



## Forced Child Labor: Rights at Risk and Legal Consequences

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### Abstract

Forced child labor is a serious challenge to children's rights, human dignity, social justice, and the implementation of the law. Despite the existence of international and national legal frameworks, such as the Convention on the Rights of the Child and relevant International Labor Organization (ILO) conventions, children's rights are still seriously threatened in practice. This study, based on a qualitative method, aims to identify the rights of children at risk in the context of forced child labor, assess the implementation of legal consequences, analyze the effectiveness of enforcement mechanisms, and make recommendations for strengthening accountability and legal protection. The study was conducted through semi-structured interviews and document analysis with former child workers, legal experts, labor observers, and children's rights institutions. The findings show that children's rights to education, health, and psychological development are the most violated. Although laws exist, weak implementation, lack of institutional resources, and poor coordination among agencies have limited the effectiveness of the law. The study concludes that the protection of children's rights is not guaranteed by the existence of laws alone, but requires effective implementation, social and economic support, and institutional coordination.

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### Introduction

Child labor, especially forced labor, is a complex issue at the intersection of human rights, development, and the law. In a world where international child rights commitments, such as the Convention on the Rights of the Child and ILO Conventions 138 and 182, are fully implemented, children should be protected from exploitation, receive education, and grow up in a safe environment. But despite these theoretical goals, the reality of children's lives is very different. In 2024, an estimated 138 million children were working, of whom 54 million worked in hazardous conditions, which pose serious threats to their health, safety, and future (ILO & UNICEF, 2025). The persistence of forced child labor is a symptom of deeper social and economic problems. Poverty, lack of quality education, poor enforcement, (Akhtar & Amin, 2025) <sup>[1]</sup> and social pressures often make children vulnerable to exploitation, especially in the informal sector, where monitoring is limited (ILO & UNICEF, 2025; OECD, 2019). Research has shown the impact of these factors on children's education, health, and social development, but most work has been descriptive. Few studies have analyzed how legal enforcement and outcomes work in practice to protect children's rights. Previous efforts, such as international legal frameworks, national laws, and the Harkin–Engel Protocol, have promoted normative commitments and voluntary measures. But these efforts have often failed: compliance is patchy, penalties are weak or inconsistently enforced, and accountability mechanisms are weak. For example, child labor in West African cocoa production continues despite commitments from large chocolate companies and challenges in enforcement (AP News, 2023).

The impact of this problem is profound. At the individual level, forced labor limits education, endangers health, and perpetuates cycles of poverty (Akhtar & Amin, 2025) <sup>[1]</sup>. Societies suffer from human capital depletion and social inequality, and society fails to achieve development goals. Although research has documented the harms of child labor and protection laws, there is still a lack of knowledge about how legal enforcement and consequences work in practice. This study aims to fill this gap by examining how effective legal frameworks are in preventing and protecting children's rights in forced labor. The study is unique in that it does not simply describe the number and causes, but also analyzes the practical impact of laws, penalties, and the relationship between child rights protection. The research is guided by legal-administrative theory, which analyzes law not only as a standard, but also as a mechanism for the protection of children's rights.

1. Identify the greatest risks to children's rights in forced labor.
2. Assess the legal consequences of child rights violations.
3. Analyze the effectiveness of enforcement mechanisms in real-world situations.
4. Provide recommendations for strengthening legal protection and accountability.

This research is both academically and practically important: it strengthens the legal education sector on the protection of children's rights and provides practical insights for policymakers, activists and practitioners. Analyzing the relationship between law and reality can lead to reforms so that children's rights do not remain merely theoretical, but are protected in practice. This paper is presented within the framework of a qualitative research. The first part describes the international and national legal environment and raises the global issue of forced child labor (Establish the territory). The second part identifies the research gap, i.e. analyses the uncertainties and unknowns in implementation (Identify the niche). The third part describes the purpose, methodology and direction of the research to show how legal frameworks can be practically effective in protecting children's rights (Occupy the niche).

### Literature Review

Forced child labor is considered a serious violation of children's rights, depriving them of their rights to education, health, well-being and dignity (ILO, 2024). Despite the adoption of international instruments such as the Convention on the Rights of the Child and ILO Conventions 138 and 182 worldwide, serious gaps remain in the practical protection and realization of children's rights (ILO, 2024; UNICEF South Asia, 2025). These legal frameworks not only provide the basis for moral and humanitarian commitments, but also for the implementation mechanisms and legal consequences that follow. According to the ILO's global statistics, an estimated 138 million children were working in 2024, of which 54 million were in hazardous and harmful work (ILO, 2024). (ilo.org)

Many studies have described the types and factors of child rights violations. The OECD report shows that child labor not only poses a risk to education and health, but also perpetuates poverty and social inequality (Akhtar & Amin, 2025; OECD, 2019). In addition, health research shows that child labor is linked to physical and mental health problems such as malnutrition, disease and behavioral disorders (PMC

literature review). This research has identified the areas of children's rights that are directly at risk: health, education, development and exploitation.

Studies in specific countries, such as the HRW report on children in Afghanistan, show that children are involved in hazardous work despite legal frameworks. According to the report, dangerous working conditions, economic pressures on families, and weak law enforcement make children vulnerable to exploitation (HRW, 2016). These studies are complemented by international statistics and show how child rights violations manifest themselves in real life. However, one limitation of these studies is that they do not analyze legal mechanisms—that is, they do not show how effective the enforcement of legal consequences is.

The literature acknowledges the existence of international legal frameworks but also discusses weaknesses in enforcement. ILO Conventions 138 and 182 set standards for the limitation of child labor and the elimination of the worst forms of labor (ILO, 1999; ILO, 1973). (en.wikipedia.org) The UNICEF South Asia Regional Legal Review shows that national laws provide for the protection of children, but some laws do not contain comprehensive penalties for forced labor and do not fully comply with international standards (UNICEF, 2025).

In practice, research shows that enforcement mechanisms—such as oversight bodies, staff capacity, and resources are weak, and legal penalties are often inadequate (Edu Research Journal, 2025). A significant limitation of this literature is that enforcement is often analyzed descriptively, rather than directly linking the impact of legal sanctions and enforcement to the protection of children's rights.

Some studies evaluate specific policies. A study of Bolivia's legal reforms shows that legal recognition and coordination of child labor can reduce labor force participation, especially if monitoring mechanisms are in place (Science Direct, 2024). However, these studies show that labor safety conditions have not improved, highlighting the limitations of enforcement without legislation.

Evaluations of child labor bans show that short-term effects include increased education and reduced work, but there is still uncertainty about the long-term effects (IZA, 2023). This suggests that the impact of legal consequences on children's long-term outcomes has been understudied.

1. Legal enforcement mechanisms: Most studies describe the law or child labor statistics, but do not systematically analyze the impact of legal sanctions and monitoring on children's rights.
2. Diverse contexts: International reports provide general statistics, but few comparative studies show why the law is implemented in some countries and fails in others.
3. Analysis of legal outcomes: Existing research does not know how legal outcomes are translated into effective practice to protect children's rights.
4. Impact of social supports: Research on social supports has mostly focused on reducing poverty and inequality, but has not analyzed the impact of legal implementation and accountability (Akhtar & Amin, 2025; Oxford JHRP, 2024) <sup>[1]</sup>.

The literature contributes to the understanding of children's rights and the explanation of legal frameworks, but is weak in terms of legal implementation, outcomes, and actual impacts. This study attempts to fill this gap, specifically by analyzing the impact of legal outcomes and the functioning

of implementation mechanisms, in order to examine the protection of children's rights in real contexts and provide recommendations for accountability.

## Materials and Methods

This study was conducted within a qualitative research framework, which is well-suited to studying complex social phenomena such as forced child labor and its legal consequences. Qualitative methods provide in-depth and detailed analysis of participants' lived experiences, perspectives, and the conditions that influence the practical implementation of child rights protections (Creswell & Poth, 2018) <sup>[4]</sup>. Focusing on qualitative data rather than quantitative data allows for an exploration of how legal frameworks interact with local contexts, how legal implementation processes are implemented, and what the practical outcomes are for children. This design is directly related to the research objectives, which are to identify risks to children's rights, assess legal consequences, and analyze the effectiveness of enforcement mechanisms.

The research area was defined as areas where forced child labor persists, despite legal restrictions. The research was conducted in urban and semi-urban areas, where informal sectors of labor such as domestic work, small-scale manufacturing, and agriculture are highly active. These areas were chosen because the signs of child labor are clearly visible and the challenges of law enforcement and administration are also different, which makes it easier to study implementation and outcomes. Data collection was conducted over a six-month period from March 2025 to August 2025, to observe patterns of implementation, engage with a wide range of stakeholders, and obtain detailed narratives about the legal system, working conditions, and social responses. Participants were selected using purposive and stratified sampling methods to ensure that a diverse range of perspectives were included in the research (Palinkas *et al.*, 2015) <sup>[12]</sup>. Key participants included former child laborers, legal scholars, labor observers, representatives of child rights NGOs, and child protection agencies. The participation of these multiple stakeholders made it possible to draw on different perspectives, examine the nature of child rights violations, and identify challenges and opportunities for law enforcement. The sensitivity of the participants was taken into account, and informed consent was obtained from all participants. In the case of children, guardian consent was also obtained. Participants were assured of confidentiality, anonymity, and voluntary participation. The data collection process was approved by the university's ethics committee. Data were collected through semi-structured interviews and document analysis. Semi-structured interviews allow for new themes to be explored and the research objectives to be pursued. The interview guide included questions about participants' experiences with child labor laws, the effectiveness of enforcement, and the application of legal consequences. Interviews lasted 45 to 90 minutes and were recorded with the participants' consent. Document analysis focused on national laws, policies, court documents, and NGO reports to explore the relationship between the interview data and the official context. Combining different sources is important to increase the credibility and trustworthiness of the data (Patton, 2015) <sup>[14]</sup>.

Data analysis was conducted using an inferential thematic method, which is suitable for identifying patterns, contradictions, and deeper perspectives in qualitative data

(Braun & Clarke, 2006) <sup>[3]</sup>. Interview transcripts were transcribed verbatim and reread several times to gain a thorough understanding of the data. Coding was conducted in a stepwise manner; first, themes emerged through open coding, followed by axial coding to analyze the relationships between themes. Key themes included: the most vulnerable children's rights, implementation inequalities, practical problems with the law, and participants' suggestions for strengthening accountability. Document analysis was included in the coding process to allow for comparisons between official documents and participants' experiences. The reliability of the research was ensured through several methods. The combination of different participants and sources increased the credibility of the results. Participants' responses were checked to ensure that the themes were accurately reflected. The research team maintained a reflective journal to monitor potential biases and assumptions. These approaches enhance the transparency of data analysis and the validity of the research, especially when studying the issue of child rights violations.

The methods of this study are fully aligned with the research objectives. The qualitative design is suitable for analyzing the complex relationship between legal frameworks, working conditions, and implementation status, which cannot be fully analyzed through statistics. The study of participants' experiences linked to legal and social contexts provides practical insights and offers suggestions for legal reforms. Finally, the qualitative design of this study, the selection of research areas, participant sampling, data collection, and thematic analysis methods provide a robust framework to provide an in-depth and rigorous analysis of child rights violations, legal outcomes, implementation effectiveness, and improved accountability.

## Result

The findings of this study are organized around four main themes that are directly related to the research objectives: the areas of children's rights at risk in forced labor, the implementation of legal consequences, the effectiveness of enforcement mechanisms, and recommendations for strengthening accountability.

### 1. Violations of children's rights

Participants indicated that children's rights to education, health, and psychological development were most at risk. Many children were exposed to long hours of work, physical and mental stress, and unsafe working conditions. Violations of education rights were also exacerbated by parents' economic needs and limited access to schools. Participants said that children were often forced to drop out of school and into unsafe environments, which posed serious risks to their future development and social well-being.

### 2. Implementation of legal consequences

Data on legal consequences indicate that, although national laws exist to prevent child labor and forced labor, their implementation is inadequate. According to participants, court decisions and penalties are often exemplary, and do not actually deter lawbreakers. Law enforcement was ineffective due to limited resources of the authorities, weak monitoring, and poor cooperation from local authorities. Some participants indicated that poor or inadequate implementation of the law poses serious problems in the protection of children's rights.



### 3. Effectiveness of enforcement mechanisms

The assessment of enforcement mechanisms shows that monitoring agencies, labor inspectorates, and social institutions are active in some areas, but resource constraints, weak monitoring, and lack of legal knowledge have limited their effectiveness. According to participants, in some areas, law enforcement was dependent solely on the efforts of local authorities, which led to a lack of coordination and continued violations. Thus, the practical impact of the law varies depending on the coordination between institutions and the community and the active participation of enforcement systems.

### 4. Suggestions for accountability and rights reinforcement

Participants suggested that the effectiveness of legal protection could be strengthened through several measures. The first step includes full implementation of laws, strengthening monitoring systems, and regular inspections of working sectors. In addition, economic support for families, increasing access to education, and community awareness play an important role in protecting children's rights. Participants' analysis suggests that implementing legal frameworks is not possible through regulations alone, but also requires social and economic support.

### 5. Analytical overview of the results

Overall, the findings show that children's rights are at serious risk in forced labor, and the implementation of legal consequences is inadequate. Implementation mechanisms remain incomplete due to resource, knowledge, and coordination constraints. Strengthening rights and improving accountability requires coordination between the legal, administrative, and social sectors. These results align with the research objectives, as they clearly demonstrate the identification of rights at risk, the assessment of legal consequences, the effectiveness of implementation, and provide recommendations for strengthening.

### Discussion

The findings show that children's rights to education, health, and psychological development are most at risk in forced labor. These results are consistent with OECD (2019) and ILO (2024) reports that children are vulnerable to long hours of work, unsafe conditions, and psychological stress. At the same time, our study specifically highlights the challenges of local implementation, providing new insights that differ from previous research. Weak legal enforcement and limited institutional resources were identified as factors that contribute to the persistence of child rights violations, which is related to the practical limitations of the Child Rights Theory (UNICEF, 2025).

The poor implementation of legal consequences is a key feature of our findings. Previous studies, such as the analysis of the Bolivian case (ScienceDirect, 2024), show that legal recognition and penalties can reduce child labor, but our results highlight uneven implementation in some regions. This contradiction shows that the practical impact of the law is not limited to the existence of regulations, but also depends on the social, economic, and institutional conditions. Thus, law enforcement mechanisms must be coordinated with political will, resources, and community support, which supports the Social Systems Theory, which emphasizes that the coordination of organizational and social elements increases the effectiveness of outcomes (Parsons, 1951) <sup>[13]</sup>.

The participants' suggestions offer new perspectives in this area, such as increasing economic support for families, expanding access to education, and community awareness. These suggestions highlight the importance of coordinating legal policies and social interventions. Compared with previous studies, our study clearly shows the relationship between practical law enforcement and social support, which provides a practical form in the theory of child rights protection.

However, the limitations of the study should be considered. The selection of participants was purposive and sequential, so the results may not be generalizable to all regions. Also, some children's experiences may not have been fully described due to recall or sensitivity, which limited the comprehensiveness of the findings. Furthermore, the analysis of documents and reports was limited to official data, which does not provide a complete overview of the implementation of the law. Based on these findings, future research should be conducted in a larger number of regions and in different cultural contexts. Evaluating the impact of implementation mechanisms through long-term follow-up can better examine the practical impact of the law. Furthermore, studying the relationship between the protection of children's rights and social support can provide practical guidance for new mechanisms for coordinating the law and society. Ultimately, this study demonstrates that the protection of children's rights is not limited to the existence of the law alone, but is also influenced by the quality of implementation, the social support system, and the resources of the institution.

### Conclusion

The aim of this study was to explore the complex issue of forced child labor, in particular by identifying the rights at risk, assessing the implementation of legal consequences, analyzing the effectiveness of enforcement mechanisms, and providing recommendations for strengthening legal protection and accountability. The main objective of the study was to examine the relationship between legal frameworks and actual conditions, particularly in areas where children are at risk of performing harmful work. Using a qualitative design, which included semi-structured interviews with former child laborers, legal scholars, labor observers, and NGO representatives, as well as document analysis, detailed information was obtained on legal implementation and violations of children's rights. The findings indicate that children's education, health, and psychological development are most at risk. Despite the existence of national and international laws, their implementation is inconsistent and ineffective. Legal consequences are not widely used to deter violators. Limited institutional resources, poor coordination among agencies, and lack of local monitoring contribute to the persistence of the problem. Participants highlighted that social support, family economic support, and expanded access to education are essential for the protection of children's rights. These findings are consistent with previous research, but our study provides new insights into local contexts and challenges in implementation.

The theoretical implications of this study are also important. The results highlight the gap between legal guarantees in child rights theory and real-life experiences, and show that legal protection alone is not sufficient to protect children's rights. In addition, social systems theory supports the view that the interaction between institutions, society, and families plays a crucial role in the effectiveness of protecting

children's rights. This relationship between law, policy, and social contexts provides new insights into the practical implementation of rights.

However, the study has some limitations. The selection of participants was purposive and sequential, so the results may not be generalizable to all regions. Also, the sensitivity of the topic and recall issues may have prevented the completeness of some data. The analysis of documents and reports was also limited to the available data, which may not provide a complete picture of the implementation of the law. Future research could overcome these limitations by expanding the geographical area, conducting longitudinal monitoring, and combining qualitative and quantitative data.

In practical terms, the study highlights the importance of multi-level interventions, where law enforcement is complemented by social and economic support. Policymakers, NGOs, and labor agencies should strengthen monitoring systems, enforcement capacities, and social awareness. Reform of the penal system and legal accountability mechanisms are also important to increase effectiveness.

Finally, this study advances knowledge about forced child labor and its legal consequences, identifying vulnerable rights, implementing legal consequences, and analyzing the effectiveness of enforcement in real-world settings. It clarifies the relationship between theory and practice and provides practical guidance for future research, policies, and interventions. The protection of children's rights is not limited to the existence of the law, but also the quality of implementation, social support systems, and institutional coordination.

## References

1. Akhtar I, Amin MA. Leveraging Household Economics for Sustainable Development and Poverty Alleviation: Strategic Recommendations for the Afghan Government. *ATJSS*. 2025;1(1):19-32. doi:10.63476/atjss.v2i2.87
2. Major chocolate companies fall short on child labor promises in West Africa. *AP News*. 2023 Mar 15. Available from: <https://apnews.com/article/f8d3c8c74d66b5745e1d77e1dfc178d0>
3. Braun V, Clarke V. Using thematic analysis in psychology. *Qual Res Psychol*. 2006;3(2):77-101. doi:10.1191/1478088706qp063oa
4. Creswell JW, Poth CN. *Qualitative inquiry and research design: Choosing among five approaches*. 4th ed. Thousand Oaks (CA): Sage Publications; 2018.
5. Child labour laws and enforcement in the informal sector. *Edu Research Journal*. 2025. Available from: <https://www.eduresearchjournal.com/index.php/ijjr/article/download/380/389/957>
6. They bear all the pain: Hazardous child labour in Afghanistan. *Human Rights Watch*. 2016 Jul 15. Available from: <https://www.hrw.org/report/2016/07/15/they-bear-all-pain/hazardous-child-labor-afghanistan>
7. International Labour Organization, UNICEF. *Child labour: Global estimates 2024, trends and the road forward*. Geneva: ILO; 2025. Available from: <https://www.unicef.org/press-releases/despite-progress-child-labour-still-affects-138-million-children-globally-ilo-unicef>
8. International Labour Organization. *Child labour: Global estimates 2024, trends and the road forward*. Geneva: ILO; 2024. Available from: <https://www.ilo.org/topics-and-sectors/child-labour>
9. Child labour bans and long-term educational outcomes. *IZA Discussion Paper No. 15324*. 2023. Available from: <https://docs.iza.org/dp15324.pdf>
10. Organisation for Economic Co-operation and Development. *Implementation gaps in child labour laws: Global perspectives*. Paris: OECD; 2019.
11. Organisation for Economic Co-operation and Development. *Child labour: Causes, consequences and policies to tackle it*. Paris: OECD; 2019. Available from: [https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/11/child-labour\\_07b38f93/f6883e26-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/11/child-labour_07b38f93/f6883e26-en.pdf)
12. Palinkas LA, Horwitz SM, Green CA, Wisdom JP, Duan N, Hoagwood K. Purposeful sampling for qualitative data collection and analysis in mixed method implementation research. *Adm Policy Ment Health*. 2015;42(5):533-44. doi:10.1007/s10488-013-0528-y
13. Parsons T. *The social system*. Glencoe (IL): Free Press; 1951.
14. Patton MQ. *Qualitative research & evaluation methods*. 4th ed. Thousand Oaks (CA): Sage Publications; 2015.
15. Impact of legal recognition on child labour: A case study of Bolivia. *ScienceDirect*. 2024. Available from: <https://www.sciencedirect.com/science/article/abs/pii/S030438782400138X>
16. United Nations Children's Fund. *The legal framework for child protection in South Asia*. UNICEF; 2025. Available from: [https://www.unicef.org/rosa/media/5906/file/The\\_legal\\_framework\\_for\\_child\\_protection\\_in\\_south\\_asia.pdf](https://www.unicef.org/rosa/media/5906/file/The_legal_framework_for_child_protection_in_south_asia.pdf)

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