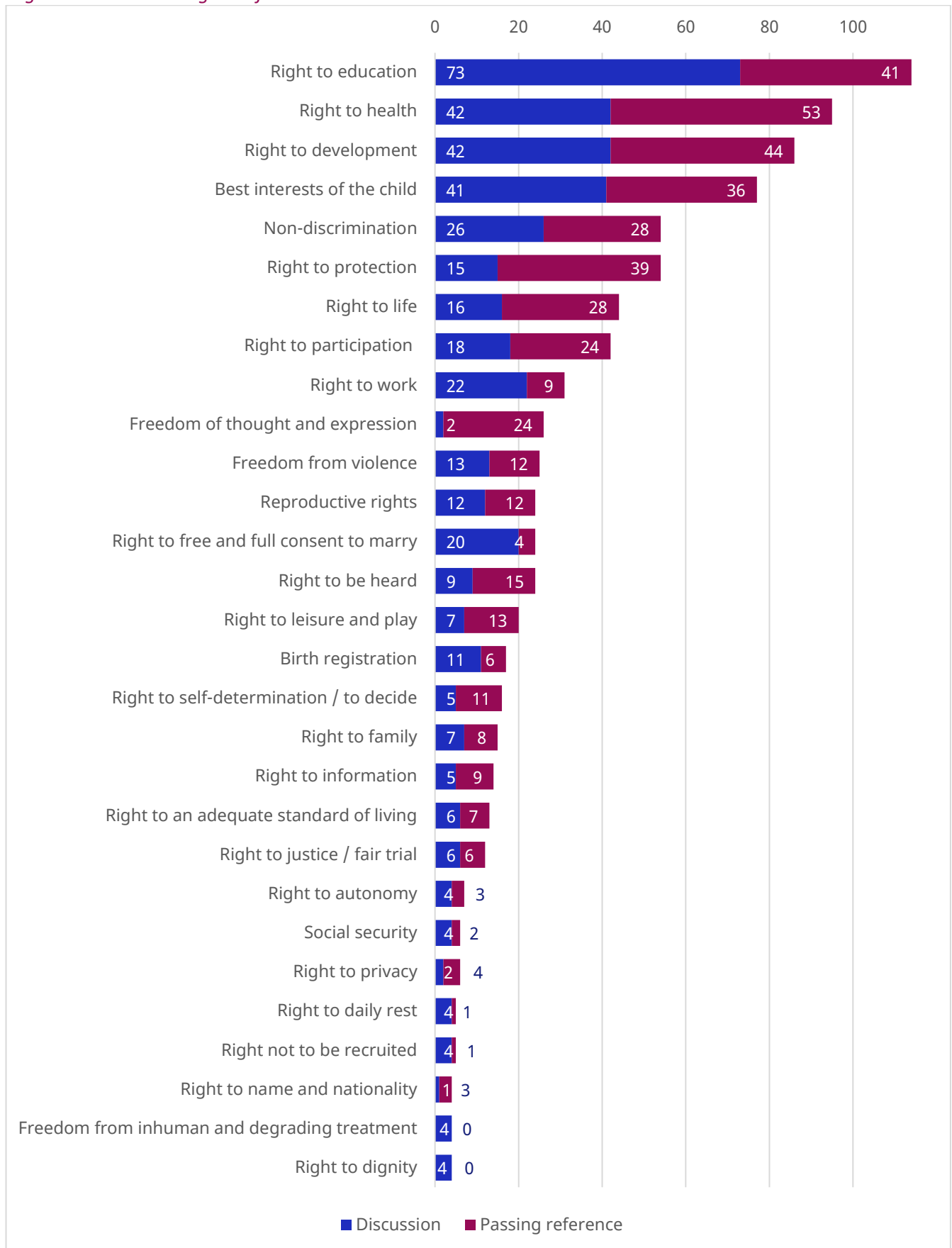
The African human rights system was relatively strongly represented in the evidence assessed, producing substantive discussions on the intersection of the modern slavery and children’s rights field. The European and Inter-American human rights systems, on the other hand, were less frequent in the review.<sup>218</sup> This may be due to the greater focus of attention on African countries across the records included the systematic review and the scope of the study which included records only in English (see Section 3.3.5).

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<sup>218</sup> Egan (2015) and Seatzu (2020)

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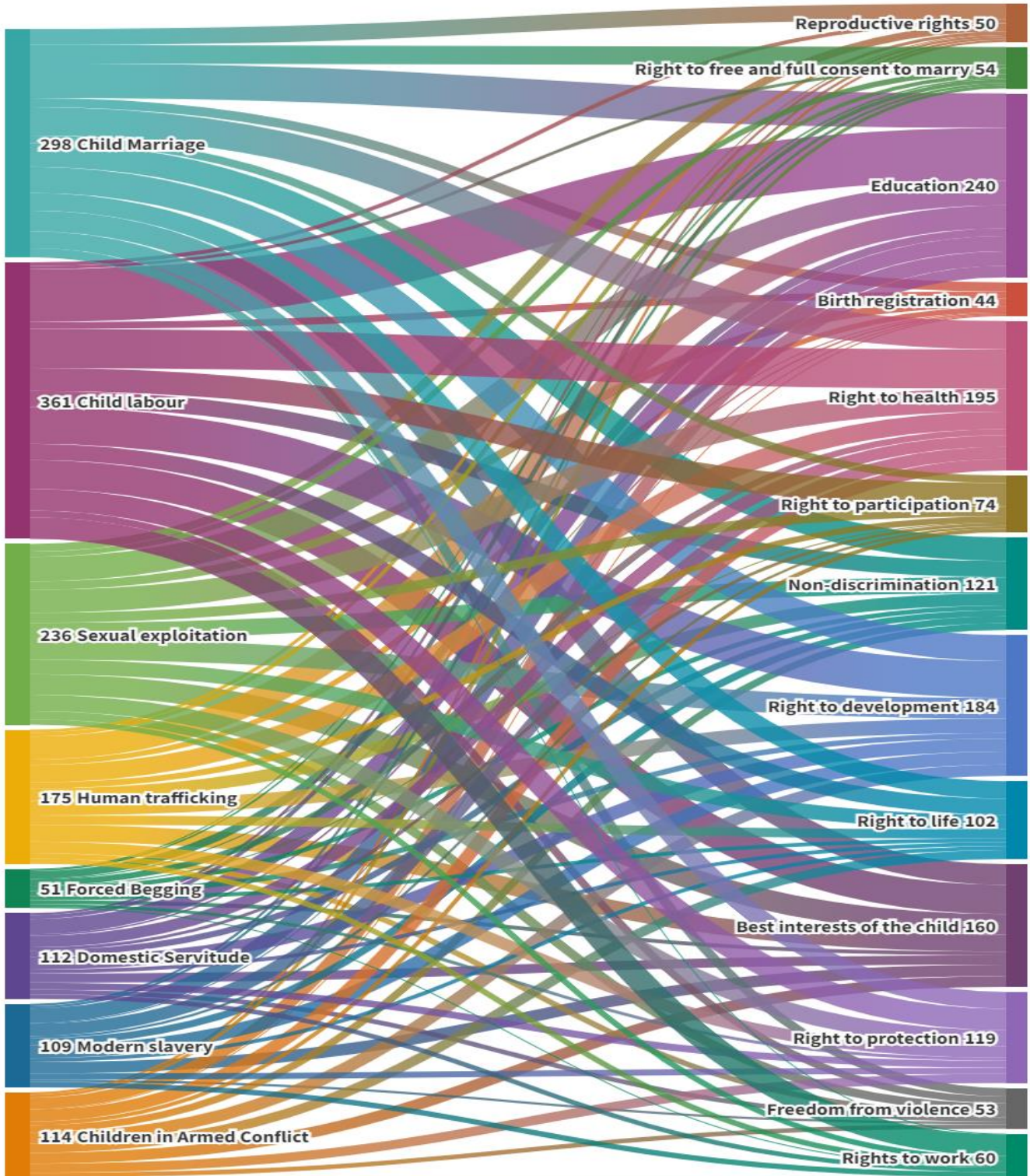
*Figure 67. Children's rights referenced in S4RD records*



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Figure 68. Intersections between rights referenced and modern slavery exploitation types<sup>219</sup>

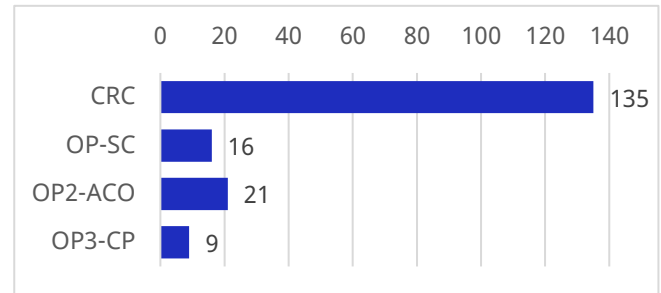


<sup>219</sup> Number of S4RD records at the intersection of different exploitation types and rights referenced. Visualisation inclusive of rights for which substantive discussion was identified in 10 or more S4RD records.

## 5.1 Consideration of the UN Convention on the Rights of the Child

A large proportion of records, a total of 135 (88.2%), acknowledged the UNCRC, and 92 (60.1%) refer to or discuss specific provisions. This shows that the UNCRC is a recognised global standard and the key international instrument on children’s rights. However, although the records for this evidence review were included under the criteria of the intersection between the two fields, modern slavery and children’s rights, almost 40% of the records did not fully engage with children’s rights contained in the UNCRC. The remaining 18 (11.8%) records where there was no reference to the UNCRC presented an array of disciplines: law (7 records), public health (2 records), development (6 records), sociology (2 records) and interdisciplinary (1 records). Whilst this may go some way to explaining the absence of reference to the UNCRC, it is surprising that 7 records within the field of law made no reference to the UNCRC. It also highlights a need to ensure wider appreciation and understanding of the relevance of children’s rights for addressing the modern slavery of children.

Figure 69. References to the UN Convention on the Rights of the Child and its Optional Protocols in S4RD records



Some records critiqued the value of the UNCRC. Fontana and Grugel considered the UNCRC to be insufficient to catalyse change.<sup>220</sup> The language of the UNCRC was criticised for not taking a firm stance in some areas such as: the omission to prohibit child marriage or establish the minimum age for marriage; the exclusion of child labour; ambiguity regarding local culture; the contradiction between the age of a child (Art 1) and the age considered in the prohibition of recruitment (Art 38).<sup>221</sup> However, this was also seen as a strength that allows for flexibility and contextualisation in its enforcement across countries and contexts.<sup>222</sup> The compatibility of UNCRC values and varying local and cultural contexts was perceived as a challenge.<sup>223</sup>

Evidence suggested that in striving to achieve compatibility with the UNCRC framework, concepts and discourses are adapted to respond to the particularities of socio-cultural and socio-economic contexts. This adaptation is driven by grassroots movements, civil society, or the judiciary.<sup>224</sup> As a dominant framework, the children’s rights framework has become a central tool for actors. For example, Taft, based on a primary qualitative study conducted in Peru, argued that local movements sometimes utilise the language of children’s rights when seeking support from major international children’s NGOs.<sup>225</sup>

The legal definition of a child within the UNCRC was a core discussion due to its implications for the protection of children from forms of exploitation. The literature underpinning these claims referred to the UNCRC’s view of children as a homogenous group portraying a universal image of a child, and the use of chronological age to convey legal rights.<sup>226</sup> The main concern expressed in these records was that the transition from childhood to adulthood is embedded in tradition and culture, and this does not necessarily align with the definition of a child under the UNCRC.<sup>227</sup>

An examination of references in the literature to the three optional protocols to the Convention on the Rights of the Child revealed minimal interaction with the optional protocols (see Figure 69). The *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict* was the most referenced across the records, representing 21 (18.95%), reflecting the number of records that dealt with this type of exploitation (28 - 18.3%). These records mainly

<sup>220</sup> Fontana & Grugel (2015)

<sup>221</sup> Addaney & Azubike (2017); Chinyere Anozie et al. (2018); Fontana & Grugel (2015); Menz (2016)

<sup>222</sup> Adonteng-Kissi (2020) and (2021)

<sup>223</sup> Adonteng-Kissi (2021); Amusan (2018); Bal (2017); Deane (2021); Enemo (2022); Fontana & Grugel (2015); Johnson (2015); Ogunniyi (2018)

<sup>224</sup> Fuchs (2019); Horii, 2019

<sup>225</sup> Taft (2019).

<sup>226</sup> Adhikari & Turton (2020); Al-Hakami & McLaughlin (2016); Peleg (2018)

<sup>227</sup> Koomson & Abdulai (2021)

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recognised the effort of the protocol to establish the age for lawful recruitment at 18 years old, to enhance protection for girls from sexual exploitation in armed conflict, and to address obligations for non-state actors.<sup>228</sup> Other topics of discussion involved the voluntary recruitment of children with parental or guardian consent; the capacity of children to join belligerent forces; the narrow focus on both recruited children and children in active hostilities, instead of a focus on child victims in need of physical and psychological assistance for their recovery (Art 6); an absence of scrutiny on the nature of other recruitment practices; and the differences between states’ armed forces and armed groups in the recruitment of children under 18 (Art 4(1)).<sup>229</sup>

Given the specialised content of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and its relevance to the topic of this review, the negligible engagement with this protocol was unexpected with representing only 16 (10.4%) records addressing this Optional Protocol. The Optional Protocol was praised as having corrected the qualifications of forms of exploitation and abuse within the UNCRC, leading to an extension of the rights and means of protection for child victims.<sup>230</sup> The discussions that considered the content of this protocol were connected primarily to child trafficking, sexual exploitation, and child marriage. Reference to this protocol was often included within a description of the international child rights framework, with no further analysis. This exposes a lack of meaningful interaction between the fields of children’s rights and modern slavery.

The *Optional Protocol to the Convention on the Rights of the Child on a communications procedure* (OP3) was the least addressed, representing only 9 (5.8%) records in the review. All of these records were papers from specialised children’s rights or international criminal law journals. The records presented OP3 as a significant advancement increasing the potential of child rights enforcement, compliance from State Parties, and positive influences on litigation, even in non-ratifier countries,<sup>231</sup> although with some degree of criticism regarding delays, costs, and a lack of distinctiveness from other mechanisms, taking into account children’s needs and collective petitions.<sup>232</sup> The communications mechanism of the African Committee of Experts on the Rights and Welfare of the Child was considered to significantly supersede the scope and powers of the UNCRC communications procedure in relation to clarity and the participation of children and others.<sup>233</sup> None of the records tracked or analysed complaints, admissibility or overarching comments regarding the exploitation of children under the UNCRC OP3 mechanism. Nyarko and Ekefre analysed a decision by the African Committee related to child trafficking, with a particular focus on children’s rights standards.<sup>234</sup>

**Table 6. Summary of UN Convention on the Rights of the Child provisions and S4RD references<sup>235</sup>**

Art	Content	Summary	S4RD
1	Definition of the child	Everyone under the age of 18 has all the rights in the Convention.	19
2	Non-discrimination	The Convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background.	25
3	Best interests of the child	The best interests of the child must be a top priority in all decisions and actions that affect children.	31
4	Implementation of the Convention	Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children’s rights.	10
5	Parental guidance and a	Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully	10

<sup>228</sup> Kononenko (2016); Maloney (2021); Waschefort (2016)

<sup>229</sup> Derluyn et al. (2015); Harding & Kershner (2018); Sampaio & McEvoy (2016)

<sup>230</sup> Johnson (2015); Warri (2017)

<sup>231</sup> Binford (2018); Maloney (2021)

<sup>232</sup> Johnson (2015); Paré & Chong (2017)

<sup>233</sup> Nyarko & Ekefre (2016); Johnson (2015)

<sup>234</sup> Nyarko & Ekefre (2016)

<sup>235</sup> Summaries for all provisions except articles 43 and 44 drawn from UNICEF, ‘A Summary of the UN Convention on the Rights of the Child’, available [here](#).

	child’s evolving capacities	enjoy their rights. This must be done in a way that recognises the child’s increasing capacity to make their own choices.	
6	Life, survival, and development	Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.	18
7	Birth registration, name, nationality, care	Every child has the right to be registered at birth, to have a name and nationality, and, as far as possible, to know and be cared for by their parents.	10
8	Protection and preservation of identity	Every child has the right to an identity. Governments must respect and protect that right, and prevent the child’s name, nationality or family relationships from being changed unlawfully.	3
9	Separation from parents	Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this could cause them harm	6
10	Family reunification	Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child’s parents live apart in different countries, the child has the right to visit and keep in contact with both of them.	4
11	Abduction and non-return of children	Governments must do everything they can to stop children being taken out of their own country illegally by their parents or other relatives, or being prevented from returning home.	6
12	Respect for the views of the child	Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child’s day-to-day home life.	33
13	Freedom of expression	Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law	10
14	Freedom of thought, belief, and religion	Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.	9
15	Freedom of association	Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.	2
16	Right to privacy	Every child has the right to privacy. The law should protect the child’s private, family and home life, including protecting children from unlawful attacks that harm their reputation.	7
17	Access to information from the media	Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.	8
18	Parental responsibilities and state assistance	Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.	7
19	Protection from violence, abuse. And neglect	Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.	27
20	Children unable to live with their family	If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is	1

		provided with alternative care that is continuous and respects the child’s culture, language and religion.	
21	Adoption	Governments must oversee the process of adoption to make sure it is safe, lawful and that it prioritises children’s best interests. Children should only be adopted outside of their country if they cannot be placed with a family in their own country.	4
22	Refugee children	If a child is seeking refuge or has refugee status, governments must provide them with appropriate protection and assistance to help them enjoy all the rights in the Convention. Governments must help refugee children who are separated from their parents to be reunited with them.	0
23	Children with a disability	A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.	4
24	Health and health services	Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. Richer countries must help poorer countries achieve this.	21
25	Review of treatment in care	If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.	3
26	Social security	Every child has the right to benefit from social security. Governments must provide social security, including financial support and other benefits, to families in need of assistance.	5
27	Adequate standard of living	Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their development. Governments must help families who cannot afford to provide this.	8
28	Right to education	Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children’s dignity and their rights. Richer countries must help poorer countries achieve this.	21
29	Goals of education	Education must develop every child’s personality, talents and abilities to the full. It must encourage the child’s respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.	8
30	Children from minority or indigenous groups	Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.	0
31	Leisure, play, and culture	Every child has the rights to rest, leisure, recreation and play, and to participate in cultural life and the arts.	13
32	Child labour	Governments must protect children from economic exploitation and work that is dangerous or might harm their health, development or education. Governments must set a minimum age for children to work and ensure that work conditions are safe and appropriate.	33
33	Drug abuse	Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs.	3
34	Sexual exploitation	Governments must protect children from all forms of sexual abuse and exploitation.	22
35	Abduction, sale, and trafficking	Governments must protect children from being abducted, sold or moved illegally to a different place in or outside their country for the purpose of exploitation.	15



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36	Other forms of exploitation	Governments must protect children from all other forms of exploitation, for example the exploitation of children for political activities, by the media or for medical research.	10
37	Inhumane treatment and detention	Children must not be tortured, sentenced to the death penalty or suffer other cruel or degrading treatment or punishment. Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible. They must be treated with respect and care, and be able to keep in contact with their family. Children must not be put in prison with adults.	2
38	War and armed conflicts	Governments must not allow children under the age of 15 to take part in war or join the armed forces. Governments must do everything they can to protect and care for children affected by war and armed conflicts.	12
39	Recovery from trauma and reintegration	Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.	7
40	Juvenile justice	A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to legal assistance and a fair trial that takes account of their age. Governments must set a minimum age for children to be tried in a criminal court and manage a justice system that enables children who have been in conflict with the law to reintegrate into society.	8
41	Respect for higher national standards	If a country has laws and standards that go further than the present Convention, then the country must keep these laws.	0
42	Knowledge of rights	Governments must actively work to make sure children and adults know about the Convention.	2
43	Committee on the Rights of the Child	Establishes the Committee on the Rights of the Child and associated procedures.	0
44	Reports to the Committee	States undertake to submit reports to the Committee within 2 years of entry into force and every 5 years thereafter.	1
45	UNICEF	UNICEF can provide expert advice and assistance on children’s rights.	1

## 5.2 Right to education

The right to education, as part of both the child rights and general human rights frameworks, is the most referenced right across all records, representing a total of 114 (74.5%) records, with 73 records making substantive mentions and 41 records with passing references. The right to education mentioned expressly in the context of Article 28 of the UNCRC was referenced in 21 (22.8%) records (Table 5).

Lack of education was dealt with as both a driving factor into exploitation and a result of exploitation. Although the right to education relates to all types of exploitation, engagement with the right across literature in this review linked to forms of exploitation as follows: child labour (69 records), child marriage (45 records), sexual exploitation (32 records), child trafficking (30 records), domestic servitude (20 records), children in armed conflict (15 records) and forced begging (10 records). This order mostly mirrors the predominant modern slavery frames across the review. Despite acknowledgement of legal recognition of the right to free and compulsory education for children across different jurisdictions, a lack of access to education is considered an endemic cause of child exploitation.<sup>236</sup> The lack of enforcement of children’s rights, and other externalities such as civil wars, mass displacement, pandemics, disasters, and social attitudes were considered to hamper the realisation of the right to education.<sup>237</sup>

The literature that looked at how child labour and the right to education interacted was divided into two theoretical camps that, given their differences in claims and geographic foci, appear irreconcilable. First, in line with an abolitionist framework, emphasis was placed on the ways in which engaging in work deprives children of their right to education, as labour leads to fatigue that in turn removes the child’s ability to engage with schoolwork, alongside an increased loss of interest in education.<sup>238</sup> Children’s performance was described as suffering as a result of engaging in work and spending less time in school, limiting their chances of excelling in formal education, with consequences on their long-term opportunities.<sup>239</sup> Evidence suggested that extreme tiredness from labour affects the child’s performance, although with low rates of school dropouts (Mexico).<sup>240</sup> It was also shown that whilst parents possess awareness of the child’s right to education (Bangladesh) they may still send their children to work due to the constraints of their socio-economic conditions.<sup>241</sup> Second, conversely, several records underlined the compatibility of education and child work. In some instances, work was described as enabling children to pursue education as their income was used towards their schooling.<sup>242</sup> For example, some empirical studies found that children use their earnings from prostitution (Malawi) and gold mining (Ghana and Sierra Leone) to

Figure 70. Publication date of SARD records related to the right to education

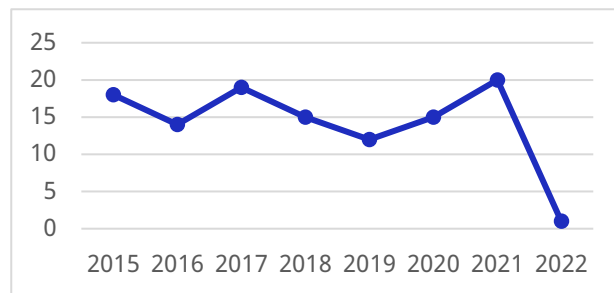


Figure 71. Discipline of publications

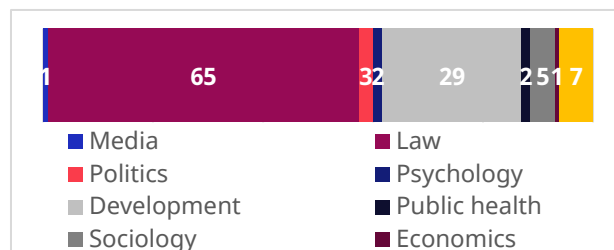


Figure 72. Research type

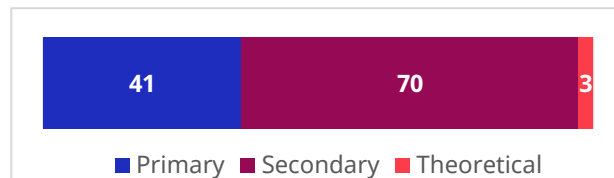
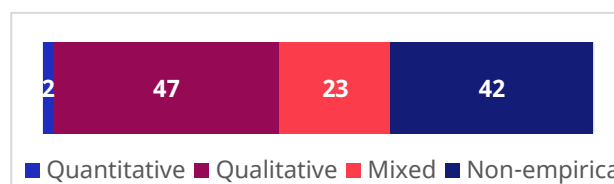


Figure 73. Research method (approach)



<sup>236</sup> Donger & Bhabha (2018); Ezeibe (2021); Fuseini & Daniel (2018)

<sup>237</sup> Evans (2016); Nguye (2017); Sacco et al. (2015)

<sup>238</sup> Azhar (2015); Cruz et al (2020); Fuseini, T. & Daniel (2018); Ramos (2018)

<sup>239</sup> Fuseini, T. & Daniel (2018)

<sup>240</sup> Cruz et al. (2020)

<sup>241</sup> Islam et al. (2015)

<sup>242</sup> Hoque (2021); Liebel (2015); Maconachie & Hilson (2016); Mason et al. (2019); Osei-Tutu & Tatek (2019) Verdoodt (2019)

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pay school fees and complete their education.<sup>243</sup> Literature on the right to education also presented nuances in relation to child labour and indigenous educational methods considered acceptable by the local community,<sup>244</sup> and the conflict between educational goals and values promoted by a mainstream curriculum and children’s identities, for example, as farmers and fishermen<sup>245</sup>.

Infringement of the right to education in the case of child marriage involved two key discussions. First, education was viewed as a preventive and empowerment tool providing young girls with future prospects and knowledge to make informed decisions about the course of their own lives, reducing their need to depend upon a spouse.<sup>246</sup> McCleary-Sills et al. examined several empirical studies and found an association with education and the prevention of child marriage has been a key focus of empirical research, with practical insights on policy and programme implementation.<sup>247</sup> Second, constraints on realising the right to education deepen after marriage and further entrench child brides into poverty, violence and inequality, with child marriage resulting in school dropouts.<sup>248</sup> Further, the right to education was seen to be affected by cultural biases in societies where girls are considered less valuable than boys.<sup>249</sup>

In the context of child trafficking, empirical research in Nigeria and the United States showed that upholding the right to education through provision of free education programmes and raising awareness of child trafficking through classroom curricula has an impact on reducing child trafficking.<sup>250</sup> Other discussions pointed to a loss of interest in education when children fail to see the potential or actual rewards of education in the context within which they live;<sup>251</sup> the adoption of education programmes to face emerging challenges deriving from pandemics, emergencies and disasters such as Covid19;<sup>252</sup> and the importance of measuring both enrolment and attendance.<sup>253</sup> Literature at the intersection of modern slavery and children’s rights appears to engage most greatly with the preventive role of education against exploitation, whilst ensuring the right to education or adapting the means with which to fulfil the right after exploitation is barely addressed, with few exceptions.<sup>254</sup>

Except for 2022, which does not reflect the entire year, the number of sources that addressed the right to education presented a steady engagement with the topic over time, ranging between 12 to 20 recordings per year. Although law (64 records) was the dominant field of study among records that addressed this right, the right to education was discussed across multiple disciplines with development noted as the second most dominant field (29 records). Records in this category included the highest number of interdisciplinary records (7 records). Although primary research was strongly represented (41 records), secondary studies were the most common research type amongst records mentioning the right to education (70 records). The majority of these studies employed empirical methods (72 records), primarily qualitative studies.

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<sup>243</sup> Charnley & Nkhoma (2020); Maconachie & Hilson (2016); Osei-Tutu & Tatek (2019)

<sup>244</sup> Adonteng-Kissi (2020)

<sup>245</sup> Sackey & Johannesen (2015)

<sup>246</sup> Addaney & Azubike (2017); Deane (2021); Diala (2019); Addaney & Azubike (2017)

<sup>247</sup> McCleary-Sills et al. (2015)

<sup>248</sup> Arab & Sagbakken (2019); Božić (2017); Kitson (2016); Menz (2016); Msuya (2020); Nahamya (2017) Warria (2019)

<sup>249</sup> Addaney & Azubike (2017)

<sup>250</sup> Ezeibe (2021); Scott et al. (2019)

<sup>251</sup> Bolten (2018)

<sup>252</sup> Bouah & Sloth-Nielsen (2021)

<sup>253</sup> Pandey & Gautam (2015)

<sup>254</sup> Evans (2016)

### 5.3 Right to health

The right to health was the second most frequently referenced right across the records, accounting for 95 (62.1%) of all records, 42(27.5%) with substantive consideration and 53 (34.6%) with passing reference. In addition, 21 (13.7%) of these records expressly referenced the right to health (Article 24) in the context of the UNCRC provision (Table 6).

Child labour, as the dominant frame in the review, showed the highest connection with this right. A total of 51 records in the review addressed the health risks that arise from children engaging in labour. These records were concerned with children working in the worst conditions; the risks attached to their activity; the increased probability of injuries or illness; and unpredictable schedules that make it difficult for children to maintain healthy eating, sleeping, and leisure habits.<sup>255</sup> Ramos’s study, which focused on the US, Kazakhstan, and Malawi, examined the health implications of children working in tobacco fields and their exposure to long hours, toxins, extreme weather conditions, and other factors leaving them vulnerable to chronic illnesses, cancer, and reproductive difficulties.<sup>256</sup>

The second most significant link found was in relation to child marriage, accounting for a total of 37 records in the review. 68.5% of the records addressing child marriage were concerned with issues of mental and physical health and gender-related health problems, such as genital injuries deriving from forced sexual acts (marital rape) and other incidents such as early pregnancy, infant mortality, or HIV/AIDs.<sup>257</sup>

30 records addressed both the right to health and sexual exploitation, overlapping with other forms of exploitation such as child marriage, child soldiers and child trafficking. Records addressing the latter emphasised mental health, the harm of re-traumatisation in police proceedings, and the recovery and reintegration of children requiring specialised health services.<sup>258</sup> Finally, 15 records dealt with children in an armed conflict and the right to health, referencing the sexual abuse and physical and psychological harm to children during and post-conflict.<sup>259</sup> Conklin and Mason addressed public health and female child soldiers, reflecting on both physical (e.g. cervical tearing, infections and birth complications) and mental health traumas, as well as the health issues emerging from post-conflict marginalisation (e.g. malnutrition) and their struggle to have a means of survival.<sup>260</sup>

Figure 74. Publication date of S4RD records related to the right to health

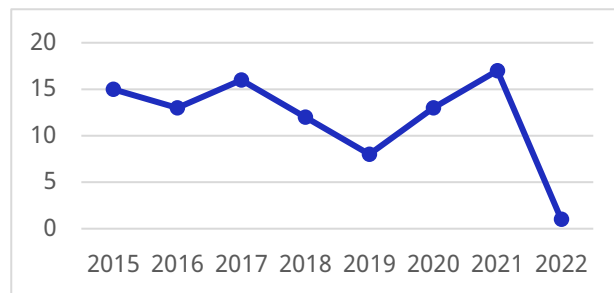


Figure 75. Discipline of publications

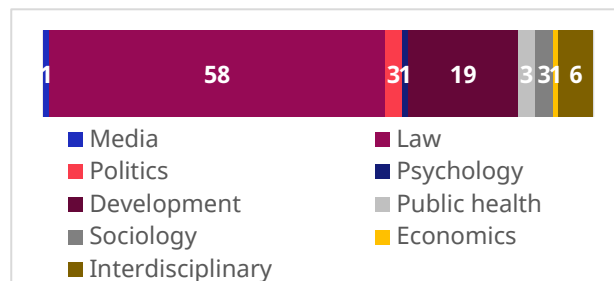


Figure 76. Research type

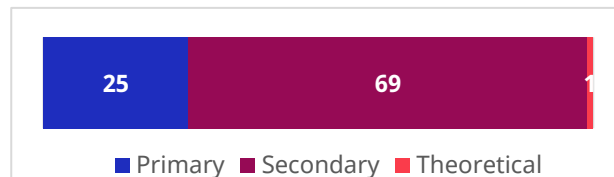


Figure 77. Research method (approach)



<sup>255</sup> Chambi Mayta (2017); Chaney (2017); Cruz (2020); Fuseini & Daniel (2018); Williams (2015)

<sup>256</sup> Ramos (2018)

<sup>257</sup> Akter et al. (2021); Chinyere Anozie et al. (2018); Conklin & Mason (2017); Diala (2019); Mukum (2020); Nahamya (2017); Warri (2019)

<sup>258</sup> Donger and Bhabha (2018); Muraya & Fry (2016)

<sup>259</sup> Darwa (2015)

<sup>260</sup> Conklin & Mason (2017)

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Although the records in this section addressed children’s rights violations, analysis was limited. The sources that looked into the right to health in greater depth focused on the UNCRC or compliance with children's rights rather than a specific form of exploitation,<sup>261</sup> or were published in specialised journals with a strong focus on health.

Engagement with the right to health across the records within the review remained constant over time, with modest declines in 2019 and 2022, the latter of which is not representative of the full year. Law was the dominant field of study represented under this theme (57 records), followed by development (19 records), whilst the remaining records relate to other fields such as politics, psychology, public health, journalism, economics, sociology, and interdisciplinary studies. Secondary studies were the most common research type amongst these records (69 records), although primary research was strongly represented (25 records). Most studies utilised empirical methods (57 records), primarily qualitative and mixed studies.

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<sup>261</sup> Chaney (2017a) and (2017b)

## 5.4 Right to survival and development

The right to survival and development as part of the wider human rights framework is referenced throughout a total of 86 records (56.2%), 42 with substantive comment and 44 with passing references. Engagement with right traversed all forms of modern slavery but showed a significant connection with child labour (48 records); child marriage (34 records); sexual exploitation (27 records), child trafficking (19 records), domestic servitude (17 records) and children in armed conflict (15 records). References to sexual exploitation often overlapped with child marriage and child trafficking.

The right to survival and development is regarded as a necessary precondition for the enjoyment of other rights.<sup>262</sup> Realisation of the right enables children to reach their full physical, cognitive, spiritual, ethical, psychological, and social potential.<sup>263</sup> Children are considered to be in a unique developmental stage, requiring enhanced protection in order to fully realise their rights.<sup>264</sup> Under this view, children are kept away from certain spaces with the aim to protect their future development in their path to becoming capable adults.<sup>265</sup>

Peleg criticised dominant understandings of development, as well as the uncontroversial language used in the UNCRC, suggesting that it assumes one common pathway to development, undermining children’s varied experiences of childhood across the globe as well as their different physical and mental needs.<sup>266</sup> Children’s individual traits (e.g., gender, age, race, ethnicity, etc.) as well as contextual factors (e.g., class, education, poverty, social background, or culture) affect their capabilities.<sup>267</sup> In reference to modern slavery, this discussion related to restrictions within the child rights framework on children’s involvement with work, arguing that these do not always reflect appropriate levels of protection or the ways in which children wish to be protected, ignoring their current existence as human beings.<sup>268</sup>

Children’s engagement in work was not considered as automatically harmful to their development, if it does not interfere with their education and health.<sup>269</sup> Conversely, these activities can be viewed positively as contributing to their development and preparing children to be valuable members of society.<sup>270</sup> The literature suggested that whilst in some cultures children are expected to contribute to the household income and be assigned chores, the impact of this can affect their development in varying degrees, according to social

Figure 78. Publication date of S4RD records related to the right to survival and development

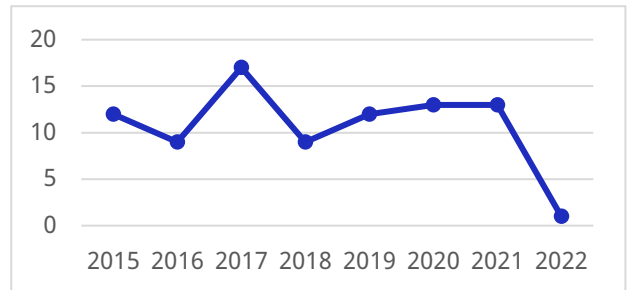


Figure 79. Discipline of publications

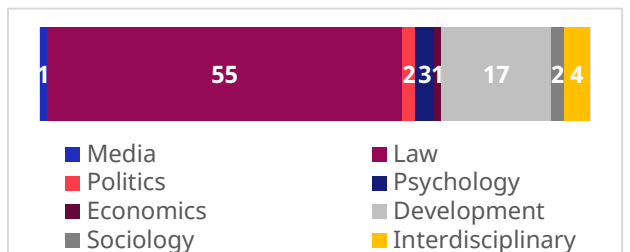


Figure 80. Research type

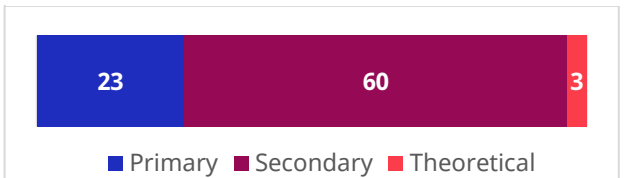
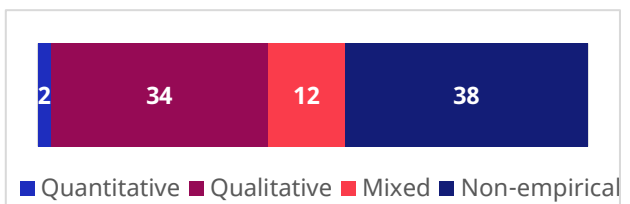


Figure 81. Research method (approach)



<sup>262</sup> Gyan Nyarko & Markfre Ekefre (2016)

<sup>263</sup> Mwambene & Mawodza; Pasaribu & Vanclay (2021)

<sup>264</sup> Liebel (2021); Sacco et al. (2015)

<sup>265</sup> Peleg (2018)

<sup>266</sup> Peleg (2018)

<sup>267</sup> Peleg (2018); Waschefort (2016)

<sup>268</sup> Peleg (2018)

<sup>269</sup> Adonteng-Kissi, O. 2020; Arifin et al. (2020); Bolten (2018); Lubaale (2015); Cruz et al (2020); Eriksen & Mulugeta 2021; Gasson et al. (2015); Koomson & Abdulai (2021); Pasaribu & Vanclay (2021); Sackey & Johannesen (2015)

<sup>270</sup> Pasaribu & Vanclay (2021)

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expectations and context.<sup>271</sup> The literature indicated that long-term effects on children’s development caused by stressors, both psychological and physical may seem clearer in cases of child begging.<sup>272</sup> Regarding ILO standards, the literature considered that distinctions between light work, child labour and hazardous work were not clear-cut.<sup>273</sup>

Child marriage was recognised as jeopardising the overall health and development of children.<sup>274</sup> The child’s right to develop their personality and skills was considered to be violated in child marriage, exposing them to different forms of exploitation and affecting their social, sexual, and psychological development.<sup>275</sup> Mukum, based on research in Tanzania and Zimbabwe, identified child marriage as a source of missed opportunities for girl-children to grow up and evolve into key contributors to their communities and political life.<sup>276</sup>

A strong relationship was found of records addressing both child trafficking and the violation of the right to development. When children are trafficked, they are subjected to neglect, physical, psychological, and sexual abuse, and experience deprivations of education, care, affection, safety, and cultural affiliation, related to core developmental needs.<sup>277</sup> Due to the developmental processes involved in childhood, reintegration services should be specialised for children.<sup>278</sup>

In some cases, realisation of the rights of survival and development drives children to willingly engage in modern slavery practices in the pursuit of other goals. Survival and development rights are strongly related to economic, social, and cultural rights, and understandings of the development of children are embedded in their social, historical, cultural, and political contexts.<sup>279</sup> Records pointed to a lack of physical and emotional support, and socio-economic structural factors, leading to the under-development of children and threatening their survival, increasing their vulnerability to become victims of criminal activities.<sup>280</sup> However, this discussion was limited in the evidence reviewed.

Whilst the right to survival and development are strongly associated with the right to life, safeguarded within the same provision under the UNCRC, these rights were not always treated together in the records. Among records that expressly referred to UNCRC provisions, the right to life (Art 6) was mentioned across 18 of them.

The number of sources dealing with the right to survival and development has been relatively consistent over time, peaking in 2017 (17 records) The most common field of study was law (55 records), followed by development studies (17) Few studies in this section focused on other fields, and there were no records from the fields of medicine or public health. Secondary studies were most common among records addressing the right to survival and development (60 records) although primary research was also well represented (23 records). Empirical methods were the predominant research approach (48 records), most of them qualitative studies, whilst the remaining studies (38 records) applied non-empirical methods.

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<sup>271</sup> Waschefort (2016).

<sup>272</sup> Fuseini & Daniel (2018)

<sup>273</sup> Idem

<sup>274</sup> Mwambene & Mawodza (2017) in reference to the CRC Committee’s General Comment No. 13 of 2011

<sup>275</sup> Diala (2019); Kitson (2016); Mukum (2020); Mwambene & Mawodza (2017)

<sup>276</sup> Mukum (2020)

<sup>277</sup> Warria (2017)

<sup>278</sup> Idem

<sup>279</sup> Al-Hakami & McLaughlin (2016); Scolaro et al. (2015)

<sup>280</sup> Atkinson-Sheppard (2017; Van Coller (2020)

## 5.5 Best interests of the child

The best interests of the child was referenced in the review across 77 records (50.3%), 41 records with substantive reference and 36 with passing reference. The best interests of the child was referred to as a guiding principle for antislavery and anti-trafficking law and policy. Article 3 of the UNCRC, the text that provides for this right, was among the most referenced provisions within the records that specifically addressing the UNCRC framework, representing 31 (33.6%) records.

Key intersections with this right were identified in relation to child labour (38 records), child marriage and sexual exploitation (both with 27 records), child trafficking (22 records), children in armed conflict (14 records), domestic servitude (12 records) and forced begging (5 records).

The core theoretical discussions in the literature focused on the broad meaning of the best interests principle, that it may be variably applied and understood across contexts, what comprises the best interests of the child, and the limits of parental authority in deciding what is best for the child under their rights and duties recognised in the UNCRC (Arts 5 and 14 (2)).

The best interests principle, as a concept, was shown to carry different meanings for families and communities that encourage children to engage in practices that may be exploitative in the belief that it serves the well-being and best interests of the child. In the review, this was seen in relation to child labour and child marriage. Preparing children for work through indigenous educational methods was believed to contribute positively to the overall development of the child, and viewed as the foundation for them to learn to cooperate with others and be good citizens and members of their community.<sup>281</sup> This was seen in studies with geographical focus on Ghana, Indonesia, Northern Sierra Leone and Mexico.<sup>282</sup> In relation to child marriage, key discussions focused on parental consent and whether child marriage can ever be considered to be in the best interest of the child,<sup>283</sup> alongside discussion of the multiple drivers that lead parents to facilitate child marriage in order to protect them from harm.<sup>284</sup> Recruitment of children as young as 15 was not regarded as being in their best interest.<sup>285</sup> In the context of the child victim/perpetrator dichotomy and children’s involvement in armed conflict, it was argued that having the best interests principle at the core resulted in the scale tipping in favour of children being considered as victims, enabling their rehabilitation into society regardless of their participation in conflict or the forces they associated with.<sup>286</sup>

Figure 82. Publication date of S4RD records related to the best interests of the child

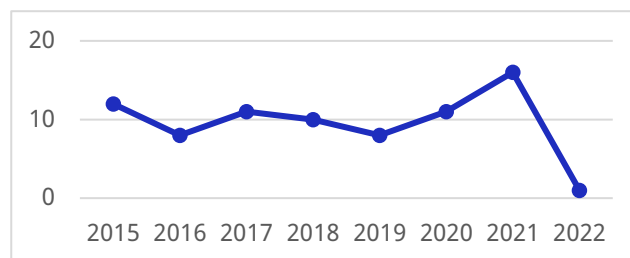


Figure 83. Discipline of publications

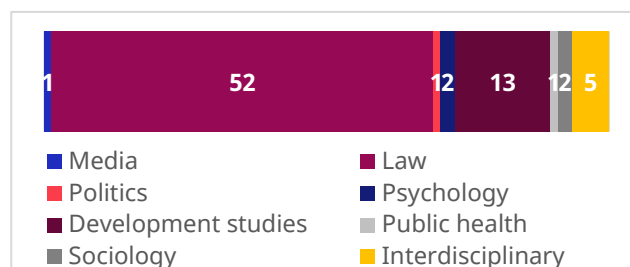


Figure 84. Research type

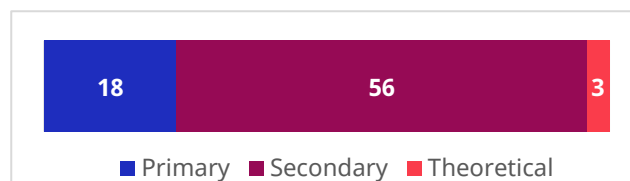
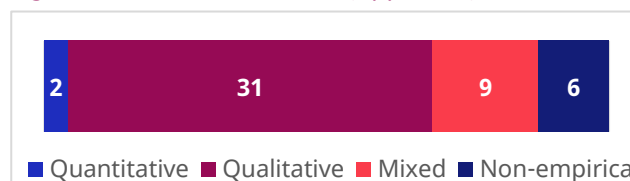


Figure 85. Research method (approach)



<sup>281</sup> Adonteng-Kissi (2020) and (2021); Arifin et al. (2020); Bolten (2018); Cruz et al (2020)

<sup>282</sup> Adonteng-Kissi (2020) and (2021); Arifin et al. (2020); Bolten (2018); Cruz et al (2020)

<sup>283</sup> Van Coller (2017)

<sup>284</sup> Akter et al. (2021); Arab & Sagbakken (2019); Menz (2016)

<sup>285</sup> Amusan (2018)

<sup>286</sup> Garbarino et al. (2020)



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Amusan addressed the compatibility with tradition, culture, and religion of the best interests principle as provided for in the UNRC.<sup>287</sup> Bolten, in a qualitative study in Northern Sierra Leone, presents evidence of children employing their own understandings of what comprises their best interests.<sup>288</sup> However, Bolten noted that children’s own understandings of their best interests at times conflicted with both the values held by their elders and those predicated in the children’s rights framework such as the importance of education, which is outbalanced by children’s interests in immediate rewards in the present. The best interests principle, when translated into protective measures, was found as needing to strike a balance with the children’s right to express their views and their evolving capabilities.<sup>289</sup> Similarly, Yilmaz et al. noted a disconnect between restrictions on the child’s mobility that whilst aiming to protect children from human trafficking, may at the same time not be well-tempered with what is the actually in the best interest of the child.<sup>290</sup>

The best interest of the child was referenced steadily over the time period studied for this review, with a spike in 2021 (16 records). Law was the dominant field of study for these records (52 records), followed by development studies (13 records). Secondary studies were the most common research type among records in this section (56 records), followed by primary research (18 records), and theoretical studies (3 records). Most of these studies deployed empirical methods (42 records), whilst the remaining studies (35 records) used non-empirical methods.

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<sup>287</sup> Amusan (2018)

<sup>288</sup> Bolten (2018)

<sup>289</sup> Esson & Drywood (2018)

<sup>290</sup> Yilmaz et al. (2020)

## 5.6 Right to non-discrimination

The right to non-discrimination was referenced across 54 records (35.3%), 26 records (17.0%) with substantive considerations and 28 records (18.3%) with passing references. 25 records (27.1%) expressly referenced the right to non-discrimination as provided in the UNCRC (Art 2) (See Table 5).

The strongest connection was presented in relation to child marriage, accounting for a total of 31 records. Other strong connections were found between the right to non-discrimination and child labour and sexual exploitation, both representing 21 records each. This was followed by human trafficking (16 records), labour trafficking (10) and children in armed conflict (9 records). Domestic servitude (8 records) and forced begging (6 records) were the topics least engaged with in the context of this right, reflecting the overall proportion of forms of exploitation referenced across the review.

Literature at the intersection of modern slavery and the right to non-discrimination mostly addressed discrimination on the basis of gender and age. Although records in the review acknowledged that child marriage affects both male and female children, the literature paid considerably more attention to female child marriage.<sup>291</sup> This was followed by discussion on discriminatory laws that establish a lower legal age for women to marry, and discrimination embedded in cultural and social attitudes that disadvantage girls, having fewer opportunities and therefore an increased vulnerability to modern slavery.<sup>292</sup> Connections with child labour discussed discrimination on the basis of age. Children were referred to as prone to exploitation, often paid less and considered cheap labour. This linked to a wider discussion regarding the lack of regulation of rights at work that builds on more complex debates on the topic of child labour.<sup>293</sup>

Whilst the nexus between this right and the participation of children in armed conflict numerically does not seem significant, the depth of the discussion of discrimination and this form of modern slavery was meaningful. In this context, two forms of discrimination were discussed.<sup>294</sup> The first concerned discrimination that former child soldiers experience post-conflict, rejected and marginalized by the community, which fosters further exploitation going forward. The second concerned female children, who experience multiple violations of rights during conflicts due to sexual slavery, considered itself a form of gender-based based discrimination.<sup>295</sup> Further, girls were described as predisposed to suffer double discrimination on the basis of sex and age.<sup>296</sup> Gender sensitivity is

Figure 86. Publication date of SARD records related to the right to non-discrimination

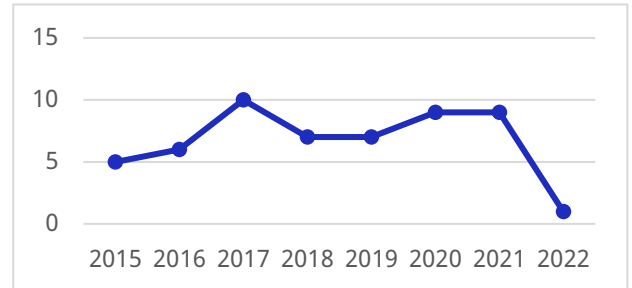


Figure 87. Discipline of publications

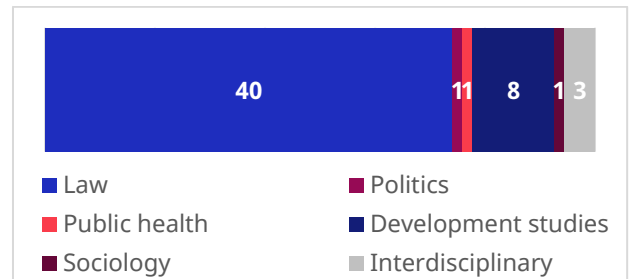


Figure 88. Research type

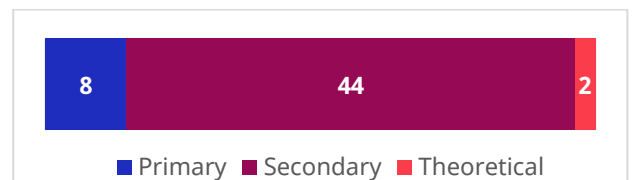


Figure 89. Research method (approach)



<sup>291</sup> Akhunzada et al. (2016); Mwambene (2018); Mukum (2020). Deane (2021); McCleary-Sills et al (2015); Mwambene and Mawodza (2017); Menz (2016); Nahamya (2017); Prameswari and Agustin (2018); Sacco et al. (2015); Warria (2019)

<sup>292</sup> Mukum (2020); Prameswari and Agustin (2018))

<sup>293</sup> Liebel (2015); Liebel and Invernizzi (2019); Yilmaz et al. (2020)

<sup>294</sup> Kiyala (2021); Martuscelli and Duarte Villa (2018); Garbarino et al. (2020)

<sup>295</sup> Conklin & Mason (2017)

<sup>296</sup> Gyan Nyarko & Markfre Ekefre (2016)

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considered to relate to the fulfilment of other rights such as education and health<sup>297</sup>. However, analysis of the intersection between children’s rights and modern slavery was not deeply explored as a central focus of study with a few exceptions on female children in armed conflict.<sup>298</sup>

The right to non-discrimination was discussed in roughly the same proportion over time, with a minor increase in 2017 (10 records). Law was the dominant field (39 records), followed by development studies (8 records) whilst the remaining records belonged to other fields such as politics, public health, sociology, and interdisciplinary studies. Secondary studies were the most common research type among records in this section (44 records), followed by primary research (8 records), and theoretical studies (2 records). The research approach was almost evenly split between empirical (29 records) and non-empirical studies (25 records).

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<sup>297</sup> Idem

<sup>298</sup> See Conklin & Mason (2017)

## 5.7 Right to protection

The right to protection was considered in a total of 54 records (35.3%), 15 records (9.8%) with substantive considerations and 39 records (25.5%) with passing references. It showed a predominant connection with child labour (28 records), child marriage (22 records) and sexual exploitation (21 records) although it was referenced in all records in varying degrees. This right was often presented in relation to articles 19, 32 and 34 of the UNCRC which state the governmental responsibility to protect children from violence, abuse, neglect, bad treatment, and economic and sexual exploitation. These specific provisions were also amongst the UNCRC’s most referenced provisions (See Table 6).

The protection of children from labour, as stipulated in Art 32 of the UNCRC, was the subject of substantive discussions surrounding this right, often associated with a protectionist approach.<sup>299</sup> Ferreira, addressing the protection of children in the European context, pointed out that the definition of exploitation in Art 32 UNCRC lacks an authoritative definition.<sup>300</sup> According to Holzscheiter et al., multiple UNCRC provisions were used by advocacy coalitions (state and non-state actors) when dealing with child labour.<sup>301</sup> Those who advocate the protection of children from labour focused on protective provisions of the UNCRC, whereas pro-work organisations were aided by self-determination and agency UNCRC provisions. Protection and agency were seen as theoretically conflicted.<sup>302</sup> The UNCRC’s Articles 19 and 34, which ensure protection from parental abuse, neglect, and maltreatment as well as from exploitation and harmful practices, were emphasised in relation to child marriage and child labour.<sup>303</sup> Principally, references across the records included in the literature only paid lip service to the right to protection.

The right to protection was addressed in roughly the same proportion over time, with major spikes in 2017 (10 records) and 2020 (14 records). Law was the dominant field (37 records), followed by development studies (9 records) whilst the remaining records belonged to other fields such as politics, public health, sociology, journalism and media and interdisciplinary studies. Secondary studies were the most common research type among records in this section (40 records), followed by primary research (13 records), with 1 theoretical study. The research approach was almost evenly split between empirical (28 records) and non-empirical studies (26 records).

Figure 90. Publication date of SARD records related to the right to protection

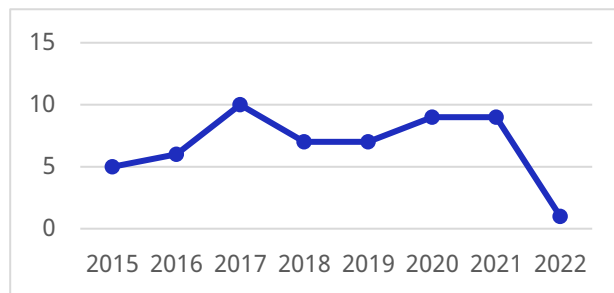


Figure 91. Discipline of publications

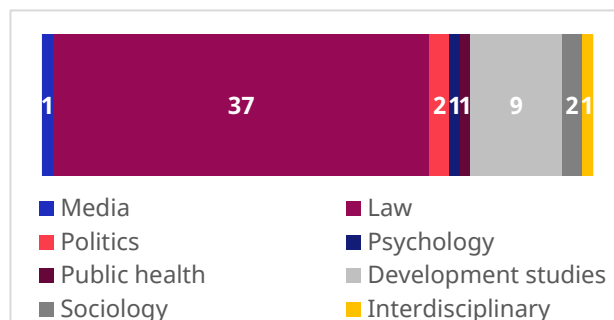


Figure 92. Research type

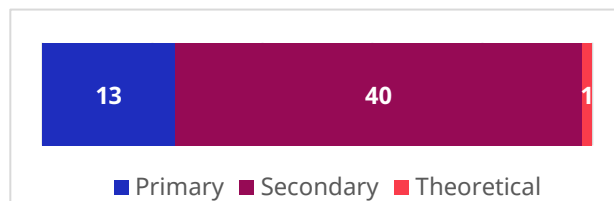
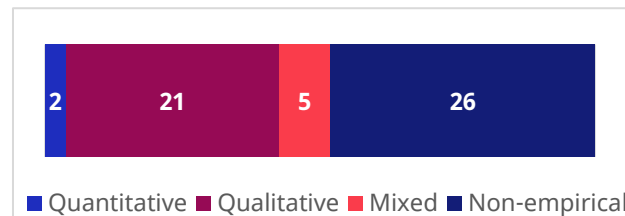


Figure 93. Research method (approach)



<sup>299</sup> Ferreira (2017 b); Holzscheiter (2016)

<sup>300</sup> Ferreira (2017 b)

<sup>301</sup> Holzscheiter (2016)

<sup>302</sup> Ferreira (2017 b); Holzscheiter (2016); Mason et al. (2019)

<sup>303</sup> Msuya (2020)

## 5.8 Right to life

The right to life as part of the wider human rights framework was referenced in a total of 44 (28.8%) records. 16 records (10.5%) made substantial references whilst the remaining 28 records (18.3%) only included passing references to the right. This right was addressed in relation to all forms of modern slavery but showed a significant nexus with child marriage (23 records); child labour (21 records); sexual exploitation (19 records) and children in armed conflict (12 records). The right to life (Art 6) was referenced in 18 (19.5%) of the records that expressly included UNCRC provisions (See Table 5).

The records usually mentioned this right in terms of life choices and quality affected by child trafficking, sexual exploitation<sup>304</sup> or child labour.<sup>305</sup> The literature pointed to a substantive and direct connection between the violation of the right to life and the participation of children in armed conflict.<sup>306</sup> In their active participation on the field of war, children experience the use of lethal force, facing the risk of losing their lives.<sup>307</sup> Infringement of the right to life is also linked to the social exclusion, stigma, and displacement that children face once they return from the conflict with limited chances of having their lives be restored.<sup>308</sup>

The right to life was referenced in modest numbers across records over time, with the largest number of records in 2017 (10 records). The disciplines of law (36 records) and development studies (8 records) were the only fields that registered records studying this right in relation to modern slavery. Secondary studies were the most common research type among records in this section (37 records), followed by primary research (6 records), and a single theoretical study. The research approach was almost evenly split between empirical (20 records), with an absence of quantitative studies, and non-empirical studies (24 records).

Figure 94. Publication date of S4RD records related to the right to life

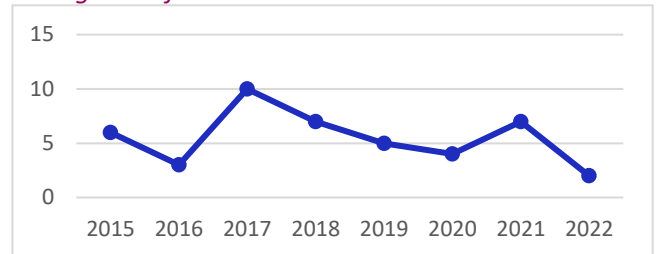


Figure 95. Discipline of publications

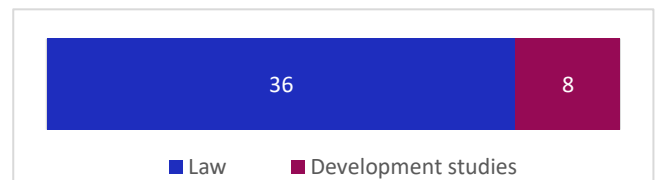


Figure 96. Research type

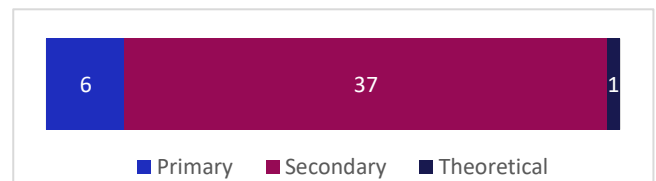
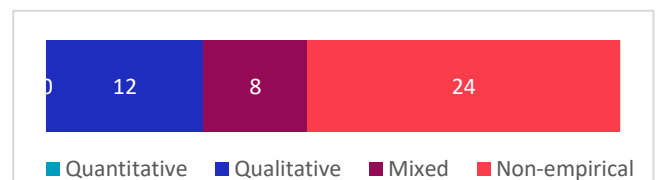


Figure 97. Research method (approach)



<sup>304</sup> Adhikari & Turton (2020); Kitson (2016); Mason (2019)

<sup>305</sup> Fuchs (2019); Pasaribu & Vanclay (2021); Sacco et al. (2015); Türkelli (2021); Verdoodt (2019); Yilmaz et al. (2020).

<sup>306</sup> Barret (2019); Conklin & Mason (2017); Johnson (2015); Sampaio & McEvoy (2016); Souris (2022); Warria (2017); Waschefort (2016)

<sup>307</sup> Barret (2019)

<sup>308</sup> Alzubairi (2021)

## 5.9 Right to participation and voice

The right to participation as a core element of the children’s rights framework was referenced across a total of 42 records (27.5%), 18 with substantive references and 24 with passing references. Reference to this right in the context of the UNCRC framework (Art 12), was also frequent, occurring in 33 records. This provision contains children’s right to form and express their views which should be given due weight, as well as a right to be heard in judicial and administrative proceedings.

References to this right traversed all forms of modern slavery to varying degrees. The right to participation was most strongly connected to child labour (30 records), sexual exploitation (13 records) and child marriage (10 records).

Associated rights, such as the right to freedom of thought and expression and the right to be heard, were also referenced in the literature. The former in a total of 26 records whilst the latter was mentioned in 24 records. However, both were referred to mostly in passing. This suggests that whilst there may be recognition of these rights at the intersection of modern slavery and children’s rights, there may be a practice of only paying lip-service to their relevance with study of these rights still lacking in depth.

The most insightful discussions regarding the right to participation centred mostly on child labour.<sup>309</sup> These records emphasise the rights of working children with a particular focus on working children, and working children movements, who are seen as speaking out and making their voices heard in institutional settings and on international platforms.<sup>310</sup> Taft emphasised another aspect to the right to participation, one that is collective rather than individual.<sup>311</sup> Taft took a relational approach to explore the way children’s voices are recognised in organisational settings of working children.<sup>312</sup> Even where children have engaged in programmes aimed at eliminating child labour, Peleg noted that their participation was limited to pre-established parameters, undermining the real impact of their voices and views.<sup>313</sup> Adults and their perspectives were also thought to control participatory spaces.<sup>314</sup> Two records referred to intersections between the rights to participation and protection, and the digital world, which was described as a space in which children play and work.<sup>315</sup> They highlighted the risk of exposure to exploitative practices and called for a review of the legal framework to take into account the particularities of the digital world.

Figure 98. Publication date of S4RD records related to the right to participation

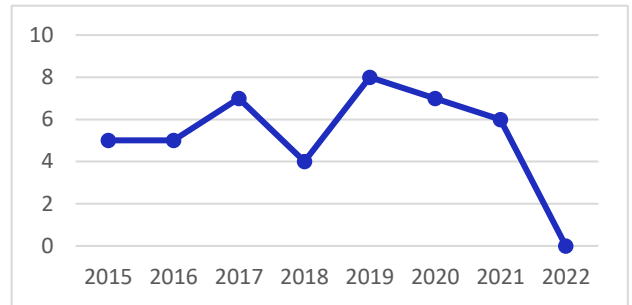


Figure 99. Discipline of publications

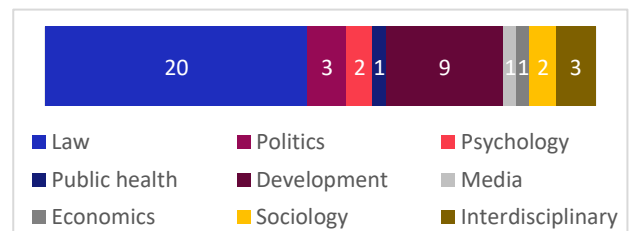


Figure 100. Research type

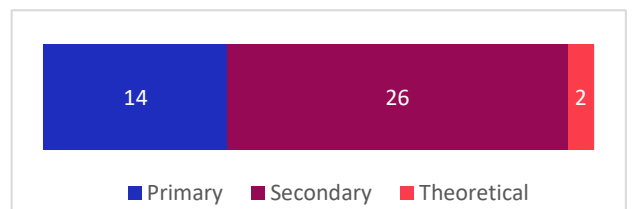
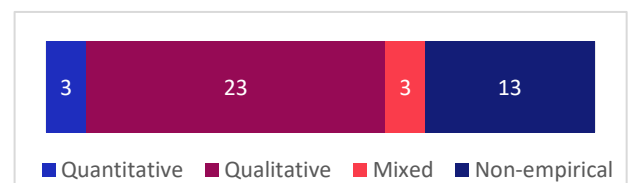


Figure 101. Research method (approach)



<sup>309</sup> Liebel (2021); Peleg (2018); Liebel & Invernizzi (2019); Sackey & Johannesen (2015); Taft (2015) and (2019); Van Daalen & Mabillard (2019)

<sup>310</sup> Liebel and Invernizzi (2019); Van Daalen & Mabillard (2019)

<sup>311</sup> Taft (2019)

<sup>312</sup> Taft (2015)

<sup>313</sup> Peleg (2018)

<sup>314</sup> Peleg (2018); Taft (2015)

<sup>315</sup> Van Der Hof et al. (2020); Verdoodt (2021)

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Two records, one with global scope and the other with a focus on Colombia, discussed the right to participation in the context of children involved in armed conflict.<sup>316</sup> They emphasised the need for participation of former child soldiers in processes of reconciliation, debates over their accountability, and in the design of social conditions for their post-conflict reinsertion. The active involvement of former child soldiers as agents in the peace-building processes, through the development of policy interventions was considered essential for their success.<sup>317</sup>

The intersection between children’s right to participation and child trafficking addressed the decision of the child to move from one place to another for work, as opposed to the dominant discourse of passive actors in the fishing sector and the football industry.<sup>318</sup> Although only addressed briefly, the violation of the right to participation was identified in the post-trafficking period as affecting children’s participation in cultural practices or education.<sup>319</sup> The intersection between child marriage and the right to participation was addressed in relation to both pre and post the event of marriage. The literature referred to future child brides as considered not to be fully involved in the decision process of consenting to marry, and once married children’s participation in education and political and social activities becomes restricted.<sup>320</sup>

In the context of child labour research, the right to participation was primarily discussed from the perspective of violations of the right. Conversely, in the context of research on child trafficking and child marriage discussion focused on children’s agency. Research on children in armed conflict focused on the involvement of children in programmes and policy responses. However, in most of the records, with rare exceptions in child labour, the right to participation was not the central focus of analysis. Records addressing other forms of exploitation such as forced begging, domestic servitude or sexual exploitation presented minimal discussion on this right.

The right to participation was referenced in modest numbers across the period under review for this study. This right was addressed across 9 different disciplines, suggesting that recognition of this right has overcome barriers between disciplines. Secondary studies were the most common research type among records mentioning the right to participation (26 records), although primary research was also well represented (14 records). Only 2 records were theoretical in nature. Most studies were empirical in nature (29 records), most of them qualitative studies, whilst the remaining studies (13 records) deployed non-empirical methods.

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<sup>316</sup> Derluyn et al. (2015); Martuscelli & Duarte Villa 2018

<sup>317</sup> Idem

<sup>318</sup> Koomson & Abdulai (2021); Yilmaz et al. (2020)

<sup>319</sup> Warria (2015)

<sup>320</sup> Mukum (2020); Warria (2019)

## 5.10 Right to work

The right to work was primarily addressed in relation to child labour in a total of 32 records, 22 with substantive consideration and 9 with passing reference.

Despite an established perception that labour is incompatible with childhood, sources in this review that address the child’s right to work point to a tension between the protection and denial of this right.<sup>321</sup> Records discussing the existence of this right acknowledged an approach in the literature that aims to challenge the negative characterisation of child labour.<sup>322</sup> This division was recognised across the literature. For example, Holzscheiter et al. refer to advocacy coalitions on both sides of the divide: one supporting the ILO’s stance on the prohibition of child labour, and the other challenging it on the basis of the child’s right to work.<sup>323</sup> This study linked the right to work with participatory rights and the right to be heard.<sup>324</sup> Across other records, the right to work was presented as linked to children’s dignity, sense of worth, and agency.<sup>325</sup> The language of the right work was described as more empowering than that of the right to employment, with implications relating to children’s freedom to choose the characteristics of their labour.<sup>326</sup>

Ferreira argued against an approach to children’s right to work and child labour that would entail surrendering to undesired realities.<sup>327</sup> The right to work, he argued, should be restricted to protect other rights, which can be also empowering. He asserts that contestation is found in the terms of the child’s work regulation (minimum age, health, safety, and minimum wage) rather than in recognition of the right to work itself.<sup>328</sup> To some extent this relates to Liebel’s reflection on the question of whether children should have economic and labour rights, which in his view depends on the understood meaning of these rights.<sup>329</sup> The literature pointed to an interpretation of the right to work that referred to a non-exploitative nature of work,<sup>330</sup> giving children a right to work in environment that are safe and age-appropriate.<sup>331</sup> Liebel, who is frequently referenced among the records in this section, notes the dangers of an approach that does not enable children to speak up against unfair working conditions. Liebel advocates against a blanket prohibition of child labour, which could violate other rights such as survival,

Figure 102. Publication date of S4RD records related to duties and obligations

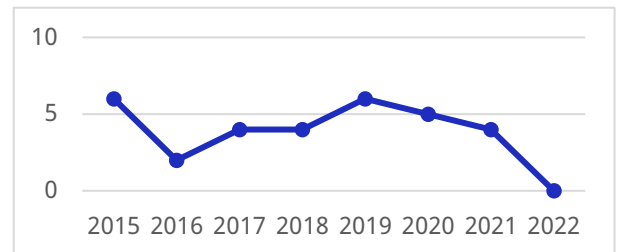


Figure 103. Discipline of publications

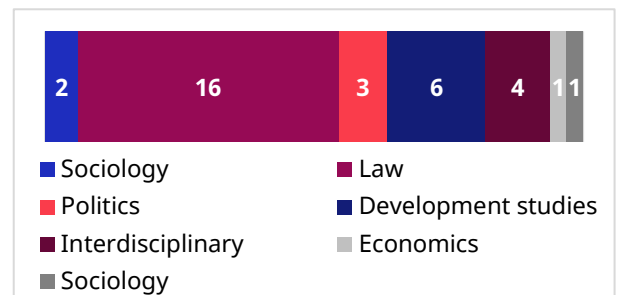


Figure 104. Research type

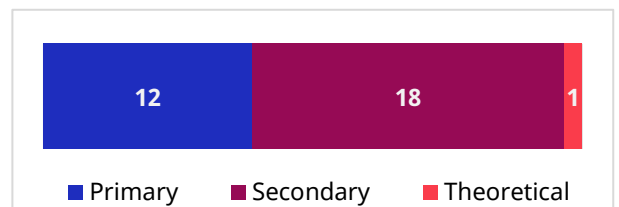
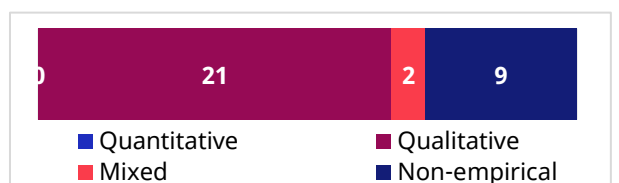


Figure 105. Research method (approach)



<sup>321</sup> Dillon (2015)

<sup>322</sup> Idem

<sup>323</sup> Holzscheiter (2016)

<sup>324</sup> Idem

<sup>325</sup> Jijon (2020); Fontana & Grugel (2015); Liebel (2021); Van Daalen & Mabillard (2019); Türkelli (2021)

<sup>326</sup> Peleg (2018) referring to Liebel’s work.

<sup>327</sup> Ferreira (2017 b)

<sup>328</sup> Idem

<sup>329</sup> Liebel (2021)

<sup>330</sup> Fuchs (2019)

<sup>331</sup> Fontana & Grugel (2015)



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access to education and children’s livelihoods,<sup>332</sup> and instead regards the right to work as a tool for safeguarding working children from exploitation by improving their working conditions.<sup>333</sup> In his view, protection entails more than simply avoiding harmful situations but rather supporting children’s agency and empowerment.<sup>334</sup> Relatedly, the literature pointed to working children’s movements in Latin America and their advocacy, describing these groups of children as ‘the real defenders of working children’s rights’, contrasting them with ‘international organisations that claim to act on their behalf’.<sup>335</sup> Liebel argues that recognition of economic and labour rights such as the right to work, non-discrimination, remuneration, trade unions, rest and leisure, among others, is currently restricted for children, and that any change in practice would require a reconsideration of a practice that frames children as a subordinate group, and the revision of the notion of protection.<sup>336</sup> Nonetheless, the literature points to a deep divide between abolitionist and regulationist perspectives.

The right to work was consistently referred to across the records over the period under study. Law was the dominant field of research (16 records), followed by development studies (6 records), whilst the remaining records belonged to other fields such as politics, economics, sociology, and interdisciplinary studies. Secondary studies were the most common research type among records in this section (18 records), followed by primary research (12 records), and a single theoretical study. The majority of studies (20 records) used a qualitative research methodology, while 2 studies used mixed methodologies and 9 studies used a non-empirical approach.

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<sup>332</sup> Liebel and Invernizzi (2019)

<sup>333</sup> Liebel (2015) and (2021)

<sup>334</sup> Liebel (2021)

<sup>335</sup> Maya (2017); Van Daalen & Mabillard (2019)

<sup>336</sup> Idem

## 5.11 Right to birth registration, name, nationality, and care

The right to birth registration as part of the wider human rights framework was referenced across 17 (11.1%) records, 11 with substantive and 6 with passing references. Discussion of the right was linked strongly with child marriage (12 records). Specifically, 8 out of 11 records with a substantive reference to this right focused on child marriage. Another significant connection in the review was shown with sexual exploitation (11 records), mostly in the context of trafficking. Children who are victims of human trafficking, taken from their parents or born in baby factories, were referred to as being sent to different parts of the world with fake documentation.<sup>337</sup> From a total of 4 records addressing the right to a name and nationality, 3 focused on child trafficking and processes of intercountry adoption.<sup>338</sup>

This right to birth registration is interconnected with other rights as the lack of registration affects the nationality and status of the child which subsequently results in denial of other rights such as education or health services.<sup>339</sup> The lack of birth registration also impedes the verification of the age of a bride entering marriage, or the age of children seeking to engage work.<sup>340</sup>

The right to birth registration, name, nationality and care is guaranteed in Article 7 of the UNCRC, which was mentioned in 10 records. These records refer to birth registration as a tool for age verification, particularly for girls who physically resemble those of marriageable age.<sup>341</sup> Menz analysed the linked between child marriage and stateless refugee children showing a high risk of exploitation for children in this context.<sup>342</sup> Although engagement with birth registration was seen across contexts, there was a strong focus on child marriage and African states. Further work is required to understand the relationships between the right to birth registration and other forms of exploitation such as children in armed conflict, domestic servitude, forced begging and sexual exploitation.

The right to birth and registration was referenced in modest numbers over time, peaking in 2016 (4 records). Three disciplines were noted as including studies addressing this right in relation to modern slavery: law (11 records), development studies (5 records) and public health (1 record). Most records were secondary studies (13 records) whilst a few records (4 records) were based on primary research. Most records involved empirical methods (12 records) rather than taking a non-empirical approach (5 records).

Figure 106. Publication date of S4RD records related to the right to birth registration

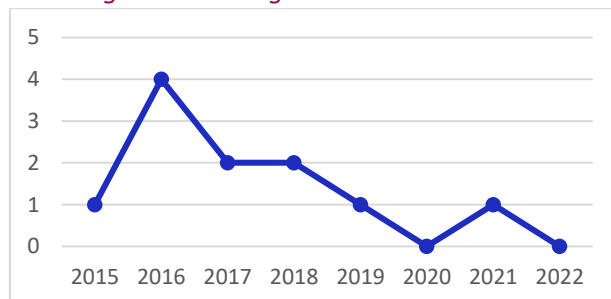


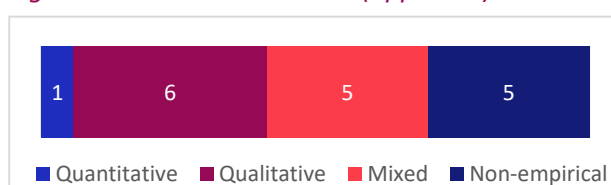
Figure 107. Discipline of publications



Figure 108. Research type



Figure 109. Research method (approach)



<sup>337</sup> Makinde (2016)

<sup>338</sup> Makinde (2016); Monico (2021); Mwambene (2018); Warri (2017)

<sup>339</sup> Makinde (2016)

<sup>340</sup> Chinyere Anozie et al. (2018); De Guzman et al. (2019); Mwambene & Mawodza (2017)

<sup>341</sup> Chinyere Anozie et al. (2018); Mwambene & Mawodza (2017)

<sup>342</sup> Menz (2016)

## 5.12 Other rights

Sexual and reproductive rights were discussed in relation to child marriage (21 records) and sexual exploitation (10 records). These records referred to sexual autonomy, limited education, a lack of access to information, minimal use of contraceptives, and the impacts of these on children's general health.<sup>343</sup> The right to be free from violence mirrored this association with these forms of modern slavery, mentioned in a total of 25 records. The right to free and full consent to marry, on the other hand, was mentioned in relation to child marriage in a total of 24 records, in reference to the frameworks of the Convention on the Consent to Marriage, Minimum age for Marriage and Registration of Marriage and the Convention on the Elimination of All Forms of Discrimination Against Women.

The right to self-determination was addressed in varying degrees with regard to all types of modern slavery included in the review, although only representing 16 records. Whilst this right was discussed as infringed upon by modern slavery practices,<sup>344</sup> the self-determination to move from one place to another, enter marriage, or engage in labour was presented as contesting views of the general perception of children as innocent.<sup>345</sup>

The right to play was discussed in relation to risks of economic exploitation of working children in the digital world (e.g. influencers, vloggers, e-sports).<sup>346</sup> Furthermore, Eriksen and Mulugeta's study based on Ethiopia had a central focus on the exercise of this right among working children, finding that children's leisure time varied depending on the motivation of why children were working.<sup>347</sup> Children working for necessity and to support their families were the ones with the least leisure time and invested their resources exclusively on what was necessary, compared to children whose lives did not revolve around their work and who instead earn money to spend on themselves. However, the study found that all children engaged in play between their chores.

As seen in Figures 67 and 68, the review identified other rights referenced across records in a smaller proportion: The right to autonomy was expressly mentioned mainly in relation to child marriage and child labour; the right to family was discussed in the context of child marriage and child trafficking; the rights to information and an adequate standard of living were addressed predominantly in relation to child labour and child marriage. The right to justice and a fair trial were mainly referred to as access to justice, and dealt with in the context of children in armed conflict.

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<sup>343</sup> Acca (2019); Addaney & Azubike (2017); Akter (2021); Arab and Sagbakken (2019); Darkwa (2015); Diala (2019); Nahamya (2017)

<sup>344</sup> Božić (2017)

<sup>345</sup> Adonteng-Kissi (2020); Bolten (2018); Holzscheiter et al (2021); Koomson et al. (2021); Lokot et al. (2021); Peleg (2018); Taft (2019)

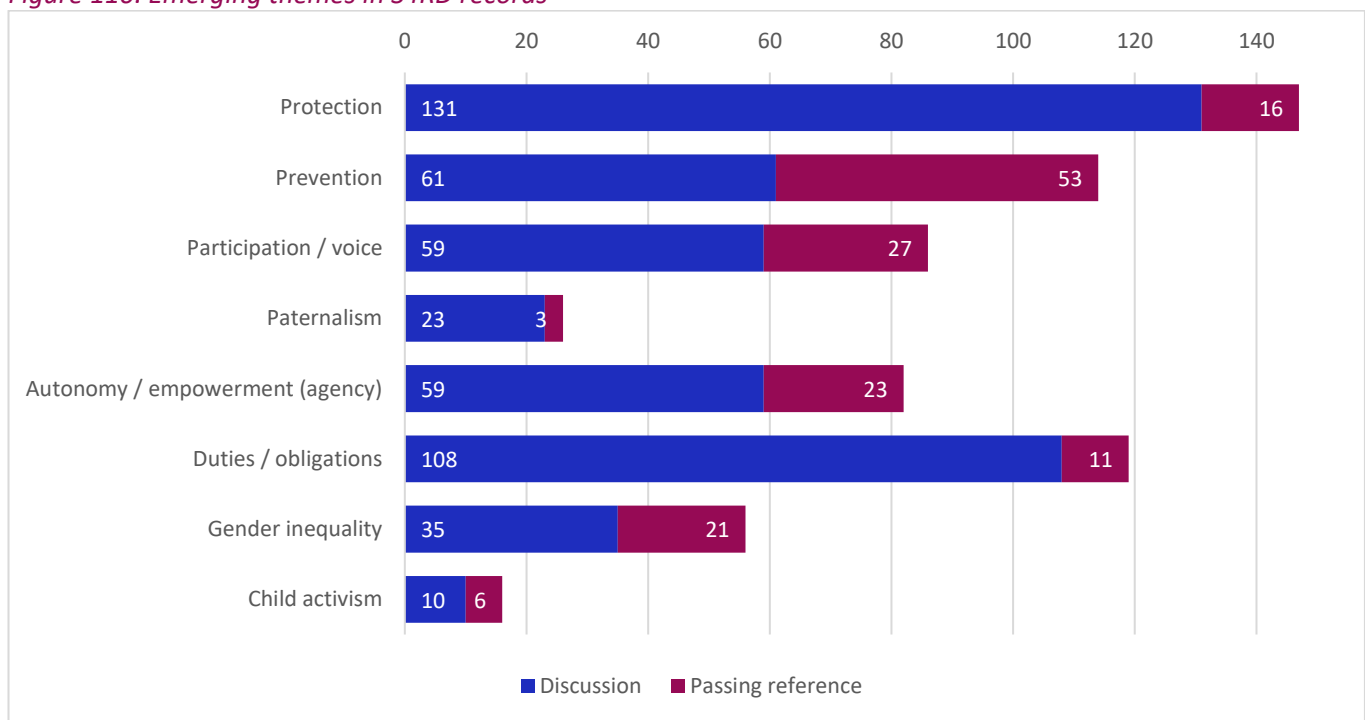
<sup>346</sup> Van Der Hof et al. (2020)

<sup>347</sup> Eriksen & Mulugeta (2021)

## 6 Emerging themes

This section interrogates key themes identified and analysed across the S4RD. It examines each theme in turn, exploring both the methodological characteristics and the content of records. In so doing, it examines the areas in which modern slavery and children’s rights intersect in the literature, how these are understood and assessed, and the strengths and shortcomings in the current evidence base.

Figure 110. Emerging themes in S4RD records



The themes of protection and duties and obligations to ensure safeguards are in place and effective were found to be the most prevalent across the review, with mentions in 147 (96.1%) and 121 (79.1%) records respectively (Figure 110). Both showed an emphasis on legal frameworks and states’ responsibilities, and both themes were engaged with meaningfully—a high number of records showed substantive discussion of the themes. The fact that law was the main discipline of the sources within the review may have influenced the prominence and scope of these themes.

Although child activism was the least dominant theme identified in the review, it was discussed substantively within the context of child labour with repeated references, indicating that it was worthy of recognition as an emerging theme. Gender equality, addressed in 57 (37.3%) records, emerged as a theme that the literature has engaged with primarily in relation to child marriage and sexual exploitation, highlighting not only the way in which gender shapes the experience of modern slavery but also its influence on the levels of protection in place. Paternalism, a core topic within children’s rights theory, was engaged with explicitly less often than other themes. However, discussion connected to this theme highlighted a number of unresolved discussions at the intersection between children’s rights and modern slavery.

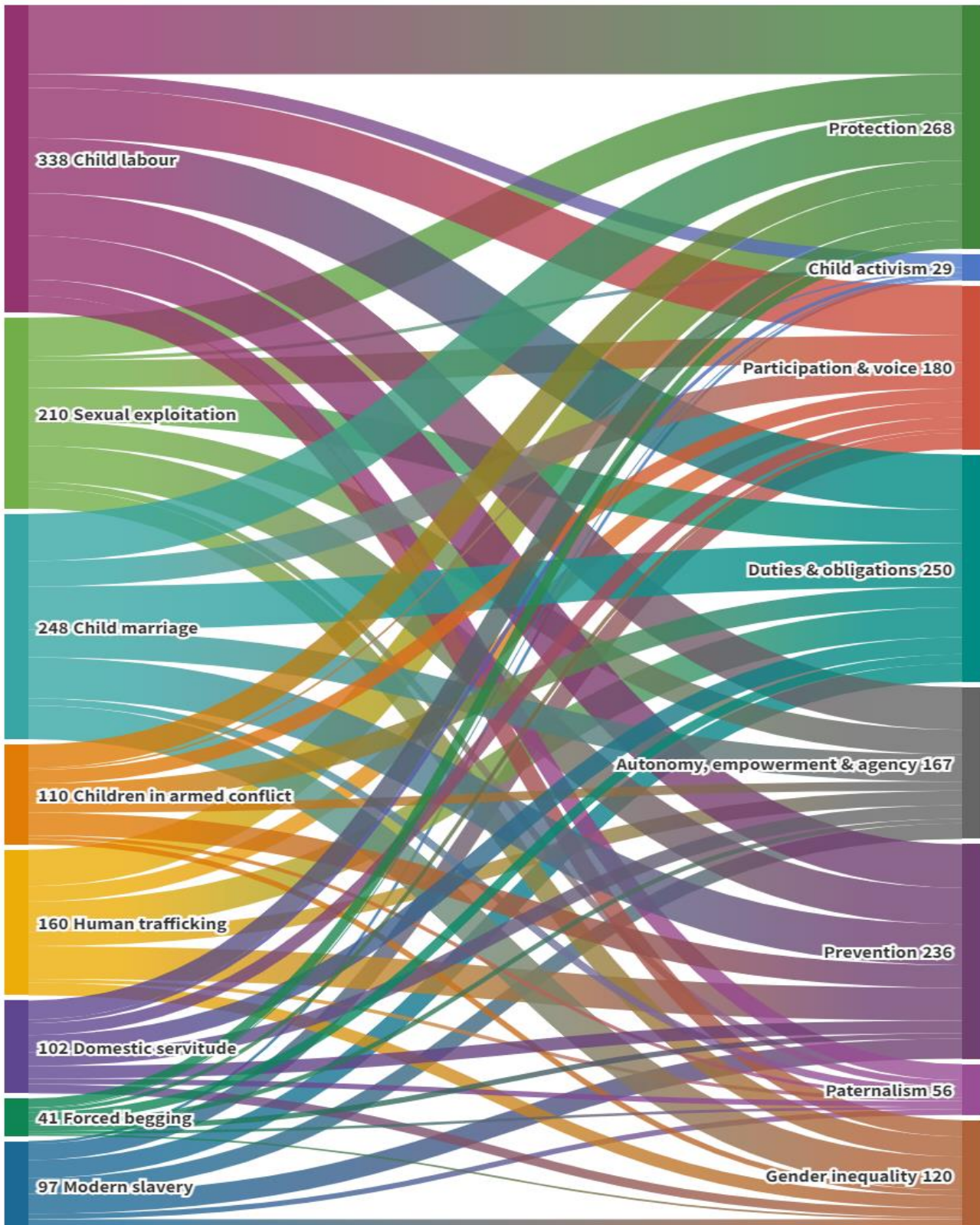
Consideration of children’s participation and voice was identified in 87 (56.9%) records. Analysis related to this theme acknowledges children as social actors capable of making their own choices and with the potential to shape policy best suited to their needs. Although relatively well represented in the review, the consideration of children’s participation and voice appears notably lower in records at the intersection of modern slavery and children’s rights than in children’s rights

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literature more broadly. Children’s participation and voice is central to the realisation of their rights. The theme of autonomy/agency, which was mentioned in 83 (54.2%) records, raised complex tensions between respect for children’s choices and adequate levels of protection.

Figure 111. Intersections between emerging themes and modern slavery exploitation types



## 6.1 Protection

Protection was the dominant emerging theme across all records, accounting for a total of 147 records (96.1%). 131 records (85.6%) included substantive discussion of the protection of children from all different types of modern slavery to some degree and 16 records (10.5%) made passing references to the theme. Protection was recognised as the core element at the intersection between both modern slavery and the UNCRC framework.<sup>348</sup> The UNCRC’s provision of the right to protection against abuse, neglect, and exploitation, intersecting—with specific forms of modern slavery—plays an important role in representing a global commitment to protect children from harm.<sup>349</sup> A small number of records addressed a need to reconcile protection as conceived by the UNCRC and context specific values.<sup>350</sup>

In line with the position of law as the primary discipline of the publications addressing this theme, the focus of most records addressed gaps in the legal protection of children from exploitation. Key discussion concerned the inadequate protection of children’s rights,<sup>351</sup> caused by flaws in the international framework or in protection provided by domestic legislation.<sup>352</sup> Where legislation is in place to safeguard children, the absence of practical mechanisms of enforcement was frequently raised as a topic of concern.<sup>353</sup> The lack of enforcement was considered to be caused by weak state institutions that do not always have children’s rights at the heart of their intervention.<sup>354</sup> The records often pointed to a failure to address endemic causes of modern slavery and ineffective social protection to fulfil fundamental needs and rights such as adequate standards of living, healthcare or education.<sup>355</sup> This suggests that children’s rights protection requires structural change, and radical changes in the socio-economic environment, beyond simple legislative protections.

Variation in the levels of child protection was noted across the records in the review. Gender gaps and age differences in legislation, within and across jurisdictions, were highlighted as significant issues that prevent children receiving equal standards of protection, particularly when dealing with child marriage and child labour.<sup>356</sup> A lack of harmonisation between overlapping legislation was also shown to affect the quality

Figure 112. Publication date of SARD records related to protection

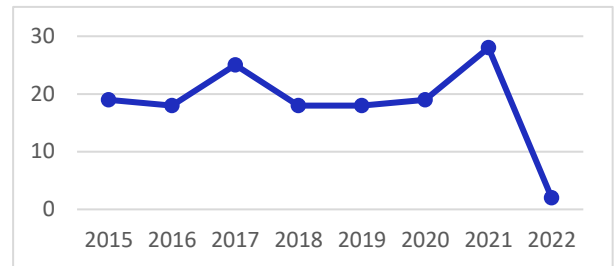


Figure 113. Discipline of publications

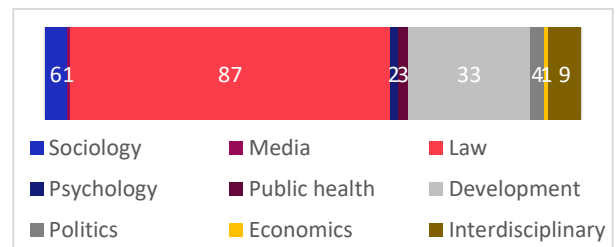


Figure 114. Research type

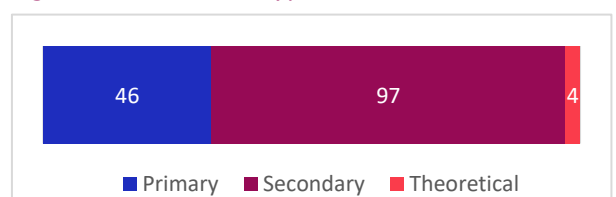
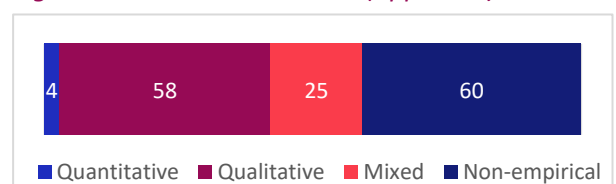


Figure 115. Research method (approach)



<sup>348</sup> Dunhill et al. (2020)

<sup>349</sup> Jabeen (2016); Simon et al. (2020)

<sup>350</sup> Adonteng-Kissi (2021); Enemo (2022); Renzaho et al. (2018)

<sup>351</sup> Acca (2019); Garbarino et al. (2020)

<sup>352</sup> Adhikari & Turton (2020); Akter (2021); Arifin et al (2020); Cheney (2021); Hounmenou (2018); Ogunniran (2017); Van Doore (2016); Nahamya (2017); Warri (2017) and (2019); Waschefort (2016)

<sup>353</sup> Akhonzada (2016); Azhar (2015); Darkwa; Donger & Bhabha (2018); Hobbs et al. (2017); Pakistan. For further detail see Section Legislative reform, enforcement, and harmonisation)

<sup>354</sup> Darkwa (2015); Muray & Fry (2016); Renzaho et al. (2018)

<sup>355</sup> Donger & Bhabha (2018); Pandey & Gautam (2015). For further detail see section 7.6 (Structural Causes)

<sup>356</sup> Arthur et al. (2018)

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of children’s rights protection.<sup>357</sup> Dunhill et al. noted, for example, the differences in provision offered to potential victims of modern slavery identified through the National Referral Mechanism (NRM) across each region of the UK.<sup>358</sup>

The need to strike a balance between protective measures and children’s rights was a key concern of records assessed in this theme. It was emphasised that children’s protection should not be at the expense of their other rights. This was particularly highlighted in the context of restrictions that conflict with children’s agency.<sup>359</sup> This was seen in emerging fields related to children’s online activities, data protection, and football.<sup>360</sup>

On the topic of child labour, a small number of records challenged the abolitionist approach advocating a complete ban on child labour. They viewed this stance as dismissing children’s right to work and the potential for workers’ rights to enhance children’s protection and improve their working conditions, in line with the child’s right to influence their development.<sup>361</sup>

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<sup>357</sup> Chinyere Anozie et al. (2018); Enemo (2022); Nwauche (2015); Ogunniyi (2018).

<sup>358</sup> Dunhill et al. (2020)

<sup>359</sup> Esson & Drywood (2018)

<sup>360</sup> Yilmaz, S. et al. (2020); Esson & Drywood (2018); Van der Hof et al. (2020); Verdoodt (2019)

<sup>361</sup> Holzscheiter et al. (2021); Liebel (2021, 2015); Peleg (2018)

## 6.2 Prevention

Prevention was addressed in 114 records (74.5%); 61 records with substantive mentions and 53 with passing references. Most of the records addressed protection and prevention simultaneously; few records addressed prevention as the primary focus of analysis.

These records dealt with youth employment as preventing a relapse in post-conflict environments (Solomon Islands);<sup>362</sup> the impact of free education programmes on prevention of child trafficking (Nigeria, Ebonyi);<sup>363</sup> the prevention of children from engaging in small-scale mining work, in relation to education (Ghana, Amansie West District);<sup>364</sup> and prevention of human trafficking through awareness-raising classroom curricula (US, Central Texas).<sup>365</sup> Three of these studies were based on primary empirical methods engaging children as participants, and three displayed a strong connection with the right to education. Whilst two of these studies pointed to the encouraging potential of education as a prevention tool against modern slavery, the limited specialised focus on prevention across the records suggests this is a under researched area.

Several records suggested a need to enhance current approaches to prevention. A model that prioritises the criminalisation of modern slavery is argued to divert efforts and resources from prevention and response/rehabilitation.<sup>366</sup> Therefore, the records pointed to a need for comprehensive intervention where repression, prevention, and protection and remedial approaches are addressed together in combination rather than as separate components.<sup>367</sup> Other main areas highlighted for improvement included: the incorporation of children’s rights in prevention strategies;<sup>368</sup> standardised terminology to allow alignment amongst stakeholders in understanding and combatting modern slavery; and the importance of understanding drivers and sociocultural factors that affect children at community, social, and individual level in the design of preventive mechanisms.<sup>369</sup> Maya conducted an evaluation of child labour prevention programmes in Peru, highlighting the value of working on community readiness and the challenges that implementers face between reconciliation of children’s needs and interests and goals aligned with international organisations.<sup>370</sup>

Figure 116. Publication date of S4RD records related to prevention

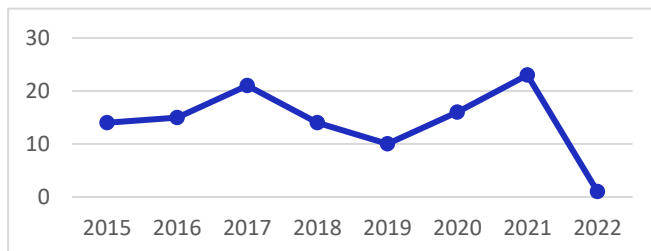


Figure 117. Discipline of publications

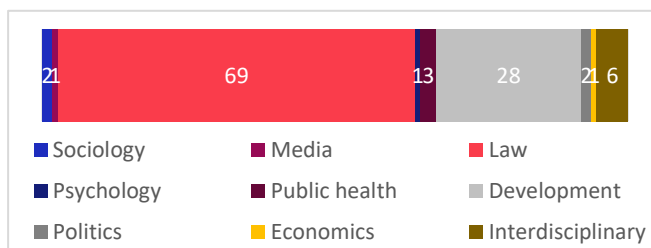


Figure 118. Research type

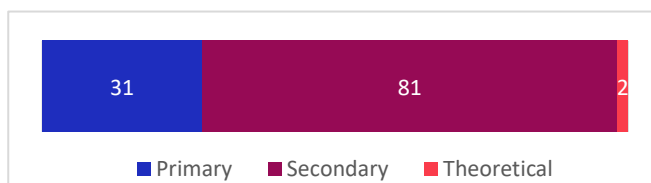
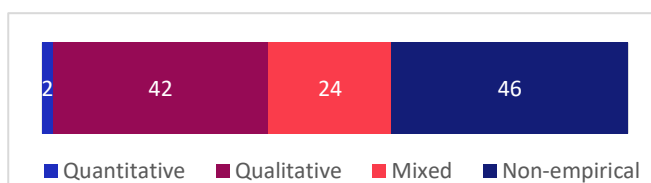


Figure 119. Research method (approach)



<sup>362</sup> Evans (2016)

<sup>363</sup> Ezeibe (2021)

<sup>364</sup> Osei-Tutu & Tatek (2019)

<sup>365</sup> Scott et al. (2019)

<sup>366</sup> De Felice (2021)

<sup>367</sup> De Felice (2021); Donger & Bhabha (2018)

<sup>368</sup> Hounmenou (2018)

<sup>369</sup> Adonteng-Kissi (2021); Nahamya (2017); Warri (2019); Zoumanigui (2016)

<sup>370</sup> Maya (2017)



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Nuanced perceptions of children and childhood, acknowledging their changes throughout childhood, was presented as crucial for effective prevention. A single approach towards all children under the age of 18 fails to capture children’s diverse experiences and needs at different ages.<sup>371</sup> Awareness-raising campaigns were considered to serve multiple preventive purposes: to educate people about the negative impact of child marriage<sup>372</sup> or child labour;<sup>373</sup> to address misconceptions that encourage sexual harassment;<sup>374</sup> and to increase the sensitisation and harmonisation of law enforcement;<sup>375</sup> among others.

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<sup>371</sup> Adhikari & Turton (2020); Al-Hakami & McLaughlin (2016); Efevbera & Bhabha (2020); Peleg (2018)

<sup>372</sup> Msuya (2020)

<sup>373</sup> Adonteng-Kissi (2021)

<sup>374</sup> Akter (2021)

<sup>375</sup> Akpınar (2019); Enemo (2022)

### 6.3 Participation and voice

Participation and voice was identified as an emerging theme in 87 records (56.9%); 60 (39.2%) addressing the topic in a substantive way, and 27 (17.6%) with passing reference. The direct participation of children in policymaking and evaluation was a core topic of discussion, alongside the child’s right to participation.<sup>376</sup>

The importance of children’s participation was highlighted in relation to developing policies on children involved in armed conflict integrating their valuable insights into peace-building processes,<sup>377</sup> and addressing human trafficking to improve understandings of children’s vulnerabilities.<sup>378</sup> The literature also emphasised the struggle that the working children’s movements face in the exercise of their right to participation and access to global networks of governance, even when their claims are based on UNCRC values.<sup>379</sup>

Children’s participation involves the right of children to be heard in all decisions that affect their lives, and recognition of children as rights holders and social actors.<sup>380</sup> Including children in governance processes involves creating child-friendly environments with accessible information and where children feel welcome to actively participate.<sup>381</sup> As highlighted by Dunhill et al., there is a need for research on how children can inform law and policy in practice.<sup>382</sup>

Only 24 studies in the entire review directly included the voices of children or survivors of modern slavery. This suggests that claims and arguments in the literature are predominantly shaped by other (adult) actors’ perceptions of children’s exploitation and rights, and indicates that more needs to be done to include children’s voices in research at the intersection of modern slavery and children’s rights. However, the evidence also revealed significant challenges faced by researchers seeking to engage children in their research, including in relation to ethical concerns, sampling, accessibility, and training in child appropriate methods. These challenges are further heightened due to the sensitivity of the research topic.

Figure 120. Publication date of S4RD records related to participation and voice

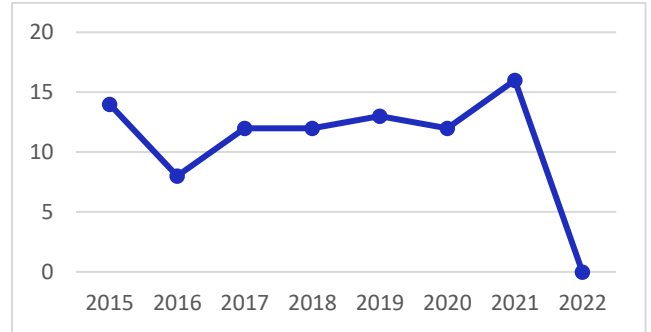


Figure 121. Discipline of publications

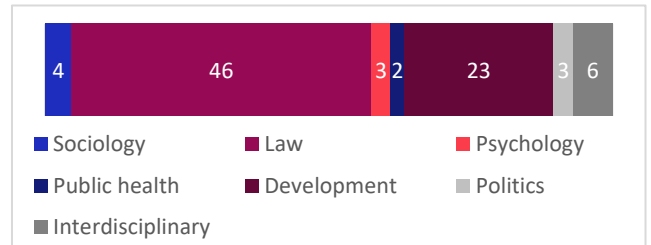


Figure 122. Research type

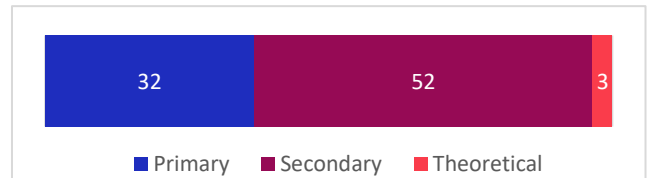
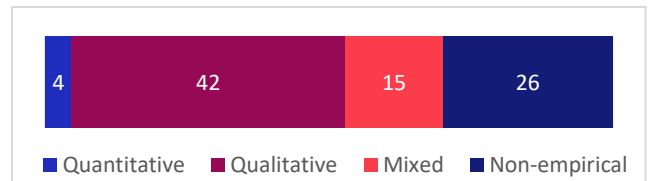


Figure 123. Research method (approach)



<sup>376</sup> Adhikari & Turton, 2020; Ferreira (2017 a); Verdoodt (2021); Türkelli (2021)

<sup>377</sup> Derluyn et al. (2015); Martuscelli & Duarte Villa (2018)

<sup>378</sup> Adhikari & Turton (2020); De Felice (2021); Yilmaz et al. (2020)

<sup>379</sup> Holzscheiter (2016); Liebel (2015, 2019, 2021); Taft (2019)

<sup>380</sup> Yilmaz et al. (2020)

<sup>381</sup> Yilmaz et al. (2020); Türkelli (2021)

<sup>382</sup> Dunhill et al. (2020)

## 6.4 Paternalism

Paternalism is the second least addressed theme identified across records, accounting for a total of 27 records (17.6%); 24 with substantive consideration and 3 with passing mention. These records examined the tension arising from perceptions of children’s need for protection and their agency and participation rights.<sup>383</sup> The conflict between protection and autonomy was considered a known dilemma within the children’s rights framework.<sup>384</sup> The literature dealing with paternalism intersected predominantly with the principle of the best interests of the child and the right to education, each mentioned in 22 of the 27 records.

Some papers in the review found that claims related to international frameworks and the UNCRC endorsed a paternalistic stance by imposing moral authority and policies that treat childhood as a homogenous period, leaving adult authority intact, or lacking cultural sensitivity.<sup>385</sup> However, other views considered the UNCRC as having achieved a balance between opposing schools of thought (paternalism/protectionism vs agency) by recognising the child’s evolving capacities and participation rights.<sup>386</sup>

Although the implementation of children’s rights must be sensitive to both protection and children’s decision-making abilities, the protection of children from modern slavery is not always clear-cut. For example, conflicts between protection and agency remain unresolved when dealing with the child soldier’s dichotomy of victim/perpetrator,<sup>387</sup> or the extent to which a child’s consent to marriage should prevail.<sup>388</sup> In terms of UNCRC legal provisions, this conflict is presented in the literature in reference to the recognition of the child’s best interests (Art 3), the right to be heard and express their views, and the evolving capacities of the child (Arts 5, 12), and the right to non-discrimination (Art 2).<sup>389</sup>

Among records addressing this theme, there is apparent agreement that the implementation of children’s rights involves shifts in the ways that societies view children, to recognise them as rights holders.<sup>390</sup> The literature shows that states, societies, and adults struggle to see children as equals and with the capability to make their own decisions.<sup>391</sup> The dominance of the legal discipline amongst the records points to a need to engage with this topic across disciplines.

The records showed that parental authority is exercised with a paternalist stance and justified in the child’s best interests in specific contexts. Bourke et al.’s study in Ireland shows that perceptions of vulnerability of younger children increase

Figure 124. Publication date of SARD records related to paternalism

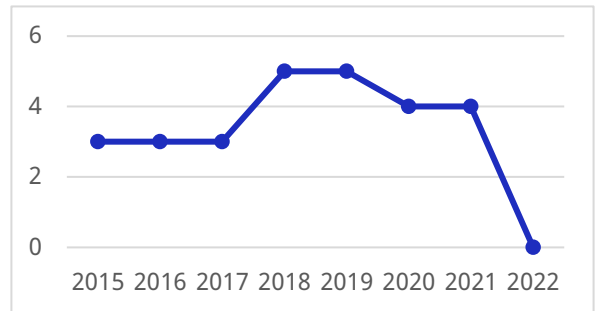


Figure 125. Discipline of publications

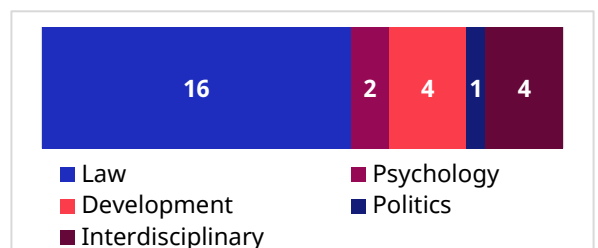


Figure 126. Research type

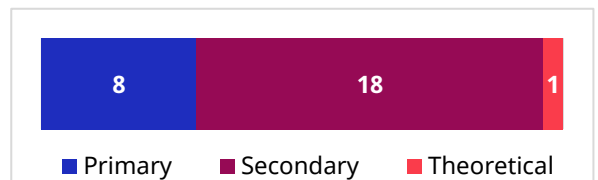
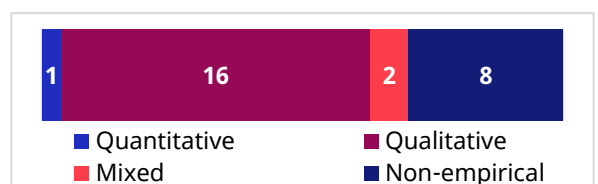


Figure 127. Research method (approach)



<sup>383</sup> Bourke et al. (2020); Derluyn et al. (2015); Esson & Drywood (2018); Lokot et al. (2021)

<sup>384</sup> Derluyn et al. (2015)

<sup>385</sup> Peleg (2018); Horii (2020)

<sup>386</sup> Derluyn et al. (2015); Esson & Drywood (2018)

<sup>387</sup> Derluyn et al. (2015); Evans (2016); Martuscelli & Duarte Villa 2018

<sup>388</sup> Horii (2020)

<sup>389</sup> Esson & Drywood (2018); Horii (2020); Mason et al. (2019)

<sup>390</sup> Lubaale (2015); Peleg (2018); Van Coller (2017)

<sup>391</sup> Lubaale (2015)

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approval of protectionist practices. However, this often occurs at the expense of their participation rights.<sup>392</sup> The best interests of the child are frequently assessed by adults, who discern how children should be trained and protected from harmful situations.<sup>393</sup> This was seen especially in traditional environments and with practices such as child labour, where work may be viewed culturally as a tool and forum for socialisation, introduction to the community, or for ‘character-building’.<sup>394</sup> Claims of paternalism were also observed in international fora and governance networks, where movements of child workers struggle to be granted the ground to make their voices heard.<sup>395</sup>

Other areas of discussion within this theme included the extent to which parents are believed to be best placed to make decisions that are in the best interests of children under an altruistic idealisation of their relationship;<sup>396</sup> and the role of religious leaders as paternal figures entitled to decide the degree of freedoms exercised by entrusted children.<sup>397</sup> Bolten’s empirical study in Northern Sierra Leone suggested that both children and adults were striving to define what constitutes the best interests of a child between values fixed in adults’ understandings and those derived from children’s rights frameworks.<sup>398</sup>

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<sup>392</sup> Bourke et al. (2020)

<sup>393</sup> Adonteng-Kissi (2021); Esson & Drywood (2018); Kitson (2016)

<sup>394</sup> Kitson (2016); Lubaale (2015)

<sup>395</sup> Holzscheiter (2016); Van Daalen & Mabillard (2019)

<sup>396</sup> Van Coller (2017)

<sup>397</sup> Zoumanigui (2016)

<sup>398</sup> Bolten (2018)

## 6.5 Autonomy, empowerment, and agency

Children’s agency appeared as a key topic of discussion across 83 records (54.2%), with 60 records offering substantive consideration of the topic, and 23 addressing the topic in passing.

Several records addressed the deprivation of children’s rights resulting from modern slavery, which subsequently affects the child’s agency.<sup>399</sup> More complex debates on children’s agency discussed a previous exercise of agency to engage with modern slavery, the dynamics of protective measures, and how vulnerability and victimhood are understood.

Children’s agency can be hampered by stereotypical views of children as innocent, passive, and helpless, which add to children’s victimisation.<sup>400</sup> The key claim in this part of the literature is that children’s agency and their voluntary engagement in potential or actual exploitative practices in an attempt to overcome poverty, structural inequality, violence or patriarchal cultural norms is often overlooked.<sup>401</sup> Discussion of the denial of children’s choice in this way traversed all types of modern slavery. A few empirical studies identified agency and the legitimate choice of children in becoming involved in prostitution (Malawi),<sup>402</sup> child labour (Ethiopia, Senegal), and mobility (Ghana).<sup>403</sup>

While anti-slavery and anti-trafficking regulations and policies aim to protect children, the role of these protective measures in reducing children’s agency, empowerment, and self-determination was problematised in the literature.<sup>404</sup> For example, children’s agency and the anti-trafficking framework were seen as conflicted due to the invalidation of children’s consent by the Palermo Protocol—advanced in an attempt to ensure enhanced protection.<sup>405</sup>

A complex debate addressed the agency and autonomy of children in the context of armed conflict and crime, discussing accountability and criminal prosecution.<sup>406</sup> Part of the literature reconciles this apparent contradiction by reaffirming child soldiers’ autonomy and advocating for special measures that consider their vulnerability and need for

Figure 128. Publication date of S4RD records related to autonomy, empowerment, and agency

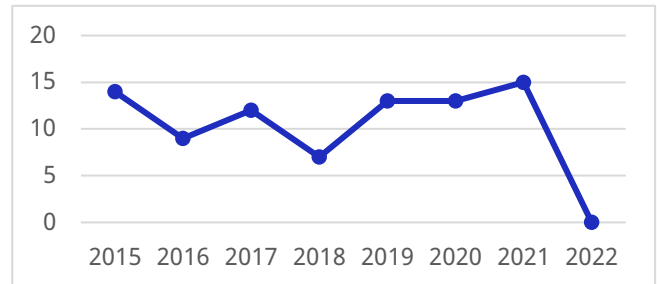


Figure 129. Discipline of publications

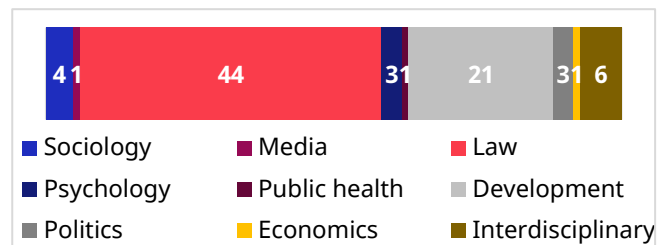


Figure 130. Research type

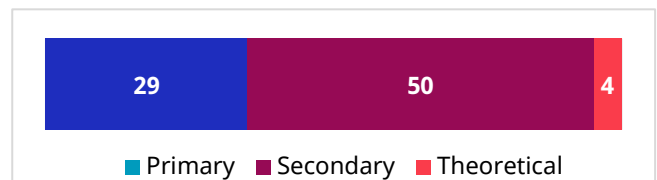
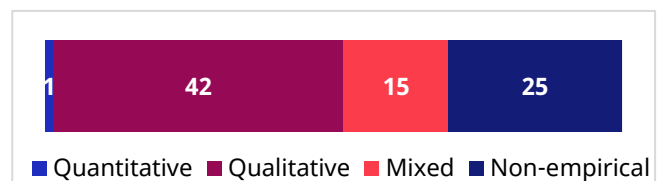


Figure 131. Research method (approach)



<sup>399</sup> Addaney & Azubike (2017); Arab & Sagbakken (2019); Kitson (2016)

<sup>400</sup> Adhikari & Turton (2020)

<sup>401</sup> Charnley & Nkhoma (2020); Esson (2018); Yilmaz et al. (2020)

<sup>402</sup> Charnley & Nkhoma (2020)

<sup>403</sup> Eriksen & Mulugeta (2021); Esson & Drywood (2018); Fuchs (2019); Koomson et al. (2021)

<sup>404</sup> Yilmaz et al. (2020)

<sup>405</sup> Adhikari & Turton (2020)

<sup>406</sup> Atkinson-Sheppard (2017); Roughley (2017)

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protection.<sup>407</sup> A debate was evident in relation to child marriage and the child’s agency and autonomy.<sup>408</sup> The literature was clear that a clearer conceptualisation of when children are seen as capable of making their own choices was needed.

The discussion on agency, autonomy, and protection through the lens of cultural relativism was also contested in the reviewed material. Horii claimed that children’s agency is dismissed when the child’s choice does not fit the western model of childhood or what is considered acceptable and right in the dominant discourse.<sup>409</sup>

Other key discussions related to the non-existent differentiation between children and younger adults and the treatment of children as a homogenous group, dismissing their varied experiences and changes, through a dominant conception of childhood described as promulgated by the UNCRC.<sup>410</sup> Nonetheless, the UNCRC was also recognised as promoting children’s agency, autonomy, and empowerment through provisions such as Articles 12 and 5. A reconceptualisation of children’s agency was thought to have the potential to broaden approaches to prevention. For example, there is limited research on different forms of agency (such as silence) or on agency as a continuous or evolving process.<sup>411</sup> The literature also pointed to the absence of the recovery of autonomy as a target within the law enforcement system.<sup>412</sup>

The theme of empowerment showed a strong connection to the right to education, with education viewed as a mechanism to enhance the voice and agency of children to make their own decisions about their own lives, free from fear and violence.<sup>413</sup> This was confirmed by the number of records addressing this theme, and the explicit references to the right to education (68 records).

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<sup>407</sup> Derluyn (2015)

<sup>408</sup> Horii (2020)

<sup>409</sup> Idem

<sup>410</sup> Adhikari & Turton (2020)

<sup>411</sup> Lokot et al. (2021); Horii (2020)

<sup>412</sup> De Felice (2021)

<sup>413</sup> Addaney & Azubike (2017); McCleary-Sills et al. (2015)

## 6.6 Duties and obligations

Duties and obligations was the second most dominant emerging theme addressed in the review. A total of 121 (79.1%) records referred to this theme, 110 with substantive consideration, and 11 with passing references. This is likely connected to the dominance of the legal field within the review. Consequently, it is unsurprising that 110 records highlighted state duties and obligation to protect and fulfil children’s rights in relation to all types of modern.

49 records recognised the influence of non-state actors in shaping and implementing international standards for the protection for children.<sup>414</sup> These records discussed the role of non-state actors and their influence on the protection of children’s rights, highlighting the need for greater involvement. These discussions reflected on the World Trade Organisation taking an evolutionary interpretation of their trade agreements in line with international labour and human rights law,<sup>415</sup> and the International Monetary Fund (IMF) in the mitigation of negative human rights impacts of its programme funding and loan conditions.<sup>416</sup> In the field of child labour, football emerged as a sector where exploitative practices take place and where global regulators such as FIFA and the Confederation of African Football should assume a leading role, rather than delegating such matters to national associations.<sup>417</sup> A general argument across these records suggested that these actors’ guiding frameworks need closer engagement with the children’s rights framework.

26 records examined the responsibility of the international community, underlining a need to strengthen international frameworks and increase collaboration. These discussions pointed to the non-existence of a specified legal marriage age set by either the UNCRC or CEDAW;<sup>418</sup> the need for a greater understanding of childhood and traditional child-rearing patterns embedded within individual contexts;<sup>419</sup> a need for improved international protection for children involved in armed conflict and in the regulation of recruitment practices;<sup>420</sup> the creation of complementary institutions or legal frameworks that reinforce state intervention;<sup>421</sup> and advocacy to reopen discussions on child labour and recognition of their economic and labour rights;<sup>422</sup> among others.

50 records in the review referred to the duties and obligations of society, the community, and the family. These records highlighted the role of wider society and smaller units of the child’s network of protection. Entrenched cultural values, views on reputation and the tolerance of some conduct (e.g. sexual harassment, pornography, patriarchal hierarchies),

Figure 132. Publication date of S4RD records related to duties and obligations

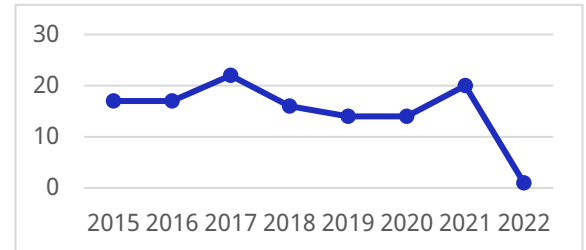


Figure 133. Discipline of publications

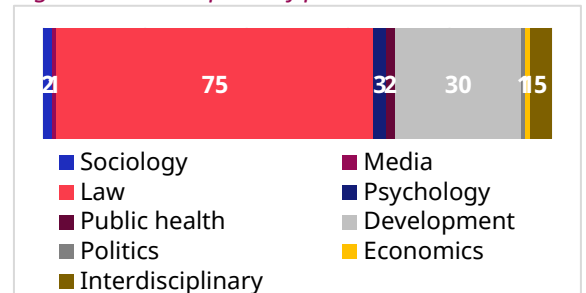


Figure 134. Research type

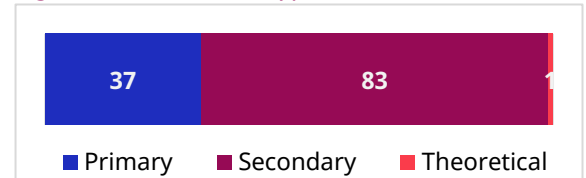
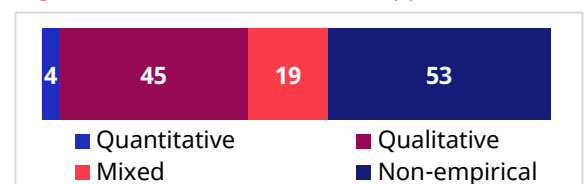


Figure 135. Research method (approach)



<sup>414</sup> Boersma (2018)

<sup>415</sup> Williams (2015)

<sup>416</sup> Mark et al. (2021)

<sup>417</sup> Yilmaz et al. (2020); Esson & Drywood (2018)

<sup>418</sup> Addaney & Azubike (2017); Menz (2016)

<sup>419</sup> Adhikari & Turton (2020)

<sup>420</sup> Barret (2019); Harding & Kershner (2018)

<sup>421</sup> Conklin & Mason (2017); Gyuracz (2017)

<sup>422</sup> Dillon (2015); Liebel (2015)

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were all described as factors influencing children’s relationship with modern slavery.<sup>423</sup> This suggests a need to explore other dimensions of responsibility at the community level that go beyond the individual level of responsibility, promoting social cohesion and community integration.<sup>424</sup> Conversely, the presumption of the community or family’s protection in areas such as work could also limit intervention or protection from the state apparatus.<sup>425</sup>

25 records, with a diverse geographical focus (Africa, Latina America, and Asia), addressed or implied the duties and obligations of the child. 15 of these studies were based on primary empirical methods that observed interactions within communities and families, and children’s perceptions. Discussion was mostly associated with child labour, as children’s work was described as relating to a social role in their communities and their families tied to their cultural or traditional contexts.<sup>426</sup> Children were described as having the responsibility to contribute to their family, increase the family’s productivity or income, or take over parents’ activities.<sup>427</sup> The literature pointed to a variation in how children perceive these responsibilities. For example, in Ghana (Dagbon), children asserted their position in their family by willingly engaging in street begging. Being able to support their families had great significance for these children.<sup>428</sup> Children were also seen as choosing to participate in fishing (Yeji), yet showing influence and persuasion from the family.<sup>429</sup> Another key discussion was based on the issue of recognising children’s agency, which becomes more challenging and ambiguous when they are involved in crime, war, or violence.<sup>430</sup>

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<sup>423</sup> Akter et al. (2021); Binford (2018); Eriksen & Mulugeta (2021); Warri (2019)

<sup>424</sup> Diala (2019); Maya (2017)

<sup>425</sup> Liebel (2015)

<sup>426</sup> Adhikari & Turton (2020); Adonteng-Kissi (2020)

<sup>427</sup> Adonteng-Kissi (2020); Azhar (2015); Cruz et al. (2020); Eriksen & Mulugeta (2021); Fuchs (2019); Islam et al. (2015); Koomson, et al. (2021); Maconachie & Hilson (2016); Jijon (2020); Osei-Tutu & Tatak (2019)

<sup>428</sup> Fuseini & Daniel (2018)

<sup>429</sup> Koomson et al. (2021)

<sup>430</sup> Atkinson-Sheppard (2017); Barret (2019); Evans (2016); Kiyala (2021)



## 6.7 Gender inequality

Gender inequality as an emerging theme was addressed in 57 records: 36 records with substantive consideration and 21 with passing reference.

A strong connection with gender inequality is seen in relation to child marriage, with a predominant geographical focus on Africa, Asia, and the Middle East.<sup>431</sup> Gender gaps in legislation involve significant differences in the legal minimum age to enter marriage across and within countries (when statutory law conflicts with customary law)<sup>432</sup> and different legal treatment between female and male children when defining the legal age for marriage (often lower for females). However, evidence of judicial activism in Tanzania and Zimbabwe showed recent development to eliminate these variations on the grounds of equality.<sup>433</sup>

Claims of adherence to 18 years as a standard minimum age<sup>434</sup> were seen as a predominant trend across the records, although few challenged the use of chronological age in contexts where puberty is the decisive factor to be considered ready to marry.<sup>435</sup> Gender inequality was treated as both a cause and a result of child marriage, with persistent and overlapping abuses of children’s rights such as the right to education, health, sexual and reproductive health, life, an adequate standard of living, and agency. The infringement of these interconnected rights was noted to affect children’s ability to make their own choices and to socially isolate them.<sup>436</sup>

Female children were noted to be affected by cultural bias in contexts such as Nigeria, Bangladesh, and Uganda. Female children were found to be more unlikely to be pulled out of school and assigned house chores and considered less capable than male children.<sup>437</sup> Further, cultural norms were considered to impose on female children the responsibility to maintain the family honour and treat them as objects of monetary exchange to overcome the economic hardship of the family.<sup>438</sup> The Covid-19 pandemic was considered to have deepened gender inequality and poverty in Niger, reflecting patterns also seen in previous outbreaks, and likely to increase the rates of child marriage (Niger).<sup>439</sup>

Sexual exploitation was the modern slavery practice with the second strongest association with gender inequality, also interconnected with issues of child marriage, child trafficking (including in the football industry and intercountry

Figure 136. Publication date of S4RD records related to gender inequality

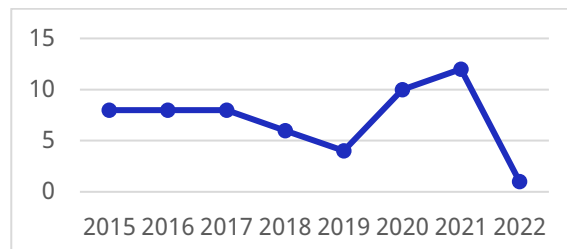


Figure 137. Discipline of publications

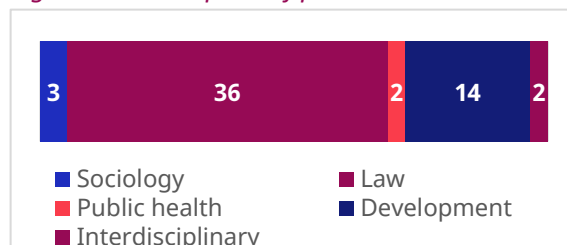


Figure 138. Research type

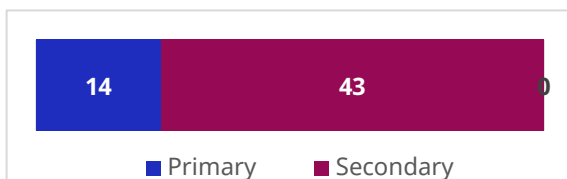
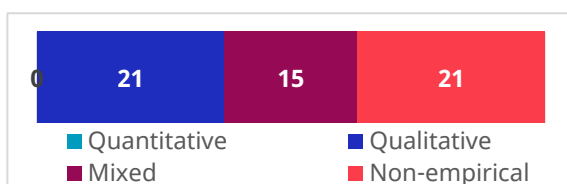


Figure 139. Research method (approach)



<sup>431</sup> Addaney & Azubike (2017); Chinyere Anozie et al. (2018); Efevbera & Bhabha (2020); Enemo (2022); Mayasari (2020); Scolaro et al. (2015)

<sup>432</sup> Arthur et al. (2018)

<sup>433</sup> Mwambene (2018); Mukum (2020). See Constitutional Court of Zimbabwe in the case Mudzuru & Tsopodzi v. Minister of Justice, Legal and Parliamentary Affairs N.O. & Others.

<sup>434</sup> Arthur et al. (2018)

<sup>435</sup> Al-Hakami & McLaughlin (2016)

<sup>436</sup> Addaney & Azubike (2017); Akter et al. (2021); Chinyere Anozie et al. (2018); Diala (2019); Kitson (2016); Msuya (2020); Scolaro et al. (2015)

<sup>437</sup> Addaney & Azubike (2017); Balagopalan (2019)

<sup>438</sup> Addaney & Azubike (2017); Akter et al. (2021)

<sup>439</sup> Dean (2021)

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adoption), and the involvement of children in armed conflict (Sierra Leone and the Democratic Republic of Congo). Charnley & Nkhoma examined feminist theory, arguing that the capability approach offers a more suitable way to understand children’s restraints (unfreedoms) that stir their agency and choices to be involved in prostitution.<sup>440</sup> Gender and discrimination against girls were dealt with in a small group of records in relation to sexual exploitation and domestic servitude. During armed conflict, girls were reported to experience a cumulative vulnerability, being forced to marry combatants, abducted, and recruited to be sex slaves.<sup>441</sup> Finally, gender was presented as key in the intersection of elements that contribute to children’s vulnerability that should be considered in preventive and protective strategies.<sup>442</sup>

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<sup>440</sup> (2020)

<sup>441</sup> Conklin & Mason (2017)

<sup>442</sup> Balagopalan (2019)

## 6.8 Children’s activism

Children’s activism was addressed in 16 records, with substantive mentions in 10 (6.5%) records and passing references in 6 (3.9%). 15 of these records are associated with child labour, showing a predominant focus on Latin America. 4 records are based on primary qualitative studies with direct participation of children members or representatives of these movements.

The records examined the claims of groups such as: the Latin American and Caribbean Movement of Working Children and Adolescents; the Bolivian Union of Working Children and Adolescents (Bolivia);<sup>443</sup> the National Movement of Organized Working Children and Adolescents of Peru;<sup>444</sup> and the African Movement of Working Children and Youth (Senegal)<sup>445</sup>. The exception to the child labourers’ movements was the Children’s Movement for Peace in (Colombia), advocating for the right to peace during the reconciliation processes with the Revolutionary Armed Forces of Colombia – People’s Army.<sup>446</sup>

Analysis within this theme recognised that children’s right to participation is a strong basis of their activism.<sup>447</sup> The core foundation of children’s claims discussed in this context were directed towards the fight against the stigmatisation and eradication of children’s work, advocating for a lower legal age for work. Their right to work was noted to be a fundamental human right, the infringement of which not only comprises age-based discrimination but ignores children’s real-life needs and social ties.<sup>448</sup> Records presented a challenge to ILO policies for not recognising children’s contexts or needs, or encouraging the enforcement of working regulations.<sup>449</sup> Child activists were considered to display agency and political engagement. However, Jijon examined their relationships with their work, implications for their dignity, and how these children differed from the traditional image of children portrayed by either international organisations or transnational working children’s movements in a unique way.<sup>450</sup>

The language used by movements of activist children was aligned with the UNCRC, children’s rights, participation, and agency.<sup>451</sup> Nonetheless, a few records noted that the acceptance of the UNCRC values is not universally or entirely adopted, being reinterpreted, or adhered to strategically. In Senegal, the discourse was adapted through the lenses of local frames, and their cultural and socioeconomic contexts, to fit with their actual life experiences for a more a pragmatic approach.<sup>452</sup> This implied the modification of rights claims, combined with a conventional moral. In Peru, Taft observed that the movement applies the children’s right framework to communicate

Figure 140. Publication date of S4RD records related to child activism

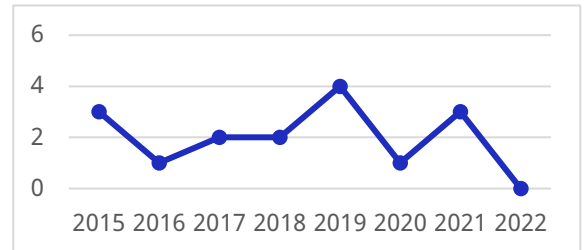


Figure 141. Discipline of publications

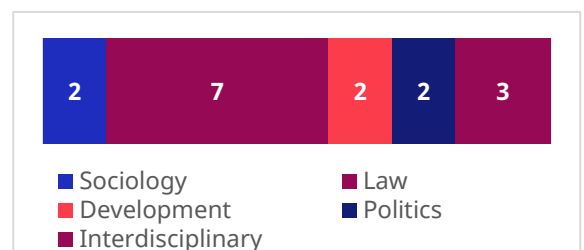


Figure 142. Research type

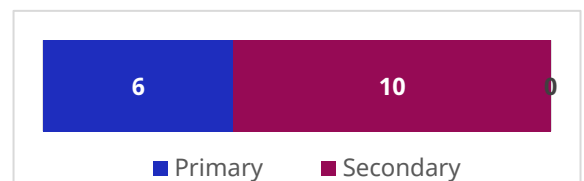
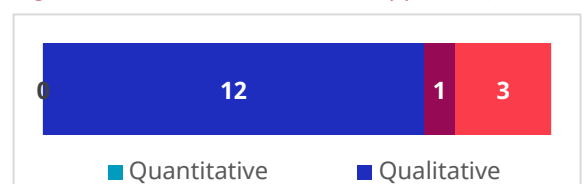


Figure 143. Research method (approach)



<sup>443</sup> Fontana & Grudel (2015); Peleg (2018); Van Daalen & Mabillard (2019)

<sup>444</sup> Maya (2017); Taft (2015)

<sup>445</sup> Fuchs (2019)

<sup>446</sup> Martuscelli & Duarte Villa (2018)

<sup>447</sup> Fontana & Grudel (2015)

<sup>448</sup> Fontana & Grudel (2015); Jijon (2020); Peleg (2018)

<sup>449</sup> Maya (2017); Van Daalen & Mabillard (2019)

<sup>450</sup> Jijon (2020)

<sup>451</sup> Fontana & Grudel (2015); Fuchs (2019); Taft (2019)

<sup>452</sup> Fuchs (2019)

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across discursive contexts or to gain support from international children’s non-governmental organisations, adopting a strategic approach to engagement.<sup>453</sup>

Across the records, advocacy for children’s claims to be heard was evident, highlighting that children are best placed to understand their own situation. Their transnational growth, along with their connection to international networks, was acknowledged.<sup>454</sup> However, a few records explored the reasons why their voices are being dismissed, such as: fractures within their structures caused by internal disputes;<sup>455</sup> their representativeness sometimes being questioned;<sup>456</sup> and their claims not aligning with those of adults or of international organisations such as the ILO.<sup>457</sup> Further, Taft showed that the intergenerational dialogue relationship between adults and children is complex, even in contexts that foster participation and agency, tending to revert to the traditional roles wherein children are assigned a ‘listening’ role<sup>458</sup>.

The autonomy/regulationist approach may seem progressive, and is receiving increasing support since it advocates for children’s rights, equality, autonomy, privacy, and participation. However, Ferreira takes this approach with caution given the harmful effects of work on children that requires scrutiny from child work regulations<sup>459</sup>.

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<sup>453</sup> Taft (2019)

<sup>454</sup> Holzscheiter (2016)

<sup>455</sup> Fontana & Grudel (2015)

<sup>456</sup> Holzscheiter (2016)

<sup>457</sup> Peleg (2018); Van Daalen & Mabillard (2019)

<sup>458</sup> Taft (2015)

<sup>459</sup> Ferreira (2017 b)

## 7 Policy recommendations

This section addresses a selection of key policy recommendations identified in S4RD records. It groups recommendations by theme and examines each theme in turn. In so doing, it presents the key policy recommendations advocated in texts that intersect both fields of modern slavery and children's rights.

This section outlines the most frequent policy recommendations identified in the systematic review traversing all forms of exploitation. The legal disciplinary foundation of the majority of records impacts the types of references contained within the S4RD—the most frequent being legislative reform, enforcement, and harmonisation. This suggests further efforts are needed to ensure the legal protection of children from exploitative practices and ensure their rights. Further, academic attention may be important in new areas of regulation, as well as in relation to emerging and evolving grounds of exploitation where international agreements and frameworks are insufficient to guide protection in national contexts.

General recommendations underlined: the need for deeper levels of cooperation at the family, community, and global levels to further understand structures, dynamics, and cultural factors that hinder law enforcement; structural factors that lead to different forms of exploitation; and other more specific measures concerning facilitating access to education, policy evaluation, programme implementation, and resource allocation. There remains a need to tailor policy recommendations related to modern slavery with a children's rights focus, including child's participation, empowerment, and engagement.

### 7.1 Legislative reform, enforcement, and harmonisation

A total of 38 records, with a geographic scope covering Africa, Europe, Asia, and America, identified the need for legislative reform, making this the most frequent recommendation. These records highlighted the lack of adequate regulatory frameworks and gaps in relation to child trafficking, child marriage, sexual harassment, child labour and children recruited in the armed forces.<sup>460</sup> They identified legal loopholes in intercountry adoption;<sup>461</sup> a lack of recognition of the duty of care for child enlistees; a need for reforms to juvenile justice in the military system;<sup>462</sup> and the defining of legal criminalisation of exploitative practices with clear or stringent sanctions (among others).<sup>463</sup> This set of recommendations serves as an example of the broader discussions in records about the shortcomings of domestic legislation as guided by the international framework, which is seen to be occasionally lacking or insufficiently clear on the desired standard.

Key discussions across these records in relation to new areas of regulation concerned emerging sectors requiring specialised legislation, such as: child trafficking in the football industry and the regulation of intermediaries;<sup>464</sup> the protection of children from cybercrime at the international level;<sup>465</sup> enhancing data protection frameworks for the process of children's personal information;<sup>466</sup> and the restriction and prohibition of the importation of goods manufactured by child labour.<sup>467</sup> In the absence of more comprehensive and global efforts to safeguard children's rights, this set of recommendations emphasised the need for coordination and agreement at the international level in areas and fields where child exploitation has found new footholds and operating procedures where domestic legislation falls short.

Legal enforceability through concrete implementation was presented as a key issue in 16 records (12 of which focused on African countries), while legal harmonisation was addressed in 11 records. These records generally addressed issues of

<sup>460</sup> Adhikari & Turton (2020); Akter (2021); Arifin et al (2020); Hounmenou (2018); Ogunniran (2017); Warri (2017) and Warri (2019)

<sup>461</sup> Akter (2021); Cheney (2021); Van Doore (2016)

<sup>462</sup> Waschefort (2016)

<sup>463</sup> Nahamya (2017)

<sup>464</sup> Yilmaz, S. et al. (2020)

<sup>465</sup> Witting (2021)

<sup>466</sup> Van der Hof (2020); Harding & Kershner (2018)

<sup>467</sup> Williams (2015)

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compatibility between domestic, regional, and international frameworks<sup>468</sup> and tensions within domestic systems. Records often highlighted the lack of uniform standards for the protection of children’s rights across states within the same country, internal compatibility among regulations, and the challenges of legal pluralism. Nigeria’s legal system was noted as a particular example where the federal constitutional architecture, the state’s common law, Islamic law, and customary law conflict with each other, inhibiting equal realisation of children’s rights.<sup>469</sup>

## 7.2 Collaborative Governance

Enhancing collaborative governance was included in 32 records as a policy recommendation. This was conceived as requiring internal collaboration among governmental systems to build robust inter-institutional networks involving the executive, legislators, judiciary, and police working together with non-governmental organisations, communities, religious leaders, parents, and teachers.<sup>470</sup>

17 of these records emphasised community engagement. A small group of 10 records, with a predominant geographical focus on African states (Kenya, Nigeria, Rwanda, Uganda, Tanzania), stressed the role of religious leaders who possess great influence in the community.<sup>471</sup> The engagement of political leaders and policymakers with religious leaders, and interventions at the community level through participatory approaches, were identified as having the potential to make the difference in the enactment of enforceable laws and effective policy implementation.<sup>472</sup>

Working with parents was noted to be an enabling tool for policymakers to understand societal pressures and start a dialogue to reconcile tensions between children’s rights and parental expectations in traditional child-rearing patterns.<sup>473</sup> Family members were noted as having influence on what children see as acceptable or legitimate, and therefore on their choices. Further, it was emphasised that children can engage in work by following in the footsteps of their parents, and the sense of responsibility in children to support their families often supersedes their concerns about being involved in a situation of modern slavery.<sup>474</sup>

Collaborative governance at the intersection of the modern slavery and children’s rights—presented as necessary in these records—encompasses the engagement of multilevel actors beyond government to include the smallest units of society, community, and families. Therefore, the records proposed addressing children’s exploitation and ensuring their rights from a bottom-up approach to understand internal dynamics, expectations, and societal cohesion.

## 7.3 Reconciliation with context, tradition, religion, and culture

Approaches to reconcile the tension between the children’s rights international framework and values embedded in context, culture, and tradition were addressed in 29 records, with a predominant geographic scope focused on the African and Latin American regions. These records were concerned with traditional and cultural practices as causal factors preventing the enforcement of children’s rights as the significance of these practices often supersedes the rule of law, weakening the state’s compliance even when domestic legislation is aligned with UNCRC standards.<sup>475</sup> The evidence reviewed highlighted the importance of context and culturally sensitive policy and parenting programmes, understanding the underlying social, cultural, and contextual factors that drive modern slavery practices in local contexts.<sup>476</sup> Multi-cultural dialogues and the predisposition to reconceptualise frameworks that respond to the societal diversity and reality, within which the UNCRC operates, were presented as a potential avenue of reconciliation.<sup>477</sup>

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<sup>468</sup> Maloney (2021); Gyuracz (2017); Johnson (2019)

<sup>469</sup> Enemo (2022); Ogunniyi (2018); Ogunniran (2017)

<sup>470</sup> Acca (2019); Zoumanigui (2016)

<sup>471</sup> Acca (2019); Kitson (2016); Zoumanigui (2016)

<sup>472</sup> Nahamya (2017); Warri (2019); Zoumanigui (2016)

<sup>473</sup> Adonteng-Kissi (2020); Acca (2019); Zoumanigui (2016)

<sup>474</sup> Adonteng-Kissi (2021); Charnley & Nkhoma (2020)

<sup>475</sup> Adonteng-Kissi (2021); Enemo (2022)

<sup>476</sup> Adonteng-Kissi (2020); Adhikari & Turton (2020); Arab & Sagbakken (2019); Esson (2018)

<sup>477</sup> Adonteng-Kissi (2021); Horii (2020); Osei-Tutu & Tatek (2019)

## 7.4 Structural causes

Addressing the root causes that affect children’s rights to survival and development was a key issue generally addressed across records and geographical locations, with explicit recommendations on this theme identified in 16 records. Poverty, social exclusion, gender inequality, unemployment, and lack of education were identified as factors that foster the criminal exploitation of children. Therefore, measures that do not address these structural constraints were considered insufficient and too narrow to face the challenge of child slavery and the protection of children’s rights. These were presented as factors that shape the child’s agency and trigger labour mobility to cope with their situation, leading them in some cases to willingly engage in exploitative practices that would allow them to provide for their families.<sup>478</sup>

The omission of steps to deal with the pre-existing causes of modern slavery was considered to be a factor that leads to the subsequent violation of children’s rights, contravening fundamental needs and rights to protection, adequate standards of living, health care, and education.<sup>479</sup> Poverty reduction and social protection programmes discussed included child-sensitive cash transfers and school fee waivers.<sup>480</sup> Further, factors such as corruption (which diverts resources from these programmes), imposed structural adjustment programmes, lack of enforcement of free-trade policies, and the activities of multinational companies were presented as more complex factors hampering anti-poverty policies to achieve global equality.<sup>481</sup>

Structural causes were a clear feature in the mapping of policy recommendations. However, studies addressing the intersection between children’s rights and modern slavery rarely referred to structural factors as a central focus of analysis. This appears connected to the lack of strong disciplinary diversity and interdisciplinary approaches in the literature at the nexus between these two fields. For example, whereas law and development studies were relatively well-represented in the study, economics, media studies, public health, psychology, medicine, and even politics were much less strongly represented. At the same time, truly interdisciplinary studies only made up 5.9% of S4RD records (9 records). While this may be strongly related to the focus and framing of the study—specifically the explicit focus on the children’s rights frame—a stronger interdisciplinary evidence base on this intersection could improve research on structural causes.

## 7.5 Children's participation and voice

As seen in section 6.3, records in the S4RD showed significant concern for children’s participation or voice in the response to different forms of exploitation. However, explicit and practical recommendations focused on enhancing children’s participation and engagement in law, policies, and processes that affect their lives were, relatively rare, found as key recommendations in only 16 records. Empowering children and prioritising their participation in the policy-making process was referred to in the context of child labour,<sup>482</sup> child trafficking,<sup>483</sup> and children in armed conflict.<sup>484</sup> However, the literature in this review showed more substantive discussion of children’s participation and voice recommendations when addressing child labour and the involvement of children in armed conflict. The empowerment of female children received greater focus in records discussing child marriage.<sup>485</sup>

Having experienced exploitation themselves, child survivors are well-placed and possess a unique understanding that could contribute to effective policy responses, if their capacity to influence decision-making as active social actors is recognised.<sup>486</sup> The engagement of children in policy making and similar processes necessitates that the right to participation is reinforced across all age groups,<sup>487</sup> involving children at different stages of the policy process

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<sup>478</sup> Amusan (2018); Charnley & Nkhoma (2020)

<sup>479</sup> Donger & Bhabha (2018)

<sup>480</sup> Warri, A. (2017)

<sup>481</sup> Amusan (2018); Okyere (2017)

<sup>482</sup> Ferreira (2017 a); Yilmaz et al. (2020); Osei-Tutu & Tatek (2019); Türkelli (2021)

<sup>483</sup> Adhikari & Turton (2020); Dunhill et al. (2020)

<sup>484</sup> Derluyn et al. (2015); Evans (2016); Martuscelli & Duarte Villa (2018)

<sup>485</sup> Addaney & Azubike (2017); Chinyere Anozie et al., (2018); Msuya (2020)

<sup>486</sup> Gasson et al. (2015); Hobbs et al. (2017); Türkelli (2021)

<sup>487</sup> Bourke et al. (2020)

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(development, implementation, and evaluation), providing information available in accessible language and formats,<sup>488</sup> and creating opportunities for engagement in child-friendly environments.<sup>489</sup>

Some recommendations identified in the review referred to changes needed to improve institutions and processes to enhance children's participation and voice. Conklin & Mason, for example, proposed appointing a Special Rapporteur on the Rights of the Girl Child Soldier and an Inter-Agency Committee on Girl Child Soldiers to explore procedures for investigating rights violations.<sup>490</sup> Liebel, in line with the argument that children should have a voice in matters that are meaningful to them, underlined that children have few opportunities to practically influence decisions that concern them in bodies where they do not have seats or votes.<sup>491</sup>

## 7.6 Protection and Prevention

A total of 17 records addressed specific protection and prevention policy recommendations, both of which were explored as emergent themes in sections 6.1 and 6.2.

Protection-focused recommendations emphasised the need to: redesign and expand the anti-trafficking framework from rescue, repatriation, and rehabilitation;<sup>492</sup> protect child workers through regulation (Indonesia);<sup>493</sup> enhance or establish child protection units within police forces to assist and rescue children and allocate resources to this end;<sup>494</sup> increase protection in refugee camps that can ensure the security of female children to prevent vulnerability to engage in exploitative practices;<sup>495</sup> improve cooperation in the court systems to consider children specific needs;<sup>496</sup> and enhance the protection of children's personal data from cybercrime in the digital world.<sup>497</sup> Strengthening child protection systems in national contexts was another core recommendation. This was noted to require proper financial allocation, clear regulation, auditing of welfare records, and more research to inform law, policy and practice.<sup>498</sup>

Enhancing prevention was an explicit recommendation made in relation to child labour,<sup>499</sup> children in armed conflict, and child marriage. Rehabilitation programmes were considered important to prevent further violence and re-enlistment of child combatants.<sup>500</sup> Recommendations related to the prevention of child marriage considered factors such as the role of ethnic and religious communities, distinction of risk groups, and the need to develop new approaches to prevention.<sup>501</sup> The prevention of CSE through training for medical personnel, teachers, and social workers,<sup>502</sup> interventions of a non-violent nature to prevent child prostitution,<sup>503</sup> and enhancing the prevention of human trafficking and irregular mobility were also highlighted.<sup>504</sup>

## 7.7 Education

A total of 16 records presented education as a key mechanism in the fight against child exploitation and as a tool for empowering children, drawing strong connections with child labour, child marriage, sexual exploitation, and child trafficking (see further section 5.2). These records highlighted the need to build the capacities and skills of both girls and

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<sup>488</sup> Dunhill et al. (2020)

<sup>489</sup> Ferreira (2017 a); Yilmaz et al. (2020); Osei-Tutu & Tatek (2019)

<sup>490</sup> Conklin & Mason (2017)

<sup>491</sup> Liebel (2015), referring to legislation in Bolivia.

<sup>492</sup> Adhikari & Turton (2020)

<sup>493</sup> Arifin et al. (2020)

<sup>494</sup> Hounmenou (2018)

<sup>495</sup> Menz (2016)

<sup>496</sup> Ogunniran (2017)

<sup>497</sup> Van der Hof et al. (2020); Witting (2021)

<sup>498</sup> Cheney (2021); Kitson (2016); Warriia (2019)

<sup>499</sup> Adonteng-Kissi (2021)

<sup>500</sup> Duger (2015)

<sup>501</sup> Božić (2017); Deane (2021); Lokot et al. (2021)

<sup>502</sup> Duger (2015)

<sup>503</sup> Ogunniran (2017)

<sup>504</sup> Scott et al. (2015); Warriia (2017)



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boys to be able to work and access opportunities in their lives.<sup>505</sup> Tuition-free and compulsory education policies, major investments in education, and comprehensive standards were among the recommended measures.<sup>506</sup> Further, the need for alternative non-formal education models for girls in post-marriage situations and a gender responsive curriculum were also emphasised. A core discussion in these records advocated for the involvement of parents to deepen their understanding of the benefits of education.<sup>507</sup>

Evidence focused on the United States suggested that educational programmes in the curriculum can function as a tool of prevention and advocacy, increasing children’s awareness of criminal practices such as human trafficking and enhancing their sense of social justice.<sup>508</sup> McCleary-Sills et al. referred to education as a tool for agency and empowerment to prevent child marriage based on previous empirical studies. Recommended strategies to keep girls in school included: providing scholarships or cash transfers to girls; hiring more female teachers; reducing distance to schools; social mobilisation of girls led by female mentors; provision of school supplies; livelihood training for out-of-school girls; building separate toilet blocks for adolescent boys and girls in schools; and carrying out gender-sensitivity training for teachers.<sup>509</sup> Although not all records focused on education, or made recommendations on this topic, various studies indirectly dealt with the intersection between education and child exploitation, mostly highlighting the positive role of education.

## 7.8 Clarity and reconceptualisation

A group of records (12) emphasised the need to develop clarity and resolve conceptual tensions across several themes. Areas in which further clarity or reconceptualisation were emphasised as necessary included: the distinction between acceptable (light work) and non-acceptable (hazardous work) child work;<sup>510</sup> how exploitative and severe conduct must be to be considered child trafficking;<sup>511</sup> the understanding of child prostitution as human trafficking;<sup>512</sup> abusive and non-abusive childhood sexual behaviour;<sup>513</sup> child trafficking and illegal adoption;<sup>514</sup> whether all involvement of children in the drug trade amounts to exploitation;<sup>515</sup> and the treatment of child combatants in the criminal system.<sup>516</sup> 9 of these records were geographically focused on Africa (Ghana in three records, Nigeria, Democratic Republic of Congo, Malawi), 2 in Asia (Nepal, India,), and 1 in Latin America (Bolivia), while 3 had a global focus. Although tied to their specific contexts, 7 of these records applied qualitative empirical methods.

Advocacy for the reconceptualisation of approaches was noted across a group of records as a means to provide wider protection for children’s rights. Core debates dealt with: more flexible recognition and protection of child workers (abolitionist vs protectionist approaches);<sup>517</sup> the treatment of former child combatants as adult war criminals and the targeting rules in armed conflict;<sup>518</sup> and the changes of focus from a static to a continuum approach of the protection in the field of child marriage and child trafficking.<sup>519</sup>

The level of clarity and use of concepts and definitions strongly varied across records, both based on international standards and influenced by domestic parameters. The examples of the need for clarity and reconceptualisation shown above signal that the intersection of modern slavery and children’s rights is still populated with a number of concepts

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<sup>505</sup> Addaney & Azubike (2017); Adonteng-Kissi (2021); Gyuracz (2017); Msuya (2020); Nahamya (2017); Peleg (2018); Scolaro et al. (2015)

<sup>506</sup> De Guzman et al. (2019); Donger & Bhabha (2018); Gyuracz (2017); Kiyala 2021

<sup>507</sup> Adonteng-Kissi (2021); Chinyere Anozie et al. (2018)

<sup>508</sup> Scott (2019)

<sup>509</sup> McCleary-Sills et al. (2015)

<sup>510</sup> Adonteng-Kissi (2021); Fontana & Grugel (2015)

<sup>511</sup> Adhikari & Turton (2020)

<sup>512</sup> Charnley & Nkhoma (2020)

<sup>513</sup> Acca (2019)

<sup>514</sup> Makinde (2016)

<sup>515</sup> Barret, (2017)

<sup>516</sup> Kiyala (2021)

<sup>517</sup> Adhikari & Turton (2020); Charnley & Nkhoma (2020); Adonteng-Kissi (2021); Osei-Tutu & Tatek (2019)

<sup>518</sup> Kiyala (2021)

<sup>519</sup> Lokot et al. (2021); Horii (2020)

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where the line seems blurry. This was evident in relation to both categorising types of exploitation experienced by children, and measuring the extent of children’s rights violations.

## 7.9 Unintended consequences, monitoring, and policy evaluation

A small group of records (4 records) dealt with the intended consequences of legislation and policies, finding that although the aim of measures considered was to protect children from modern slavery, there were potential negative effects on children’s rights. This included the ban on the mobility of football players as an anti-trafficking measure, which restricts their ability to pursue better opportunities and realise their ambitions, as well as blanket policies on child labour,<sup>520</sup> and legal prohibitions without prior impact assessment.<sup>521</sup>

Pre-assessments, monitoring, and evaluation processes have the potential to inform the legal and policy response and increase accountability. 10 records in the review expressed recommendations for policymakers, organisations, and companies to undertake monitoring and impact assessments of programmes and regulations before and after the interventions.<sup>522</sup> A proportion of these records highlighted that monitoring requires the definition of well-defined indicators and the development of minimum quality standards at the national and regional levels. The periodic reporting process under the UNCRC and ILO was seen as a positive mechanism currently in force as a general monitoring process,<sup>523</sup> although the measurement and extent of state progress against specific treaty-based benchmarks was an emerging concern.<sup>524</sup>

Programme evaluation between education and child marriage, child labour, and child trafficking received more attention across records. These discussions suggested that while programmes are being implemented, evaluation of their impact remains a pending task. For instance, identifying the causal factors for de-enrolment from school was highlighted as requiring further research.<sup>525</sup>

## 7.10 Programme implementation and allocation of resources

26 records included recommendations at the programme level. These records suggested that there is a need for wider government intervention to address forms of exploitation beyond a criminalisation approach to realise children’s rights. This involved a range of themes, including: skill acquisition and education opportunities; employment programmes; soft loans;<sup>526</sup> provision of health care; mitigation of exploitation; early intervention services; reproductive health care systems; and counter-recruitment strategies for child soldiers.<sup>527</sup> Rehabilitation and reintegration of children needs were highlighted in cases of human trafficking and child soldiers.<sup>528</sup>

While the implementation of programmes was considered to have a complementary effect on the enforcement of legal provisions,<sup>529</sup> there was also an emphasis on programme implementation at community level, tailored to children’s needs and dealing with root causes of exploitation.<sup>530</sup> Programme-level recommendations were also directed towards training programmes for relevant stakeholders,<sup>531</sup> social workers,<sup>532</sup> first contact providers,<sup>533</sup> and law enforcement.<sup>533</sup>

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<sup>520</sup> Holzscheiter et al. (2021); Liebel (2021, 2015); Peleg (2018)

<sup>521</sup> Yilmaz, S. et al. (2020); Esson & Drywood (2018); Wijffelman (2017); Acca (2019)

<sup>522</sup> Van der Hof (2020); Barret (2017); Conklin & Mason (2017); Donger & Bhabha (2018); Hounmenou (2018); Islam et al (2015); Karamalla-Gaiballa (2021); Muraya & Fry (2016); Warri (2017); Yilmaz (2020)

<sup>523</sup> Barret (2017); Hounmenou (2018); Muraya & Fry (2016)

<sup>524</sup> Conklin & Mason (2017)

<sup>525</sup> Addaney & Azubike (2017); Kitson (2016); Pandey & Gautam (2015)

<sup>526</sup> Ogunniran (2017)

<sup>527</sup> Adonteng-Kissi (2021); Harding & Kershner (2018); Karamalla-Gaiballa (2021); Osei-Tutu. & Tatek (2019)

<sup>528</sup> Alzubari (2021); Karamalla-Gaiballa (2021)

<sup>529</sup> De Guzman et al. (2021)

<sup>530</sup> Diala (2019); Hoque (2021); Makinde (2016); Menz (2016); Sampaio & McEvoy (2016)

<sup>531</sup> Acca (2019); Duger (2015)

<sup>532</sup> Adonteng-Kissi (2021); Muraya & Fry (2016); Warri (2019)

<sup>533</sup> Dunhill et al. (2020); Nahamya (2017);

A total of 9 records highlighted that the implementation of comprehensive laws, policies, and programmes to fulfil children’s rights requires financial, technical, and human resources.<sup>534</sup> These records perceived that the strengthening of child protection systems cannot be achieved without sufficient resources to invest in child rescue and reintegration programmes or strict law enforcement.<sup>535</sup> A lack of resources was identified as a common impeding factor. However, in some cases, inefficient budget allocations rather than actual socio-economic restrictions were found to be the key concern.<sup>536</sup>

## 7.11 Birth and marriage registration

Strengthening legal registration systems was a key policy recommendation in 6 records with a predominant geographical focus on African and Asian states.<sup>537</sup> These records emphasised the need to make registration mandatory and found that enforcement was still lacking in both urban and rural areas. It was also noted that this measure must be accompanied by work with communities and families to understand the importance of birth and marriage registration.<sup>538</sup> Registration of births and marriages was seen as a measure that could allow appropriate enforcement of the minimum age of marriage and labour for children and as an enabling instrument for the rights and entitlements of the child within states’ jurisdictions.<sup>539</sup>

## 7.12 UNCRC related recommendations

Recommendations specifically addressing the UNCRC highlighted the challenges of implementation, requiring: resources on all fronts, including financial, technical, and human;<sup>540</sup> training in the UNCRC framework (provision, protection, and participation) further support children’s participation<sup>541</sup> and thus the reflection of the framework in policies;<sup>542</sup> harmonisation of the UNCRC with other regional instruments such as the African Charter, which could involve the modification of UNCRC provisions;<sup>543</sup> and considering that the influence of the UNCRC may be limited in non-textually mediated spaces.<sup>544</sup> Bal, for example, referred to girls who are removed from schools as a textually mediated context, wherein they could interact with the UNCRC framework.<sup>545</sup> According to their own realities, children were considered to have different experiences that influence their chances to be reached by the Convention—a factor to be considered in the evaluation, implementation, and potential adaptation of the convention. Further discussion of the UNCRC is included in section 5.15.1.

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<sup>534</sup> Cruz et al. (2020); Menz (2016)

<sup>535</sup> Nahamya (2017); Adonteng-Kissi (2021); Hounmenou (2018); Ferreira (2017 a)

<sup>536</sup> Ferreira (2017 a); Donger & Bhabha (2018)

<sup>537</sup> Nepal, Nigeria, Nepal, Jordan, Malaysia, Kenya, Rwanda, Uganda and Tanzania.

<sup>538</sup> Adhikari & Turton (2020); Chinyere Anozie et al., (2018)

<sup>539</sup> Chinyere Anozie et al. (2018); De Guzman et al. (2019)

<sup>540</sup> Adonteng-Kissi (2021)

<sup>541</sup> Dunhill et al. (2020)

<sup>542</sup> Sacco et al. (2015)

<sup>543</sup> Johnson (2015)

<sup>544</sup> Bal (2017)

<sup>545</sup> Idem

## 8 Conclusions and recommendations

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This section summarises findings from across the study, identifying where and how modern slavery and child rights intersect in the current evidence base. It provides an overview of key trends identified and highlights key gaps in current investigation and knowledge at the nexus of children's rights and modern slavery. From these findings, it highlights key recommendations for research, policy, and practice emerging from the research.

This review sought to examine research at the intersection of two historically separate fields – modern slavery, and children's rights. Through conducting a systematic review of academic literature published since 2000, this review revealed a significant paucity in meaningful engagement across the two disciplines. Out of the 7,267 records included in the review only 345 records continued to Stage 4 due largely to a lack of engagement with both fields. Within the 153 records analysed for this report – those from 2015-2022 – a *strong* intersection between the two fields was only seen in 63 records (41.2% of analysed records). This suggests that there is either a deficiency of understanding or a lack of willingness to engage with literature from both fields meaningfully and shows a need to increase such engagement to ensure that research and practice is well informed with data from both the field of modern slavery and that of children's rights.

The review revealed that children's rights and the children's rights framework were generally assessed to operate as a positive tool for addressing modern slavery, presenting benefits for children at risk of, experiencing, and recovering from modern slavery experiences. With 81% of the records (124) representing children's rights as a positive tool, it is possible to conclude that greater informed engagement between the two fields and implementation of children's rights in modern slavery related policies would be of considerable value.

When assessing the disciplinary backgrounds of the literature included in the review the discipline of law was the most prominent. It is likely that this is affected by the topic under research – the intersection of modern slavery and children's rights literature – particularly as children's rights is a legal tool. It suggests, however, that knowledge and engagement with children's rights remains largely siloed to the legal context when in relation to modern slavery. The field of development studies also represented a significant proportion of records included in the study (22.2%), whilst there was a notable absence of other disciplines such as politics, economics, public health, psychology, journalism and media, and psychology. Greater interdisciplinary research involving both children's rights and modern slavery would increase the application of a child rights informed approach to modern slavery prevention, recovery, and rehabilitation policies. Research addressing the unique context of migration and child-trafficking was disassociated from in-depth discussion on children's rights, suggesting that migration studies requires a greater focus on this relationship. Interdisciplinary research was noted in records addressing sexual exploitation, commercial sexual exploitation, and children in armed conflict. Interdisciplinary research pointed to a critique of children's rights as lacking balance in relation to children in armed conflict, and as concentrating on prevention in the context of sexual exploitation.

Out of the 153 records analysed for this report, 100 were coded as secondary studies, with only 49 recognised as primary research. This reveals a need for a significant increase in primary research at the nexus of modern slavery and children's rights. A child rights approach would especially advocate for research involving children directly as co-researchers or child participants. Whilst a considerable proportion of these papers involved qualitative research methods (59), only 4 involved quantitative research. This also reveals a gap in the research addressing this intersection, that would benefit from greater involvement.

The geographical weighting of the records included in this review is noteworthy. The review showed a significant concentration of research on the African and Asia-Pacific regions (54.25% - 51 records and 32 records, respectively). Similarly, the records showed that several individual countries received considerable attention in the research (e.g. Ghana, Nigeria, Sierra Leone, Uganda, the United States of America, South Africa and Indonesia). Whilst it is not possible to identify the reasons behind this focus, it is evident that research that engages both with modern slavery and children's rights

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needs to widen its geographical scope and interest to have more global representation and application. Similarly, the review shows that research sitting at the nexus of modern slavery and children's rights literature has concentrated predominantly on just three forms of modern slavery: child labour, sexual exploitation, and child marriage. Child labour has been the dominant subject of study across all stages of this review (31.3% in Stage 3 and 52.9% of records included for full analysis for this report at Stage 4). Child trafficking, however, was initially profiled to be the most researched topic at this intersection (175 records at Stage 3), but closer examination revealed that whilst modern slavery academia has written extensively on this topic there is a lack of interaction with children's rights within many of these texts. Other forms of modern slavery, such as domestic work and forced begging, have been neglected at this intersection with minimal discussion in the records included in this study. This again reveals a need to broaden the scope and reach of topics included in research that sits within this nexus of modern slavery and children's rights. Addressing both geography and forms of labour, the research revealed a concentration of literature that addressed specific forms of modern slavery within specific geographical foci. For example, literature that addressed Latin America focused on child labour, whilst overlooking other forms of modern slavery with few exceptions. This indicates a need to investigate a diverse examination of forms of modern slavery across diverse geographies.

Prevention was an understudied topic in the papers reviewed for this report. Reports showed that the human rights framework is not mobilised or applied for the prevention of modern slavery sufficiently. Currently, there is an emphasis on child rights violations during the process of exploitation, but there is a dearth of research examining child rights violations pre- and post- exploitation, with the exception of research on children in armed conflict. Discussion of rights violations would also benefit from a reflection on specific rights violations, and specific groups affected (such as children), beyond a nebulous 'human rights violations' discourse. Conversely, a significant proportion of the records reviewed addressed the protection of children. This research showed that protection requires a multi-lens and comprehensive approach that requires engagement beyond legislation, where children's rights currently is seen to have a stronger influence. Rather, children's rights need to be taken into consideration and guide policy responses, interventions, and programs designed to tackle modern slavery, and its impacts, at a practical level. The literature also pointed to a want for greater influence of the children's rights framework in the design, development, and implementation of legislation, addressing gaps in relation to protection where all children are not protected on an equal footing, and in relation to new and emerging spaces such as the digital world.

There is clearly an unresolved tension in the topic of protection between paternalist approach and those that advocate for children's agency and participation. Although this tension is widely recognised and discussed across the literature, how to strike a balance in this area remains unclear. Consequently, research that seeks to undertake theoretical development on this topic and a methodology that can account for children's agency and their best interests, bridging the gap between rights on paper and rights in practice, in the area of modern slavery, would be advantageous. It would be exceptionally useful for such research to engage with this topic addressing particular forms of modern slavery and offering practical guidance. Reflections on children's agency across cycles of exploitation – pre, during, and post – would also be beneficial. Current research that addresses this topic does not seem to consider the reform of standards for compatibility with the child rights framework, and where discussion on frameworks does occur studies lack generalisability and thus are limited in their value for influencing significant change. Child activism, as an extension of the right to participation and voice, was addressed primarily in the context of child labour, and occasionally in relation to children in armed conflict. Exercise of participation and political activism was underexplored in relation to other forms of exploitation. An emerging discussion on collective rights, in relation to child labour, would benefit from an analysis of the relationship between collective rights and a traditional application and perception of children's rights as individual rights.

Whilst no children's rights are more important than others (acknowledging the need of some rights' fulfilment in order to realise other rights – without the fulfilment of the right to life, no other rights can be fulfilled), the literature engaged more meaningfully with the rights to education, health, development, participation, and the best interests of the child. Few records addressed the interrelated nature and interdependency of children's rights. The development of suitable indicators to assess children's rights implementation or violation was mentioned, however no study undertook to examine which this would encompass or with a focus on different forms of exploitation. Research on children's own perceptions of their rights in these contexts was also lacking. All forms of exploitation affect children's rights differently, at different points in the cycle of exploitation, and differently across distinct groups of children. Variations in violations of children's

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rights are noted throughout the studies. However, no studies identified have mapped these variations by the form of exploitation, the period of exploitation, and the characteristics of the children involved. Such mapping would be beneficial for understanding how respecting children's rights throughout the processes of exploitation and recovery would translate into, and inform, policy and practice. Jurisprudence by human rights systems at the intersection of modern slavery and children's rights was addressed in relation to just a few cases of domestic servitude (EU), forced begging (Africa), and child trafficking (America). There is no clear systematisation of guidance from this jurisprudence, which could benefit these practices.

The violation of children's rights by third parties involved in countering modern slavery was briefly mentioned, but never as a focus of study (e.g. police, NGOs conducting rescue operations). The research examined in this review points to the duties and obligations of non-state actors whose role and influence may impact upon child exploitation. The research indicates that these actors should take greater account of children's rights and the child rights framework. The role of parents as enablers of child exploitation was salient across the research studied. Whilst the role of children's rights, and the extent to which they influence parents' perceptions and conduct remained unclear, research showed that in some contexts even when parents are aware of their child's rights, parent still encouraged their children to work or marry. Research also showed that in some cases neither children nor parents could relate to the language of children's rights. Elimination of parental consent for child marriage was discussed as a growing trend within legislation, but research on the impacts of this remains necessary. The topic of labour within and related to the family context was highlighted as needing greater research, as a legalised form of exploitation. The literature reviewed pointed to both a need to uphold children's rights, and the need to do so in a way that accounts for cultural differences and legal pluralism: it is clear that this is not straightforward.

Given funding restraints on this project, not all records that progressed to S4RD were able to be studied, leaving the analysis of literature at the intersection of modern slavery and children's rights research centering on a relatively small time period of 7 years (2015-2022). Further research might therefore analyse the 178 records identified as relevant to this research from 2000-to-2014, in order to obtain a more comprehensive review of trends and insights for the timeline 2000-2022. Undertaking further research and analysis of grey literature would also be useful, to offer an insight into governmental, inter-governmental, and NGO reports. Moving the analysis even further would involve analysing sources in other languages, analysing records with domestic foci excluded in S3RD, and analysing the outputs of human rights monitoring bodies particularly those of the UN Committee on the Rights of the Child.

The review shows that there is considerable value in meaningful interaction between the two fields of modern slavery and children's rights research, yet this is not currently common practice in academic literature. Such engagement would ensure that modern slavery legislation, policies, programmes and practices were informed by the children's rights framework. Likewise, children's rights theory and practice would benefit from a greater understanding of the context of modern slavery, informing advocacy, implementation, and the development of children's rights.

## Annex I. S4RD codebook

Source data for all records included in the S4RD is coded in Excel, against a coding matrix capturing key variables related to both research design and content. This data will include: evidence source, topic/theme, source characteristics, policy recommendations and qualitative summaries.

Code	Description	Field entry
<b>1. Publication information (key citation information)</b>		
1.1.	Author	Free text
1.2.	Title	Free text
1.3.	Publication citation	Free text
1.4.	Year of publication	Defined entry: year (2000 – 2022)
1.5.	Publication type	Defined entry: article; book; chapter
<b>2. Overview</b>		
2.1.	Primary source field	Defined entry: law; politics; medicine; psychology; public health; development studies; journalism/media; interdisciplinary; economics; sociology
2.2.	Modern slavery reference	Defined entry: moderate; substantive; extensive & central
2.3.	Child rights reference	Defined entry: moderate; substantive; extensive & central
2.4.	CR as a positive or negative tool	Defined entry: positive; negative; mixed
2.5.	Geographic coverage (focus)	Free text
2.6.	Geographic coverage (substantive mention)	Free text
<b>3. Source type and methods</b>		
3.1.	Type	Defined entry: primary; secondary; theoretical or conceptual
3.2.	Method	Defined entry: quantitative; qualitative; mixed methods; non-empirical
3.3.	Research subjects	Free text
3.4.1.	Interviews	Binary
3.4.2.	Total interview participants	Number
3.5.1.	Focus groups	Binary
3.5.2.	Number of focus groups	Number
3.5.3.	Total focus group participants	Number
3.6.1.	Surveys	Binary
3.6.2.	Total survey respondents	Number
3.7.1.	Observation	Binary
3.7.2.	Total participants observed	Number
3.8.	Policy analysis	Binary
3.9.	Doctrinal legal analysis	Binary
3.10.	Document analysis	Binary
3.11.	Data analysis / statistics	Binary
3.12.1.	Systematic review	Binary
3.12.2.	Total systematic review sources assessed	Number
3.13.	Critical discourse analysis	Binary
3.14.	Case studies	Binary
3.15.	Methods notes	Free text (qualitative summary)
3.16.	Methods evaluation	Free text (qualitative summary)
<b>4. Modern slavery practices</b>		
4.1.	Modern slavery	Score (0;0.5;1)
4.2.	Human trafficking	Score (0;0.5;1)
4.3.	Labour trafficking	Score (0;0.5;1)

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4.4.	Sex trafficking	Score (0;0.5;1)
4.5.	Sexual exploitation	Score (0;0.5;1)
4.6.	Commercial sexual exploitation of children (CSEC)	Score (0;0.5;1)
4.7.	Online sexual exploitation of children (OSEC)	Score (0;0.5;1)
4.8.	Child labour	Score (0;0.5;1)
4.9.	Child marriage	Score (0;0.5;1)
4.10.	Children in armed conflict	Score (0;0.5;1)
4.11.	Exploitation	Score (0;0.5;1)
4.12.	Domestic servitude	Score (0;0.5;1)
4.13.	Forced begging	Score (0;0.5;1)
4.14.	Sector(s) of exploitation	Free text
4.15.	Modern slavery / child labour notes	Free text Qualitative summary: briefly note what aspects of modern slavery and child labour are discussed in the source, including overarching modern slavery themes
4.16.	Implications for modern slavery / child labour field	Free text Qualitative summary: describe the key implications from the source relating to the field of modern slavery, which may include implications relating to policy or academia
<b>5. Child rights</b>		
5.1.	CRC referenced	Score (0;0.5;1)
5.2.	CRC OP1	Score (0;0.5;1)
5.3.	CRC OP2	Score (0;0.5;1)
5.4.	CRC OP3	Score (0;0.5;1)
5.5.	CRC article references	Free text (article number entries)
5.6.	Best interest	Score (0;0.5;1)
5.7.	Right to life	Score (0;0.5;1)
5.8.	Right to development	Score (0;0.5;1)
5.9.	Birth registration	Score (0;0.5;1)
5.10.	Education	Score (0;0.5;1)
5.11.	Right to Health	Score (0;0.5;1)
5.12.	Non-discrimination	Score (0;0.5;1)
5.13.	Reproductive rights	Score (0;0.5;1)
5.14.	Rights to work	Score (0;0.5;1)
5.15.	Right to protection	Score (0;0.5;1)
5.16.	Leisure and play	Score (0;0.5;1)
5.17.	Daily rest	Score (0;0.5;1)
5.18.	Right to free and full consent to marry	Score (0;0.5;1)
5.19.	Free from violence	Score (0;0.5;1)
5.20.	Right to be heard	Score (0;0.5;1)
5.21.	Right to justice/ fair trial	Score (0;0.5;1)
5.22.	Right to Participation	Score (0;0.5;1)
5.23.	Social security	Score (0;0.5;1)
5.24.	Right to information	Score (0;0.5;1)
5.25.	Adequate standard of living	Score (0;0.5;1)
5.26.	Right to self-determination / to decide	Score (0;0.5;1)
5.27.	Freedom of thought and expression	Score (0;0.5;1)
5.28.	Right not to be recruited	Score (0;0.5;1)



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5.29.	Right to Family	Score (0;0.5;1)
5.30.	Right to Autonomy	Score (0;0.5;1)
5.31.	Name and Nationality	Score (0;0.5;1)
5.32.	Freedom from inhuman and degrading treatment	Score (0;0.5;1)
5.33.	Right to privacy	Score (0;0.5;1)
5.34.	Right to Dignity	Score (0;0.5;1)
5.35.	Minimum wages	Score (0;0.5;1)
5.36.	Limitation on working hours	Score (0;0.5;1)
5.37.	Right to peace	Score (0;0.5;1)
5.38.	Freedom of Movement	Score (0;0.5;1)
5.39.	Right to Identity	Score (0;0.5;1)
5.40.	Right to participate freely in cultural life	Score (0;0.5;1)
5.41.	Right not be separated from their parents	Score (0;0.5;1)
5.42.	Right to sex education	Score (0;0.5;1)
5.43.	Right to be free from slavery	Score (0;0.5;1)
5.44.	Right to freedom of assembly	Score (0;0.5;1)
5.45.	Other conventions considered	Free text (list entry convention names)
5.46.	Child rights notes	Free text Qualitative summary: briefly note what aspects of children’s rights are discussed in the source, including overarching children’s rights themes
5.47.	Implications for the child rights field	Free text Qualitative summary: describe the key implications from the source relating to the field of children’s rights. This may include implications relating to policy or academia
<b>6. Policy recommendations</b>		
6.1.	Policy recommendations	Free text
6.2.	Clarity of definitions, reconceptualisations	Binary
6.3.	Legislative reform/ gaps	Binary
6.4.	ILO contested	Binary
6.5.	Law enforcement	Binary
6.6.	Unintended consequences	Binary
6.7.	Reconciliation CR with culture and tradition, context	Binary
6.8.	Tensions with customary law	Binary
6.9.	Harmonisation	Binary
6.10.	Training	Binary
6.11.	Programme / project level	Binary
6.12.	Resource allocation	Binary
6.13.	Children's participation - decision making	Binary
6.14.	Collaborative governance	Binary
6.15.	Community	Binary
6.16.	Family/parents	Binary
6.17.	Religious leaders	Binary
6.18.	International, regional, local collaboration - partnership	Binary
6.19.	Call for other players	Binary
6.20.	Socio-economic /Poverty	Binary
6.21.	Education as a tool/ solution	Binary

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6.22.	Birth registration	Binary
6.23.	Victim assistance - participation	Binary
6.24.	Referral services/systems	Binary
6.25.	Multidisciplinary approach	Binary
6.26.	Research	Binary
6.27.	Monitoring, measures, and indicators for children	Binary
<b>7. Overarching qualitative summary</b>		
7.1.	Source summary	Free text Qualitative summary: summarise the source’s key argument/findings relating to children’s rights and modern slavery, including consideration of the research questions/aims of the piece and of this project
7.2.	Source evaluation	Free text Qualitative summary: outline any overarching evaluative observations about the strengths and weaknesses of the source (not evaluation of methods). Do the findings match the evidence? How strongly does the evidence support the conclusions?
<b>8. Themes</b>		
8.1.	Protection	Score (0;0.5;1)
8.2.	Prevention	Score (0;0.5;1)
8.3.	Participation / voice	Score (0;0.5;1)
8.4.	Paternalism	Score (0;0.5;1)
8.5.	Autonomy / empowerment (agency)	Score (0;0.5;1)
8.6.	Duties / obligations	Score (0;0.5;1)
8.7.	Gender inequality	Score (0;0.5;1)
8.8.	Child activism	Score (0;0.5;1)
8.9.	Theme notes	Free text

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