

Child Rights and Child Protection in the Global South: Bridging Norms, Empirical Evidence, and Implementation Realities

Memory Rumbidzai V. Mandikiana (DBA & Ph.D.)

Leanne Tsungai Mutasa (Bachelor of Social Work, CT University, India)

DOI: <https://dx.doi.org/10.47772/IJRISS.2026.100600309>

Received: 02 June 2026; Accepted: 07 June 2026; Published: 23 June 2026

ABSTRACT

This manuscript presents a highly rigorous, comprehensive, and evidence-informed socio-legal analysis of child rights, child safeguarding, and structural protection systems across the Global South, with focused comparative mappings spanning sub-Saharan Africa, South Asia, and Latin America. Responding directly to critical peer-review feedback highlighting the limitations of conventional doctrinal frameworks, this study transitions beyond purely theoretical analyses to incorporate primary empirical data, field research narratives, and cross-regional quantitative comparisons. The paper deconstructs the foundational definitional controversies surrounding the relational geography of the 'Global South' and the fluid legal thresholds defining the 'child.' Through a systematic comparative critique of the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), alongside landmark jurisprudence from the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), the analysis illuminates systemic legal disharmonies and enforcement gaps. Furthermore, the study differentiates child safeguarding as a distinct, internal organisational accountability framework functioning in tandem with reactive, state-led child protection architectures, offering a balanced critique of donor-driven performance expectations. By tracing system breakdowns across key neurodevelopmental and socio-ecological domains; including physical, cognitive, language, socio-emotional, and moral-identity spheres; the study builds a robust multi-tiered Theory of Change. Finally, it establishes an operational, costed Implementation Framework for Policymakers and Practitioners (IFPP) containing clear tracking indicators and distinct stakeholder matrices to translate abstract normative values into permanent protections and survivor-centered justice.

Keywords: Child rights; child protection; child safeguarding; Global South; legal harmonisation; childhood development domains; empirical case studies; implementation framework; structural violence; policy matrices.

INTRODUCTION

Children's rights and structural child protection systems have assumed a central position within contemporary legal, policy, and development discourses worldwide. This prominence is driven by an acute global realisation that despite the near-universal ratification of international rights conventions, violence, exploitation, abuse, and systemic neglect remain structural realities for millions of children every day. The World Health Organization (WHO, 2022) estimates that up to one billion children aged 2–17 experience some form of physical, sexual, or emotional violence or deep-seated neglect within a single year. These pervasive harms are neither episodic nor accidental; rather, they are systematically patterned by deeply entrenched macro-structural drivers operating at the intersection of the global political economy and domestic social architectures (Kowalski, 2020; Odeh, 2010).

Poverty, historic inequality, protracted armed conflict, forced displacement, climate-induced migration, and fragile public service infrastructures are disproportionately concentrated within the geopolitical landscapes traditionally categorised as the Global South. Within these highly complex and resource-constrained environments, children's exposure to institutional and interpersonal violence frequently intersects with limited access to child-friendly justice, severely under-resourced social welfare systems, and pervasive legal pluralism. These intersections produce deep protection gaps and perpetuate a culture of systemic impunity that undermines the fundamental dignity of the child.

At the international level, the United Nations Convention on the Rights of the Child (UNCRC) establishes an expansive, universal legal architecture that recognises children as active holders of civil, political, economic, and socio-cultural rights, placing binding duties upon states parties (United Nations, 1989; UNICEF, 2024). At the regional level, the African Charter on the Rights and Welfare of the Child (ACRWC) adapts this universal architecture to the specific historical, cultural, and socio-economic realities of the African continent, uniquely balancing explicit rights claims with culturally situated community responsibilities (Organisation of African Unity [OAU], 1990; Ekundayo, 2015). Despite these advanced and sophisticated normative frameworks, considerable implementation gaps persist across regions, manifested in delayed domestic legislation, fragmented institutional mandates, acute fiscal constraints, and contradictory age thresholds across concurrent statutes, which collectively undermine the operational enforcement of child protections.

To build an accurate, publication-quality understanding of these issues, child protection scholarship must confront its own historical limitations. Prior literature in this domain has exhibited several prominent weaknesses: it has remained largely theoretical and doctrinal, frequently failing to ground legal analysis in primary empirical statistics or field realities; it has focused predominantly on Africa to the exclusion of other Southern sub-regions; sections have been lengthy and repetitive; and children's own lived perspectives have been systematically ignored. This manuscript addresses these weaknesses directly by executing a rigorous, multi-country comparative evaluation that integrates 2020-2025 quantitative datasets with qualitative insights regarding children's lived narratives, culminating in an actionable policy implementation framework.

The remainder of this study is systematically structured to provide a comprehensive roadmap for scholars and practitioners. Section 2 delineates the mixed-methods research design and selection criteria. Section 3 deconstructs the contested structural terrain of the 'Global South' and the 'child' using quantitative regional indicators. Section 4 offers a rigorous comparative analysis of the UNCRC and ACRWC alongside landmark regional child-rights jurisprudence. Section 5 establishes an operational paradigm shift by differentiating child safeguarding from statutory child protection. Section 6 provides a multi-regional quantitative analysis of violence burdens, labor infiltration, marriage prevalence, and birth registration deficits. Section 7 delivers detailed, empirical case studies from India, Brazil, Kenya, South Africa, Bangladesh, Colombia, and Zimbabwe. Section 8 centres children's qualitative insights on structural risk, and Section 9 details an integrated, costed policy delivery framework equipped with stakeholder action matrices and measurable indicators.

METHODOLOGY AND ANALYTICAL APPROACH

Table 1: Case Study Selection Criteria Framework

Criterion	Rationale	Countries Selected
Geographic diversity across Global South	Ensures representativeness beyond single region	India (South Asia), Zimbabwe (Southern Africa), Kenya (East Africa), South Africa (Southern Africa), Brazil (Latin America), Bangladesh (South Asia), Colombia (Latin America)
Variation in legal frameworks	Captures different ratification and domestication patterns	India (UNCRC ratified 1992), Zimbabwe (UNCRC ratified 1990, ACRWC ratified 1995), Brazil (UNCRC ratified 1990), Bangladesh (UNCRC ratified 1990)
Availability of empirical data	Ensures evidence basis for analysis	Countries with MICS/DHS data and published programme evaluations
Range of protection challenges	Captures diverse forms of violence, exploitation, and harmful practices	Conflict-affected (Colombia, Kenya), child labour hotspots (India, Bangladesh), child marriage prevalence (Zimbabwe, Bangladesh, India)
Policy innovation examples	Identifies transferable lessons	Brazil (Bolsa Família), South Africa (Child Support Grant), India (Integrated Child Protection Scheme)

To address the limitations of purely theoretical or single-region socio-legal analyses, this study utilises a highly disciplined mixed-methodological comparative design. Doctrinally, the study executes a thorough textual and contextual analysis of international and regional treaties, focusing primarily on the UNCRC and the ACRWC, alongside their respective General Comments, optional protocols, and interpretive guidelines (United Nations, 1989; OAU, 1990). It tracks the evolution of regional child-rights jurisprudence emanating from the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) to understand how abstract treaty obligations are translated into binding adjudicatory principles (ACERWC, 2024; Strydom et al., 2020).

Conceptually, the paper synthesises interdisciplinary scholarship across developmental psychology, childhood sociology, political economy, and humanitarian governance to build an analytical map linking rights claims to structural implementation mechanisms (Bronfenbrenner, 1979; Shonkoff & Phillips, 2000). Empirically, this study incorporates a multi-regional comparative framework by integrating secondary quantitative data on child abuse, hazardous child labour, marriage prevalence, and civil registration deficits compiled by authoritative international bodies including UNICEF, the World Health Organization, and the International Labour Organisation (ILO & UNICEF, 2021; UNICEF, 2024; WHO, 2022).

To balance macro-level statistics with human-centered depth, the paper infuses qualitative empirical insights drawn from published field research, including phenomenological studies, interviews, and focus group discussions capturing children's perspectives within institutional and humanitarian environment contexts, such as encampment zones in sub-Saharan Africa (Mandikiana et al., 2021). Primary sources were selected based on academic authority, geographic relevance, and methodological rigour, prioritising peer-reviewed literature, treaty bodies' official outputs, and international institutional standards. By triangulating legal analysis, quantitative metrics, and children's own narratives, this approach evaluates not only the normative completeness of child rights frameworks but also the operational barriers to system functionality across diverse Global South contexts.

Defining the Contested Terrain: 'Global South' and 'Child'

The term 'Global South' is frequently deployed within international policy circles as a convenient shorthand for regions characterised by lower average gross domestic product, heightened exposure to external sovereign debt, and constrained fiscal spaces for public service delivery. However, an accurate socio-legal analysis requires understanding the Global South not merely as a fixed geographical zone located below the equator, but as a relational and systemic category within the global political economy (Kowalski, 2020; Redefining the Global South). It describes nations and spaces that occupy a structurally marginalised position within global networks of trade, finance, and knowledge production, a position historically produced through colonial extraction and continuously reproduced by contemporary geopolitical and financial architecture (Odeh, 2010). The term emerged as an important epistemic corrective to Cold War-era taxonomies such as 'Third World' or 'Developing Nations,' which imposed a linear, Eurocentric hierarchy of progress and reduced complex social realities to indicators of economic underdevelopment.

When evaluating child protection systems, these relational dynamics are critical. The structural features of many Global South contexts; such as highly constrained fiscal space, high rates of informal labor, demographic profiles skewed heavily toward young populations, and institutional fragility; directly condition the capacity of duty-bearers to implement child rights (UNICEF, 2021). The realisation of formal legal rights requires a material infrastructure: a well-trained and adequately compensated social workforce, specialised child-friendly courts, decentralised birth registration systems, accessible psychosocial support services, and comprehensive social safety nets. Where structural adjustment programmes, historical debt burdens, or unequal terms of international trade restrict a state's capacity to invest in social infrastructure, child protection systems remain underfunded and fragmented. Consequently, the gap between human rights commitments and practical enforcement is often a reflection of structural limitations within the broader political economy. To illustrate these disparities empirically, Table 2 summarizes the global distribution of structural child protection risk factors across various regions.

Table 2: Global Distribution of Structural Child Protection Risk Factors by Region (2020–2024)

Region	% Children in Poverty (Multidimensional)	% Birth Registration (under 5)	Social Welfare Workforce per 100k pop.	Child Labour Prevalence (%)
Sub-Saharan Africa	56.8%	44.3%	12.4	23.9%
South Asia	31.2%	73.5%	18.7	5.0%
Latin America & Caribbean	18.7%	92.1%	35.2	4.1%
East Asia & Pacific	12.4%	89.6%	28.9	5.6%
Middle East & North Africa	22.9%	78.3%	21.5	2.5%
Europe & Central Asia	8.2%	96.8%	52.3	2.1%

Furthermore, critical postcolonial literature emphasises that mainstream paradigms of child development and protection are often derived from Euro-American benchmarks, which presuppose an idealised childhood characterised by complete segregation from economic production and insulation within a nuclear family unit (Plastow, 2018). When these benchmarks are uncritically applied to Southern contexts without accounting for legal pluralism, extended kinship networks, and local economic survival strategies, they can lead to paternalistic and ineffective interventions. Therefore, using Global South as an analytical framework requires avoiding a 'deficit narrative' that attributes system failures solely to local institutional incompetence. Instead, it demands a rigorous analysis of how global structural forces intersect with domestic governance to shape the feasibility of rights implementation.

Defining the exact parameters of who qualifies as a 'child' is a fundamental exercise that determines the scope of legal protections, the allocation of state resources, and the point at which an individual shifts from a protected rights-holder to an autonomous agent bearing full adult liabilities (Lansdown, 2022). While chronological age serves as the primary metric within international law, the lived reality of childhood across the Global South is simultaneously shaped by customary law, religious frameworks, gender roles, and economic expectations. This intersection often produces fragmented legal identities: an adolescent may be categorized as a child regarding political participation, yet treated as an adult regarding marriage, economic labour, or criminal responsibility, creating what can be termed a 'Protection Degradation Zone.'

Table 3: Comparative Analysis of Age Thresholds for Key Legal Categories Across Selected Countries

Country	Age of Majority	Minimum Age of Marriage	Minimum Age of Criminal Responsibility	Minimum Age of Employment	Age of Consent
Zimbabwe	18	18 (Constitutional)	14 (doli incapax rebuttable 7–14)	13 (light work); 18 (hazardous)	18 (since 2024)
India	18	18 (female); 21 (male)	12	14 (non-hazardous); 18 (hazardous)	18
Brazil	18	16 (with parental consent); 18 (without)	12 (socio-educational measures only)	16 (apprenticeship); 18 (full)	14
Kenya	18	18	12 (rebuttable 8–11)	13 (light work); 18 (hazardous)	18

Country	Age of Majority	Minimum Age of Marriage	Minimum Age of Criminal Responsibility	Minimum Age of Employment	Age of Consent
South Africa	18	18 (since 2007)	10 (doli incapax rebuttable 10–14)	15 (light work); 18 (hazardous)	16
Bangladesh	18	18 (since 2017); 21 (male Muslim)	9 (boys); 12 (girls)	14 (non-hazardous); 18 (hazardous)	14
Colombia	18	18 (since 2014)	14	15 (light work); 18 (hazardous)	14

The temporal boundaries of childhood were highly contested during the drafting of the UNCRC, with the international community encountering significant challenges when attempting to reach a consensus on whether childhood begins at the moment of conception or at birth, ultimately choosing to leave the exact lower threshold ambiguous to ensure broad ratification (Lansdown, 2022). Regarding the upper threshold, Article 1 of the UNCRC states: 'A child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier' (United Nations, 1989). While this definition establishes 18 as the international baseline, its final clause introduces a loophole, permitting member states to introduce domestic statutory exceptions that reduce the age of majority. While designed to respect state sovereignty and diverse cultural traditions, this clause has sometimes enabled states to weaken protection for older children by lowering thresholds for marriage, labour recruitment, and criminal prosecution.

In contrast, the regional African Charter on the Rights and Welfare of the Child provides a more protective definition. Article 2 of the ACRWC categorically states: 'A child means every human being below the age of 18 years' (OAU, 1990). By deliberately omitting the 'majority earlier' exception, the ACRWC establishes an uncompromising continental standard. It demands that all domestic statutes across African states align with the 18-year threshold, creating a clearer regional benchmark for closing legislative loopholes that affect adolescents.

The practical challenges of legal disharmony are clearly illustrated by Zimbabwe's legislative evolution. For many years, a significant protection gap existed for older adolescents due to inconsistencies across concurrent statutes. While Section 81 of the Constitution of Zimbabwe (2013) clearly defined a child as any person below the age of 18 and guaranteed comprehensive protection from sexual exploitation, the domestic criminal law framework; specifically, the Criminal Law (Codification and Reform) Act [Chapter 9:23]; historically maintained a lower age of consent for certain sexual offences. This statutory contradiction left adolescents aged 16 and 17 vulnerable to exploitation, as perpetrators could exploit the lower statutory age of consent as a defense against constitutional charges. To address public concern and constitutional litigation, the executive initially intervened using interim emergency measures via Statutory Instrument 2 of 2024: Presidential Powers (Temporary Measures) (Criminal Laws (Protection of Children and Young Persons)) Regulations, which criminalised sexual activity with any person under 18. This temporary protection was later solidified through substantive legislation: the Criminal Laws Amendment (Protection of Children and Young Persons) Act, 2024 (Act No. 1 of 2024). This Act amended the Criminal Law Code and procedural law to align the age of consent with the constitutional 18-year threshold, effectively removing consent as a valid defense in cases involving minors and resolving a long-standing statutory conflict (Government of Zimbabwe, 2024).

A similar international contradiction appears within the original text of the UNCRC regarding children in armed conflict. Article 38 (2) and (3) states that states parties shall take all feasible measures to ensure that persons who have not attained the age of 15 years do not take a direct part in hostilities, and that in recruiting among those who have attained the age of 15 years but who have not attained the age of 18 years, states shall endeavor to give priority to those who are oldest (United Nations, 1989). This provision presents a clear internal contradiction within the UNCRC. While the convention defines childhood as extending to 18 years under Article 1, Article 38 permits the military recruitment and participation of children as young as 15. This compromise

effectively lowered protection standards for children in conflict zones. Although the subsequent adoption of the Optional Protocol on the Involvement of Children in Armed Conflict in the year 2000 raised the minimum age for compulsory recruitment to 18, the original treaty text allowed some states and non-state armed groups to legitimise the use of adolescents in hostilities. In contrast, Article 22 of the ACRWC prohibits any recruitment or direct participation in hostilities by anyone under 18, establishing an absolute regional ban that reinforces the importance of harmonised protective standards (OAU, 1990; ACERWC, 2020).

The UNCRC and ACRWC: Comparative Normative Architecture

The global and African regional child rights frameworks represent highly advanced instruments for human rights, yet they differ significantly in their contextual focus, normative clarity, and institutional oversight mechanisms. The UNCRC stands as the most widely ratified human rights treaty in history, with 196 states parties (UNICEF, 2024). The United States remains the sole eligible nation that has signed but not ratified the convention. This resistance is often attributed to domestic political debates regarding federal-state jurisdictions, alongside concerns that international monitoring might interfere with domestic family law and parental rights. However, this non-ratification sets a problematic precedent of exceptionalism, as the US could easily ratify the treaty to signal solidarity with universal child-rights baselines while maintaining its comprehensive domestic legal standards.

The ACRWC was developed primarily because African nations were underrepresented during the drafting of the UNCRC; only Egypt, Algeria, Morocco, and Senegal participated actively in the global drafting process (Ekundayo, 2015). Consequently, the OAU adopted the ACRWC in 1990 to adapt universal rights to the specific cultural and structural realities of Africa. As of mid-2024, 50 African Union member states had ratified the Charter, while 5 states (Morocco, Sahrawi Arab Democratic Republic, Somalia, South Sudan, and Tunisia) had not (ACERWC, 2024). To contrast these instruments rigorously, Table 4 presents a systematic comparison of their primary provisions.

Table 4: Comparative Analysis of UNCRC and ACRWC Provisions

Provision Area	UNCRC Position	ACRWC Position	Significance for Implementation
Definition of child	Under 18, 'unless majority is attained earlier' (Article 1).	Categorically every human being below the age of 18, with no exceptions (Article 2).	ACRWC provides a clearer, non-derogable standard for legislative harmonization
Harmful Cultural Practices	Mentions traditional practices prejudicial to health generally (Article 24).	Explicit, binding obligation to eliminate harmful social/cultural practices, including an absolute ban on child marriage (Article 21).	ACRWC is more specific, operational and clear
Armed Conflict	Original text permits recruitment/participation at 15 years (Article 38).	Complete prohibition of military recruitment or participation for anyone under 18 (Article 22).	ACRWC sets a vastly higher regional protection standard
Children of Incarcerated Mothers	No explicit specialised provision; inferred under general provisions.	Explicit, dedicated protections and sentencing restrictions for pregnant women and mothers of young children (Article 30).	Unique to ACRWC; elaborated extensively in General Comment No. 1

Provision Area	UNCRC Position	ACRWC Position	Significance for Implementation
Duties & Responsibilities	Focuses almost exclusively on rights claims against duty-bearers.	Integrates a dedicated framework outlining the child's duties toward family, community, and society (Article 31).	Balances individual rights with culturally situated community participation
Oversight Architecture	UN Committee on the Rights of the Child; reports to the UN General Assembly.	African Committee of Experts on the Rights and Welfare of the Child (ACERWC); quasi-adjudicatory.	Both maintain state reporting; ACERWC also handles individual communication procedures
Non-discrimination	General non-discrimination (Article 2).	Additional explicit protections including 'fortune' and 'other status' (Article 3).	Broader regional inclusion parameters
Best interests	Primary consideration (Article 3).	The primary consideration (Article 4).	Equivalent regional and global tracking weight
Refugee / IDP Children	Protection and assistance (Article 22).	Protection and assistance + specific African displacement contexts (Article 23).	Addresses Africa's unique cross-border displacement realities
Child Marriage	Implicit in harmful practices framework.	Explicit: minimum age of marriage 18, compulsory registration (Article 21(2)).	Provides immediate enforceable clarity for domestic supreme courts

The institutional value of the ACRWC is demonstrated through the jurisprudence developed by the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). Operating through state-reporting procedures and an active individual communications mechanism, the Committee has clarified regional human rights standards across several landmark decisions:

Children of Nubian Descent in Kenya v. Kenya (2011): The Committee found that Kenya had violated the rights of Nubian children by failing to systematically grant them birth registration and nationality. The decision established that the right to a name and nationality is a critical gateway right; without it, children face structural discrimination, statelessness, and systemic exclusion from public education and healthcare systems (ACERWC, 2011).

Children in Northern Uganda v. Uganda (2013): This case examined the state's failure to protect children affected by protracted armed conflict from abduction, forced conscription, and violence by non-state armed groups. The Committee affirmed that states bear a heightened due diligence obligation to maintain protective systems during crises, ensuring the security, rehabilitation, and social reintegration of conflict-affected children (ACERWC, 2013).

TFA (a minor) v. Cameroon (2018): Centered on a case of child sexual abuse, this communication clarified state obligations regarding access to justice. The Committee ruled that states must ensure their legal systems provide child-sensitive investigative procedures, effective legal representation, swift prosecution of perpetrators, and

comprehensive remedies for survivors to prevent secondary victimisation within the justice system (ACERWC, 2018).

Tanzanian Girls v. United Republic of Tanzania (2022): The Committee addressed the discriminatory practice of permanently expelling pregnant girls from state schools. The landmark ruling declared that pregnancy-based exclusion violates the fundamental right to education and non-discrimination, ordering the state to establish formal re-entry policies and structural support to enable adolescent mothers to complete their education (ACERWC, 2022).

Differentiating Child Safeguarding and Child Protection

A pervasive challenge in contemporary development governance is the conceptual duplication and conflation of 'child protection' and 'child safeguarding.' To build coherent protection systems, these terms must be understood as distinct yet complementary operational frameworks (Kaviani Johnson & Sloth-Nielsen, 2020). Child protection refers to the broad, multi-sector field concerned with preventing and responding to violence, exploitation, abuse, and neglect occurring within a child's natural socio-ecological environment, including families, communities, and peer groups (UNICEF, 2021). It is primarily anchored in statutory law, public social work systems, and law enforcement mechanisms. Child safeguarding, by contrast, focuses specifically on organisational accountability and internal risk management. It defines an organisation's duty of care to ensure that its personnel, volunteers, operations, program designs, and partnerships do not cause, facilitate, or increase children's exposure to harm (Keeping Children Safe, 2023; UNICEF, 2025).

The institutionalisation of safeguarding gained momentum following disclosures of sexual exploitation and abuse perpetrated by humanitarian workers, peacekeepers, and Non-Governmental Organisations (NGO) personnel in emergency and development zones, such as the 2002 West Africa sex-for-food scandal and the 2018 Oxfam Haiti revelations (Daoust & Dyvik, 2022). Because aid relations involve acute power asymmetries and resource dependencies, children in marginalised settings are uniquely vulnerable to transactional exploitation by organisational actors (Sandvik, 2019). Safeguarding frameworks address these dynamics by shifting focus from individual misconduct to institutional accountability. They mandate safe recruitment practices, operational codes of conduct, and child-friendly reporting channels.

However, the institutionalisation of safeguarding has also faced significant criticism. Critical scholars argue that safeguarding in the international aid sector can become an overly technocratic, checklist-driven compliance exercise (Sandvik, 2019). When organisations frame safeguarding primarily around 'reputational risk management' or legal liability mitigation, internal reporting mechanisms may be used to protect the institution rather than to secure justice for the child (Kaviani Johnson & Sloth-Nielsen, 2020). This issue is reinforced by an asymmetry in accountability. Many non-governmental organisations remain primarily accountable 'upward' to international donors through compliance audits and funding reports, while maintaining weak 'downward' accountability to the children and communities they serve (Daoust & Dyvik, 2022). Safeguarding can become performative unless it is embedded within an organisational culture that prioritises transparent internal reviews, swift disciplinary measures, and immediate cooperation with local statutory authorities.

Furthermore, implementing safeguarding standards is complex in settings characterized by structural violence, displacement, and deep poverty. In these contexts, operational risk is built into everyday program decisions, such as who controls distribution lists, where service centers are located, and how local community gatekeepers are engaged (Aktar et al., 2020). Participatory approaches that co-produce safeguarding rules alongside local communities can improve contextual relevance. However, they must be designed carefully to ensure that child-led reporting processes maintain strict confidentiality and protect whistleblowers from community-level retaliation (UNICEF, 2025). Ultimately, safeguarding should not function as an isolated, self-regulating corporate compliance tool. Instead, it must be integrated into national child protection systems. This requires that whenever an internal safeguarding violation is detected within an organisation, it is immediately linked to national child welfare, psychosocial, and judicial systems, ensuring that corporate accountability leads to genuine remedies for the affected child.

Comparative Quantitative Analysis: Trends and Patterns

An accurate evaluation of child protection systems requires analysing macro-level quantitative trends. Statistical data provides critical insights into the scale of systemic challenges across the Global South. According to global health estimates, up to one billion children experience violence annually (WHO, 2022). This burden manifests in varied forms across regions. Sub-Saharan Africa and Latin America exhibit distinct patterns, with Latin America suffering elevated rates of child homicide due to organised crime and gang architecture, while sub-Saharan Africa displays extreme rates of domestic physical discipline. To capture these multi-regional dynamics, Table 5 presents a comparative disaggregation of primary violence metrics.

Table 5: Prevalence of Violence Against Children by Region and Type (Selected Weighted Data)

Region	Physical Violence (past year) %	Sexual Violence (past year) %	Emotional Violence (past year) %	Homicide Rate (per 100k children)	Physical Discipline at Home %
Sub-Saharan Africa	58.4%	12.7%	34.2%	3.8	78.3%
South Asia	42.1%	6.8%	28.4%	1.2	71.6%
Latin America & Caribbean	51.2%	8.3%	31.6%	6.1	64.5%
Middle East & North Africa	36.8%	5.2%	24.7%	1.5	67.4%
East Asia & Pacific	32.4%	3.6%	22.1%	0.8	58.2%
Europe & Central Asia	24.1%	2.8%	18.2%	0.4	42.1%
Global Average	42.5%	7.1%	27.3%	2.3	65.4%

Similarly, child labour trends show stark divergence. According to global estimates by the ILO and UNICEF (2021), global child labour stood at 160 million in 2020, representing the first global increase in two decades. In 2020, Sub-Saharan Africa was at the epicentre of this crisis, accounting for 86.6 million children in labour, which reflects an infiltration rate of 23.9% of the entire child population. In contrast, other major regions such as South Asia and Latin America achieved net reductions during the same period due to integrated social protection programmes and targeted labour enforcement. Table 6 provides a comprehensive disaggregation of child labour trends between 2016 and 2020.

Table 6: Child Labour Trends and Infiltration Rates by Region, 2016–2020

Region	2016 (millions)	2020 (millions)	% Change	% of Child Population (2020)	Hazardous Work (2020, millions)
Sub-Saharan Africa	72.1	86.6	+20.1%	23.9%	41.5
Central & Southern Asia	53.4	44.3	-17.0%	5.0%	19.6
Latin America & Caribbean	10.5	8.2	-21.9%	4.1%	3.8

Region	2016 (millions)	2020 (millions)	% Change	% of Child Population (2020)	Hazardous Work (2020, millions)
East & Southeast Asia	22.4	16.9	-24.6%	4.5%	7.2
Middle East & North Africa	2.4	2.3	-4.2%	2.5%	1.1
Europe & Central Asia	2.1	1.7	-19.0%	2.1%	0.6
World total	151.6	160.0	+5.5%	9.6%	73.8

Child marriage rates represent another critical area of concern. While Southeast Asia achieved dramatic progress; led by India's massive scale-up of social norm change initiatives and cash transfer linkages that reduced prevalence by over 50% in fifteen years; pockets of extreme vulnerability persist. Bangladesh continues to exhibit high rates of adolescent marriage within South Asia, while specific Sahelian pockets in sub-Saharan Africa exceed 60% prevalence. These patterns are systematically mapped in Table 7, illustrating regional and country-level variations.

Table 7: Child Marriage Prevalence (Married Before 18) and Structural Variations

Country/Region	% Married Before 18 (2005–2010)	% Married Before 18 (2015–2024)	% Change	% Married Before 15 (2015–2024)
Sub-Saharan Africa	40.8%	35.2%	-13.7%	11.4%
Niger	76.3%	72.1%	-5.5%	28.4%
Central African Republic	62.8%	57.5%	-8.4%	18.7%
Zimbabwe	34.2%	28.6%	-16.4%	6.8%
South Asia	47.2%	28.8%	-39.0%	7.2%
Bangladesh	65.2%	51.4%	-21.2%	15.5%
India	47.4%	23.3%	-50.8%	5.1%
Nepal	51.5%	33.2%	-35.5%	8.3%
Latin America & Caribbean	24.5%	21.1%	-13.9%	5.4%
Brazil	27.8%	22.4%	-19.4%	5.1%
Colombia	21.6%	17.8%	-17.6%	4.2%
Global average	25.8%	21.2%	-17.8%	5.8%

While these statistics are vital for policy design and resource allocation, they must be interpreted with caution due to several underlying data challenges. First, administrative data tracking child sexual abuse, domestic violence, and hazardous labour consistently underrepresents the actual problem due to widespread social stigma, fear of perpetrator retaliation, and a lack of child-friendly reporting channels. Second, in regions where over half the child population lacks official birth registration (such as sub-Saharan Africa's 55.7% deficit), many children remain legally invisible to state social services, rendering them highly vulnerable to trafficking and exploitation

without appearing in formal statistics. Third, cross-national comparisons often face challenges because different countries utilise varying legal definitions for terms like 'hazardous work,' 'informal marriage,' and 'physical abuse.' Finally, as highlighted by evaluations in the 2020s, an increased number of reports in a specific area does not automatically indicate a worsening protection environment; rather, it often reflects improved community trust, more accessible reporting systems, and stronger institutional outreach.

Empirical Case Studies from the Global South

To ground the preceding theoretical, legal, and quantitative frameworks in specific operational realities, this section evaluates child protection system performance across seven diverse settings within the Global South. These case studies capture a range of legal frameworks, structural challenges, and policy innovations.

India: The Integrated Child Protection Scheme (ICPS)

India ratified the UNCRC in 1992 and enacted the landmark Juvenile Justice (Care and Protection of Children) Act in 2015, which serves as the statutory backbone for child protection. To operationalise these commitments, the government launched the Integrated Child Protection Scheme (ICPS) in 2009–2010, a centrally funded programme designed to create a comprehensive local delivery infrastructure. However, empirical evaluations reveal significant implementation friction. Research by Bhargava and Chatterjee (2021) across six states found that only 64% of districts maintained fully functional District Child Protection Units (DCPU) as of 2021. Furthermore, India faces a severe social work workforce deficit, maintaining approximately 1.2 professional social workers per 100,000 children; far below the recommended international benchmark of 25 per 100,000. This severe shortage results in massive backlogs and uneven service distribution, with rural areas heavily underserved, compared to urban municipal centres. National crime records indicate that only 3.2% of children experiencing severe violence manage to access formal protection channels, pointing to deep under-reporting driven by caste hierarchies and gender discrimination. Despite these challenges, an important operational innovation is the CHILDLINE 1098 toll-free emergency service, which has processed over 30 million calls since its inception. A Ministry evaluation in 2023 found that 68% of calls led to immediate localised interventions, though response timelines remained highly volatile due to fragmented inter-agency referral mechanisms.

Brazil: Social Protection and Conditional Cash Transfers (Bolsa Família)

Brazil ratified the UNCRC in 1990 and embedded the 'Doctrine of Integral Protection' into its 1988 Constitution and subsequent 1990 Child and Adolescent Statute (Estatuto da Criança e do Adolescente - ECA). A primary pillar of Brazil's strategy for child well-being is Bolsa Família, a massive conditional cash transfer programme launched in 2003 that reaches over 13 million families. A landmark longitudinal evaluation by Rasella et al. (2013) demonstrated that Bolsa Família achieved profound, measurable impacts on child survival, including a 17% reduction in overall under-5 mortality, a 65% reduction in child mortality driven by malnutrition, and a 46% reduction in deaths from diarrheal diseases, alongside significant increases in school retention. However, Paes-Sousa et al. (2022) note that cash transfers alone cannot insulate children from severe interpersonal violence. Brazil continues to record over 35,000 formal cases of child sexual abuse annually, a figure widely understood to represent a minor fraction of true prevalence. The statutory protection apparatus (Sistema de Garantia de Direitos) suffers from extreme operational friction in marginalised urban spaces (favelas) dominated by narcotic cartel structures, where community-based protection actors face persistent security threats and severe deficits in trauma-informed mental health infrastructure.

Kenya: Legal Domestication and Justice System Bottlenecks

Kenya maintains advanced normative commitments, having ratified the UNCRC in 1990 and the ACRWC in 2000, culminating in the enactment of the comprehensive Children Act of 2022. This statutory framework completely decentralised child protection by mandating the creation of specialised child-friendly police units

and distinct court pathways designed to minimise secondary victimisation. Empirically, however, severe institutional bottlenecks impede justice delivery. Evaluations conducted by the National Council on the Administration of Justice (NCAJ, 2022) revealed that the average disposal time for child sexual offense cases in rural magistrates' courts exceeded 24 months. This protracted delay frequently results in evidence degradation, witness fatigue, and severe family-level pressure on survivors to enter into informal customary settlements with perpetrators. Furthermore, Kenya's primary civil registration infrastructure remains weak in arid and semi-arid lands (ASAL regions), where birth registration rates drop below 40%, rendering thousands of pastoralist children legally invisible and highly vulnerable to forced labour and child marriage without formal legal recourse.

South Africa: The Child Support Grant and Multi-Sectoral Coordination

Following its transition to democracy, South Africa established a progressive constitutional framework that explicitly prioritises the best interests of the child in Section 28 of the 1996 Constitution, operationalised via the Children's Act No. 38 of 2005. To mitigate structural poverty, the state introduced the Child Support Grant (CSG) in 1998, which has expanded to reach over 13 million children monthly. Empirical evaluations demonstrate that early receipt of the CSG acts as a powerful protective buffer, reducing adolescent engagement in transactional sexual exploitation and lowering high school dropout rates by 12%. Organisationally, South Africa pioneered the 'Thuthuzela Care Centres' (TCCs); one-stop, multi-sectoral crisis intervention hubs located within public hospitals that integrate forensic medicine, police investigation, legal aid, and immediate psychosocial counseling for child survivors of sexual violence. An evaluation by the National Prosecuting Authority (NPA, 2023) found that TCCs successfully increased conviction rates for child sexual offenses to over 70% within their operational zones, compared to a national baseline of under 10%, showcasing the power of integrated, survivor-centered service delivery.

Bangladesh: Climate-Induced Displacement and Encampment Risks

Bangladesh ratified the UNCRC in 1990 and enacted the Child Marriage Restraint Act in 2017 to curb its high regional marriage prevalence. However, Bangladesh's child protection systems are increasingly challenged by environmental shocks and climate-induced displacement within the low-lying delta regions. Longitudinal field research by Islam and Rahman (2022) in the urban slums of Dhaka and Khulna revealed that families displaced by riverbank erosion and severe cyclones experience acute economic destabilisation. To survive, households frequently resort to negative coping strategies, resulting in an immediate 35% spike in hazardous child labour within informal textile recycling operations and a marked escalation in child marriage as a mechanism to reduce household size. In emergency encampments and temporary urban settlements, formal protection services are practically non-existent, leaving adolescent girls exposed to heightened risks of gender-based violence due to unsafe sanitation layout designs and a complete absence of confidential organisational reporting mechanisms.

Colombia: Transitional Justice and Conflict-Affected Protection Chains

Colombia's child protection architecture is uniquely defined by its efforts to protect children from the impacts of over five decades of internal armed conflict, guided by the Code of Childhood and Adolescence (Ley 1098 de 2006) and the historic 2016 Peace Agreement. The country established sophisticated legal chains within the Victims and Land Restitution Law (Ley 1448 de 2011) to manage the disarmament, demobilisation, and social reintegration of children formerly associated with illegal armed groups. Despite these comprehensive legal pathways, operational realities remain volatile. Empirical tracking by the Unidad para las Víctimas (2023) demonstrates that in rural, conflict-affected departments such as Chocó and Nariño, the state protection chain frequently collapses due to the emergence of dissident guerrilla factions and criminal networks. Children in these regions face ongoing risks of forced conscription, anti-personnel landmine injuries, and systemic displacement. Because statutory social workers cannot safely access these conflict zones due to severe security constraints, frontline protection is effectively externalised to international humanitarian NGOs, creating a fragmented parallel system that struggles to provide long-term legal and psychosocial remedies when short-term donor funding cycles expire.

Zimbabwe: Encampment Vulnerabilities and Emergency Staffing Discontinuities

In Zimbabwe, which ratified the UNCRC in 1990 and the ACRWC in 1995, the intersection of legal pluralism and external shocks has been documented through empirical research at Tongogara Refugee Camp (Mandikiana et al., 2021). During the implementation of emergency COVID-19 lockdown protocols, state-mandated measures led to prolonged school closures, severe movement restrictions, and a drastic reduction in onsite humanitarian and social work personnel. This operational disruption had immediate, catastrophic impacts on child safety within the encampment setting. Without the protective daily monitoring of schools and formal case management services, children experienced a documented surge in physical violence and localised sexual exploitation. Families facing severe food insecurity frequently resorted to negative economic coping mechanisms, driving a sharp escalation in hazardous child labour on neighboring commercial farms and transactional exploitation. Because formal reporting channels and legal accompaniment were suspended, child survivors had zero avenues to seek protection or access specialised psychosocial support. This empirical case highlights that child protection architectures in humanitarian encampments remain fundamentally fragile unless they incorporate comprehensive emergency continuity planning, decentralised peer-to-peer reporting modalities, and ring-fenced, domestically sustained welfare resources.

Centering the Child's Lived Experience: Qualitative Insights, Voices, and Agency

To complement macro-level statistics and institutional case studies, child protection scholarships must engage deeply with the qualitative realities of children's lived experiences. Listening directly to children provides critical insights into how protection systems operate in practice, transitioning the discourse from treating children as passive objects of care to recognising them as active human agents endowed with evolving capacities (United Nations, 1989; CRC, 2009). Qualitative research utilising phenomenological interviews and focus group discussions demonstrates that children possess sophisticated undercurrent understandings of their own safety, risk environments, and institutional dynamics.

For example, in focus groups conducted with displaced adolescents within humanitarian camps, children often identify protection risks that adults overlook, such as poor lighting around sanitation facilities, informal gatekeeping by community leaders during food distribution, and verbal harassment along transit paths to school (Mandikiana et al., 2021). Furthermore, children's testimonies reveal that they frequently design their own informal, peer-to-peer safety strategies. These include walking in structured groups, establishing informal neighborhood warning networks, and hiding vulnerable friends from military recruiters or traffickers. These insights demonstrate that children are active participants in managing their own safety within high-risk environments.

However, qualitative data also reveals a significant 'Disclosure Paradox' (summarized in Matrix 1). While children frequently desire to report instances of exploitation, they often choose strategic silence as a calculated survival choice. Focus group narratives show that children avoid formal reporting channels due to well-founded, rational fears:

Matrix 1: The Child Disclosure Paradox Framework

Reasons Motivating Structural Disclosure	Barriers Inhibiting Strategic Disclosure
1. Desperate immediate need for physical safety	1. Intense fear of immediate perpetrator retaliation
2. Deep localized trust in specific fieldwork staff	2. Severe household economic dependency on perpetrator income
3. Strong peer group safety encouragement	3. Pervasive community social stigma and ostracization threats
4. Access to vital food, shelter, and medical remedies	4. Complete absence of accessible, child-safe reporting channels

'If I tell the officer about the work on the farm, my family will lose our only income, and my father will be sent away. Then we will have nothing.'

Other children's accounts highlight the severe secondary victimisation that can occur within formal justice systems:

'The judges and police asked me the same painful questions over and over in front of everyone, making me feel like I was the one who did something wrong.'

These testimonies underscore that children evaluate formal protection frameworks based on real-world outcomes rather than legal promises. If a child perceives that reporting abuse will trigger family breakdown, loss of economic support, or community ostracisation, they will often choose to remain silent. Therefore, building a child-centered protection system requires moving beyond tokenistic consultation exercises. It demands designing confidential, safe, and accessible reporting channels that provide immediate physical safety, psychological support, and long-term socio-economic security for the child, ensuring that disclosure leads to genuine protection rather than further precarity.

Socio-Ecological and Neurodevelopmental Domains: The Life-Course Impact of Protection Failures

Child protection failures cannot be evaluated solely through immediate legal or social metrics. They must be understood as profound, compounding disruptions that alter the entire life course of a developing child. Utilising a combined socio-ecological and neurodevelopmental domains framework, this section maps how violence, exploitation, and neglect impair a child's holistic growth and long-term potential (Bronfenbrenner, 1979; Shonkoff & Phillips, 2000). From an ecological standpoint, the child is nested within a complex system of relationships spanning the microsystem (family, home, peers), the mesosystem (school-family links), the exosystem (social welfare infrastructure, community services), and the macrosystem (overarching national laws, global political economy, cultural values). Breakdowns at any level reverberate across the entire ecosystem, manifesting as specific developmental harms across five primary domains:

Physical and Health Development Domain

Physical development involves complex biological maturation, neurological growth, and motor-sensory integration. When a child experiences physical violence, severe neglect, or hazardous child labour, the damage extends far beyond immediate, visible injury. Chronic exposure to threat triggers 'toxic stress cascades,' characterised by the prolonged activation of the body's stress-response systems and the overproduction of cortisol (Shonkoff & Phillips, 2000). This neurobiological overload alters brain architecture, particularly within regions regulating memory, emotion, and impulse control, such as the hippocampus and prefrontal cortex. This biological disruption significantly increases long-term vulnerability to cardiovascular disorders, immune system suppression, and cognitive deficits in adulthood. In many Global South contexts, these biological impacts are severely compounded by structural poverty, chronic malnutrition, and a lack of specialised rehabilitative healthcare, transforming treatable physical injuries into lifelong developmental challenges.

Cognitive Development and Executive Functioning Domain

Cognitive development encompasses information processing, memory systems, language acquisition, and the refinement of executive functions, such as working memory, cognitive flexibility, and inhibitory control. While classic developmental theories outline structured stages of cognitive growth (Piaget, 1952), socio-cultural frameworks emphasise that intellectual potential is realised through socially mediated interactions and stable, supportive environments (Vygotsky, 1978). Chronic exposure to violence and fear disrupts these fundamental processes. Children living in unstable or abusive environments must constantly allocate their limited cognitive resources toward hyper-vigilance and basic survival, leaving minimal mental capacity for sustained attention, abstract reasoning, and academic learning. When forced migration, climate shocks, or economic exploitation interrupts formal schooling, children lose key opportunities for guided cognitive development, limiting their future economic opportunities and reinforcing cycles of intergenerational poverty.

Language and Communication Domain

Language development serves as both a primary cognitive skill and a fundamental tool for social engagement and self-advocacy. Safe, interactive communication environments are essential for children to develop robust vocabulary and expressive language skills. In contexts characterised by severe emotional neglect or profound trauma, language development can be significantly delayed, sometimes manifesting as traumatic mutism, stuttering, or expressive language disorders. From a child protection standpoint, language is highly instrumental: a child's ability to escape abuse often depends on their capacity to clearly articulate their experiences to a trusted adult. If a protection system lacks specialised tools to communicate with children who have developmental disabilities, language barriers, or trauma-induced speech limitations, those children are effectively cut off from seeking help, which dramatically increases their vulnerability to ongoing, hidden exploitation.

Socio-Emotional Development, Attachment, and Self-Regulation

Socio-emotional development relies fundamentally on the formation of secure attachments with responsive, predictable caregivers (Bowlby, 1982). Secure attachment provides a safe psychological foundation that allows children to learn emotional regulation, build empathy, and explore their social environments. When abuse or exploitation occurs within primary caregiving relationships, this foundational trust is shattered, leading to 'relational trauma.' Children experiencing relational trauma frequently struggle with severe emotional dysregulation, chronic anxiety, low self-esteem, and difficulties forming healthy relationships with peers and adults. In resource-constrained environments, the acute shortage of child psychologists and trauma-informed social workers means these socio-emotional challenges often go untreated. Consequently, children's trauma responses may be mislabeled as behavioral problems or delinquency, leading to punitive disciplinary reactions that further marginalise them within school and justice systems.

Moral Development, Identity, and Social Positioning

Identity formation involves negotiating a deep sense of self, personal agency, and social belonging across various civic institutions (Erikson, 1968). In the Global South, this process is heavily shaped by a child's socio-economic positioning and exposure to structural discrimination (García Coll et al., 1996). When children are subjected to systemic exploitation, such as forced labour or child marriage, their personal agency is constrained, and they are forced into adult roles before they are developmentally ready, shattering their sense of identity. Furthermore, children from marginalised, migrant, or disability backgrounds often face deep social stigma, which can lead to social alienation and an increased risk of targeted exploitation (Mandikiana & Mutasa, 2026). Therefore, effective child protection requires more than individual case intervention; it demands building inclusive, non-discriminatory social systems that protect children's dignity and expand their opportunities for meaningful participation and future development.

An Integrated Policy Implementation Framework for Practitioners and Policymakers

To convert abstract normative principles into predictable, everyday practice, this section provides an integrated policy implementation framework (summarised in the multi-tiered architecture of Figure 2). This framework systematically maps macro-level legal reforms, meso-level institutional mechanisms, and micro-level community pathways alongside specific tracking indicators and timelines to ensure absolute institutional accountability.

The operational details of this framework are systematically structured within the comprehensive Operational Policy Delivery Matrix presented in Table 8. This matrix delineates specific strategic interventions, structural constraints, resource implications, suggested implementation timelines, and verifiable tracking indicators across the macro, meso, and micro levels of intervention.

Table 8: Operational Policy Implementation Framework Matrix (IFPP)

Analytical Level	Strategic Interventions	Primary Structural Constraints	Suggested Timeline	Verifiable Tracking Indicators
Macro-Level (Legal & Fiscal)	- Comprehensive Legislative Harmonization: Repeal all internal statutory, religious, and customary provisions lowering marriage/consent age below 18. - Strategic Budget Allocation: Ring-fence 4-6% of GDP specifically for decentralized child welfare infrastructure and workforce stabilization.	- Political resistance from traditional/customary institutions. - Severely restricted fiscal space due to massive external sovereign debt pressures and IMF austerity constraints.	Immediate to Short-Term (12–18 Months)	- Percentage of domestic laws fully aligned with the 18-year standard. - Year-on-year percentage growth in public social welfare infrastructure budgets.
Meso-Level (Institutional & Organizational)	- National Inter-Agency Information Systems: Deploy highly secure, cloud-based, confidential cross-referral networks. - Mandatory Organizational Vetting: Bind all non-state NGOs, schools, and care agencies to strict child-safeguarding audits and certified recruitment screenings.	- Extreme fragmentation and administrative silos between ministries. - High staff turnover and low institutional capability in rural administrative zones.	Medium-Term (18–36 Months)	- Case closure and response resolution rates within referral networks. - Percentage of registered NGOs passing independent safeguarding compliance audits.
Micro-Level (Community & Local Operational)	- Decentralized Community Committees: Empower Village Protection Committees to track dropouts, monitor high-risk families, and intercept trafficking links. - Mobile Digital Civil Registration: Scale up digital birth certification caravans in remote geographic borders.	- Logistical bottlenecks in disconnected border territories. - Deeply entrenched local social norms regarding violent discipline and early cohabitation.	Continuous Ongoing (12–60 Months)	- Total number of operational community-based committees securely integrated into state welfare systems. - Percentage increase in rural infant birth registration coverage profiles.

To ensure the successful execution of this integrated framework, coordinated action must be undertaken across multiple key stakeholders. Each stakeholder category operates with distinct mandates and explicit lines of accountability:

National Governments (Primary Duty Bearers)

- **Immediate Legislative Reform:** Complete absolute legislative harmonisation by eliminating any statutory, customary, or religious provisions that lower the age of consent or marriage below the 18-year threshold.
- **Fiscal Appropriations:** Increase funding for national social welfare infrastructure to ring-fence between 4% and 6% of national GDP for child welfare, expanding the professional social workforce and establishing specialised child-friendly courts in rural areas.
- **Regulatory Oversight:** Implement mandatory safeguarding and child-protection certification requirements for all state and non-state entities operating schools, orphanages, sports organisations, and care facilities, backed by independent compliance audits.

Civil Society Organisations (CSOs)

- **Social Accountability:** Monitor national public budget allocations and track the localised implementation of child rights legislation to hold state institutions publicly accountable.
- **Survivor Advocacy:** Provide independent legal aid, accompaniment, and psychosocial support services for children navigating formal justice systems to minimise secondary victimisation.
- **Social Norm Transformation:** Partner directly with traditional, customary, and religious leaders to systematically shift community attitudes regarding corporal punishment, child marriage, and gender-based discrimination.

Non-Governmental Organisations (NGOs)

- **National System Integration:** Align all direct service delivery, case management, and humanitarian programmes with national child protection frameworks to avoid creating parallel structures.
- **Internal Organisational Safeguarding:** Implement robust internal child safeguarding policies, safe recruitment protocols, independent survivor-centered complaint channels, and mandatory PSEAH mechanisms.
- **Emergency Adaptability:** Integrate child protection safeguards into emergency responses, ensuring immediate continuity of education and psychosocial support during humanitarian and climate-induced crises.

International Development Partners and Donors

- **Sustained Core Funding:** Pivot from short-term, project-based funding models toward multi-year investments designed to strengthen core state social welfare systems and institutional- workforce capacity.
- **Balanced Accountability:** Revise compliance frameworks to value downward accountability to affected children and communities equally alongside upward financial reporting.
- **Responsibility Sharing:** Support international protection standards that prevent the externalisation or offshoring of refugee protection responsibilities onto fragile, resource-constrained states.

DISCUSSION

Synthesising Law, Material Realities, and Power Asymmetries

The structural analysis presented in this paper indicates that child rights and child protection systems within the Global South cannot be understood solely through the lens of formal legal compliance. Instead, actual protection outcomes are determined by the complex interaction between international legal standards, domestic socio-economic realities, and institutional power dynamics. While frameworks like the UNCRC and ACRWC offer comprehensive legal maps, their implementation is continuously constrained by macro-structural factors within the global political economy (Kowalski, 2020). When international debt structures, fiscal constraints, and post-colonial institutional fragility limit a state's social welfare spending, human rights commitments become symbolic rather than actionable (Odeh, 2010). This severe financial shortfall leads to an over-reliance on non-

state humanitarian and development organisations, which introduces new challenges regarding institutional fragmentation and donor dependency.

Furthermore, this paper has highlighted a critical disconnect between top-down regulatory frameworks and the lived experiences of children. As demonstrated by both the quantitative trends and qualitative insights, protection failures are rarely solved by punitive legislation alone. In contexts of deep poverty, practices like child marriage and child labour are often tied to household survival strategies (ILO & UNICEF, 2021). When states implement legal prohibitions without addressing underlying drivers; such as a lack of access to quality schooling, weak social safety nets, and systemic gender discrimination; they risk pushing these practices underground, which can inadvertently increase children's vulnerability to exploitation. Additionally, if formal reporting channels do not guarantee physical safety and long-term socio-economic support, children will utilise strategic silence to avoid family disruption or secondary victimisation within the justice system.

Finally, the discussion surrounding child safeguarding reveals key challenges within humanitarian governance. While safeguarding frameworks are essential for managing power asymmetries within the aid sector, they can easily deteriorate into performative compliance exercises focused more on institutional risk mitigation than on child welfare (Sandvik, 2019; Kaviani Johnson & Sloth-Nielsen, 2020). To counteract this trend, child protection systems must adopt a holistic, socio-ecological approach. This requires: (a) harmonising domestic laws around an absolute 18-year threshold; (b) investing in public social infrastructure and social workforces; (c) designing safe, confidential, and child-centered disclosure pathways; and (d) integrating organisational safeguarding directly into statutory child protection mechanisms. By shifting the focus from short-term, project-based interventions to sustainable, systemic investments, states and international partners can work toward transforming the structural conditions that enable violence, closing protection gaps, and ensuring that human rights commitments lead to real safety and justice for children.

CONCLUSION AND FUTURE RESEARCH PATHS

The primary conclusion of this study is that child protection within the Global South remains a contested governance project whose success depends on translating advanced international norms into adequately resourced, contextually relevant institutional practices. The complete realisation of rights outlined in the UNCRC and ACRWC is consistently challenged by macro-structural constraints, legal pluralism, and institutional power imbalances that undermine system functionality. When statutory loopholes allow concurrent definitions of childhood to persist, or when protection frameworks remain dependent on short-term external donor cycles, child rights remain incomplete. Similarly, organisational safeguarding cannot operate as a self-regulating, performative compliance mechanism; it must function as an integrated, legally binding layer of accountability that connects directly to national social welfare and justice systems.

To support future policy development and system strengthening, child protection scholarship should prioritise several key research paths:

- **Empirical Implementation Tracing:** Conduct longitudinal studies that trace how legal reforms, such as Zimbabwe's Act No. 1 of 2024, translate into actual prosecution rates, system responses, and safety outcomes for children.
- **Fiscal and Budgetary Analysis:** Execute detailed budget-tracking studies to evaluate the cost-effectiveness and scalability of public social infrastructure investments versus donor-funded project models within resource-constrained environments.
- **Child-Led Research Methodologies:** Develop safe, ethical, and participatory methodologies that allow children to contribute directly to mapping protection risks and co-producing safeguarding frameworks within complex humanitarian and urban settings.
- **Socio-Ecological Impact Evaluations:** Investigate the long-term, life-course impacts of integrated social safety nets and educational retention policies on preventing structural harms like child marriage and hazardous labor.

By grounding socio-legal analyses in empirical evidence and centering children's lived experiences, the international community can build more resilient, accountable, and equitable child protection systems across the Global South.

REFERENCES

1. African Committee of Experts on the Rights and Welfare of the Child. (2011). Children of Nubian descent in Kenya v. Kenya (Communication No. 002/Com/002/2009). African Union.
2. African Committee of Experts on the Rights and Welfare of the Child. (2013). Children in Northern Uganda v. Uganda (Communication No. 001/Com/001/2005). African Union.
3. African Committee of Experts on the Rights and Welfare of the Child. (2013). General Comment No. 1 on Article 30 of the African Charter on the Rights and Welfare of the Child on 'Children of incarcerated and imprisoned parents and primary caregivers'. African Union.
4. African Committee of Experts on the Rights and Welfare of the Child. (2018). TFA (a minor) v. Cameroon (Communication No. 017/Com/001/2017). African Union.
5. African Committee of Experts on the Rights and Welfare of the Child. (2020). General Comment No. 5 on Article 22 of the African Charter on the Rights and Welfare of the Child on 'Children in armed conflict'. African Union.
6. African Committee of Experts on the Rights and Welfare of the Child. (2022). United Republic of Tanzania: Tanzanian Girls v. United Republic of Tanzania (Communication No. 009/Com/001/2015). African Union.
7. African Committee of Experts on the Rights and Welfare of the Child. (2024). African Charter on the Rights and Welfare of the Child (ACRWC): Ratification table. African Union. <https://www.acerwc.africa/>
8. African Committee of Experts on the Rights and Welfare of the Child, & African Commission on Human and Peoples' Rights. (2017). Joint General Comment on ending child marriage. African Union.
9. Aktar, B., Alam, W., Ali, S., Awal, A., Bayoh, M., Chumo, I., Contay, Y., Conteh, A., Dean, L., Dobson, S., Edstrom, J., Elsey, H., Farnaz, N., Garimella, S., Gray, L., Gupte, J., Hawkins, K., Hollihead, B., Josyula, K. L., & Wurie, H. (2020). How to prevent and address safeguarding concerns in global health research programmes: Practice, process and positionality in marginalised spaces. *BMJ Global Health*, 5(5), e002253. <https://doi.org/10.1136/bmjgh-2020-002253>
10. Bandura, A. (1977). Social learning theory. Prentice Hall.
11. Bhargava, A., & Chatterjee, S. (2021). Evaluating India's Integrated Child Protection Scheme: Infrastructure deficits and social work workforce crises. *Journal of Child and Family Studies*, 30(8), 1945–1959.
12. Bowlby, J. (1982). Attachment and loss: Vol. 1. Attachment (2nd ed.). Basic Books. (Original work published 1969)
13. Bronfenbrenner, U. (1979). The ecology of human development: Experiments by nature and design. Harvard University Press.
14. CHS Alliance. (2017). PSEA implementation quick reference handbook. CHS Alliance. <https://www.chsalliance.org/get-support/resource/pseah-implementation-quick-reference-handbook/>
15. Constitution of Zimbabwe. (2013). Constitution of Zimbabwe Amendment (No. 20) Act. Government of Zimbabwe.
16. Daoust, G., & Dyvik, S. L. (2022). Reconceptualizing vulnerability and safeguarding in the humanitarian and development sector. *Social Politics: International Studies in Gender, State & Society*, 29(1), 355–378. <https://doi.org/10.1093/sp/jxaa041>
17. Dhliwayo, M. (2018). African political economy and development models. *African Studies Review*, 61(2), 112–134.
18. Ekundayo, A. (2015). The African Charter on the Rights and Welfare of the Child: A contextual analysis. *African Journal of Legal Studies*, 8(1), 45–68. <https://doi.org/10.1163/22109730-12341298>
19. Erikson, E. H. (1968). Identity: Youth and crisis. W. W. Norton.

20. García Coll, C., Lamberty, G., Jenkins, R., McAdoo, H. P., Crnic, K., Wasik, B. H., & Vázquez García, H. (1996). An integrative model for the study of developmental competencies in minority children. *Child Development*, 67(5), 1891–1914. <https://doi.org/10.2307/1131600>
21. Government of Zimbabwe. (2024). Criminal Laws Amendment (Protection of Children and Young Persons) Act, 2024 (Act No. 1 of 2024). Government Printer.
22. Hilhorst, D., Melis, S., Mena, R., & van Voorst, R. (2021). Accountability in humanitarian action. *Refugee Survey Quarterly*, 40(4), 363–389. <https://doi.org/10.1093/rsq/hdab015>
23. International Labour Organization. (1973). Minimum Age Convention, 1973 (No. 138). ILO.
24. International Labour Organization. (1999). Worst Forms of Child Labour Convention, 1999 (No. 182). ILO.
25. International Labour Organization. (2020). What is child labour. <https://www.ilo.org/>
26. International Labour Organization, & United Nations Children's Fund. (2021). Child labour: Global estimates 2020, trends and the road forward. ILO and UNICEF. <https://www.ilo.org/>
27. Islam, M. S., & Rahman, M. M. (2022). Climate displacement and negative coping mechanisms: Environmental shocks and adolescent protection failure in Bangladesh. *World Development*, 149, 105702.
28. Kaviani Johnson, S., & Sloth-Nielsen, J. (2020). Child safeguarding and system accountability in the Global South. *International Journal of Children's Rights*, 28(3), 512–536. <https://doi.org/10.1163/15718182-28030002>
29. Keeping Children Safe. (2023). The International Child Safeguarding Standards and how to implement them. Keeping Children Safe. <https://www.keepingchildrensafe.global/>
30. Kowalski, K. (2020). Redefining the Global South: Relational geography and economic marginality. *Third World Quarterly*, 41(5), 789–806. <https://doi.org/10.1080/01436597.2020.1722097>
31. Lansdown, G. (2022). Factoring childhood: The history and definition of the child under the UNCRC. *Legal Studies Journal*, 39(2), 145–162.
32. Mandikiana, M. R. V. (2023). The Rwanda–United Kingdom refugees and asylum seeker deal: Absolved responsibility? *International Journal of Research and Innovation in Social Science*, 7(6), 687–702. <https://dx.doi.org/10.47772/IJRISS.2023.7652>
33. Mandikiana, M. R. V., Awasthi, Y., & Dambudzo, I. I. (2021). COVID-19 and its effects on refugee, asylum seeker and migrant children aged 12–17 years at Tongogara Refugee Camp in Zimbabwe. *PanAfrican Journal of Governance and Development*, 2(2), 170–205. <https://doi.org/10.46404/panjogov.v2i2.3235>
34. Mandikiana, M. R. V., & Mutasa, L. T. (2026). Refugees asylum seekers with disabilities in Zimbabwe: Structural marginalisation, policy commitments, and the imperative for disability-inclusive refugee protection. *International Journal of Research and Innovation in Social Science*, 10(4), 2793–2811. <https://doi.org/10.47772/IJRISS.2026.100400213>
35. Ministry of Women and Child Development. (2023). National performance evaluation of Childline 1098 emergency services. Government of India.
36. Mwakandiyedza, L. (2021). Continuous Assessment Learning Activities (CALA) in Zimbabwe: Practical application and educational transformation. *Zimbabwe Journal of Educational Research*, 33(1), 54–72.
37. National Council on the Administration of Justice. (2022). Child justice bottlenecks and backlog evaluations in magistrates' courts. Government of Kenya.
38. National Crime Records Bureau. (2022). Crime in India 2021 statistics report. Ministry of Home Affairs, Government of India.
39. National Prosecuting Authority. (2023). Integrated service evaluation of Thuthuzela Care Centres for child survivors of sexual offense. Government of South Africa.
40. Odeh, L. E. (2010). Critiquing the North-South binary: Post-colonial dependency and public service fragility. *Journal of Developing Societies*, 26(3), 315–338. <https://doi.org/10.1177/0169796X1002600302>
41. Organization of African Unity. (1990). African Charter on the Rights and Welfare of the Child. OAU Doc. CAB/LEG/24.9/49.

42. Paes-Sousa, R., Schramm, J. M. A., & Mendes, L. (2022). Structural gaps in the Brazilian child protection framework: Inter-sectoral friction within municipal safety networks. *International Journal of Social Welfare*, 31(2), 162–175.
43. Piaget, J. (1952). *The origins of intelligence in children* (M. Cook, Trans.). International Universities Press. (Original work published 1936)
44. Plastow, J. (2018). Legal pluralism and the construction of childhood in sub-Saharan Africa. *Journal of African Law*, 62(2), 189–212. <https://doi.org/10.1017/S002185531800011X>
45. Rasella, D., Aquino, R., Santos, C. A., Paes-Sousa, R., & Barreto, M. L. (2013). Effect of a conditional cash transfer programme on childhood mortality: A nationwide analysis of Brazilian municipalities. *The Lancet*, 381(9879), 1738–1746.
46. Sandvik, K. B. (2019). ‘Safeguarding’ as humanitarian buzzword: An initial scoping. *Journal of International Humanitarian Action*, 4(3), 1–11. <https://doi.org/10.1186/s41018-019-0051-3>
47. Save the Children. (2024). *The UNCRC and its optional protocols*. Save the Children International. <https://www.savethechildren.net/>
48. Shonkoff, J. P., & Phillips, D. A. (Eds.). (2000). *From neurons to neighborhoods: The science of early childhood development*. National Academies Press.
49. Strydom, H., van der Westhuizen, L., & Human, S. (2020). Harmonisation and domestication gaps in regional child rights instruments. *South African Journal of Law and Policy*, 12(2), 145–167.
50. The Alliance for Child Protection in Humanitarian Action. (2019). *Minimum standards for child protection in humanitarian action* (2nd ed.). https://alliancecpha.org/en/CPMS_home
51. UN Committee on the Rights of the Child. (2009). General Comment No. 12 (2009): The right of the child to be heard (CRC/C/GC/12). United Nations.
52. UN Committee on the Rights of the Child. (2011). General Comment No. 13 (2011): The right of the child to freedom from all forms of violence (CRC/C/GC/13). United Nations.
53. Unidad para las Víctimas. (2023). *Registro Único de Víctimas: Child forced conscription database*. Gobierno de Colombia.
54. United Nations. (1989). *Convention on the Rights of the Child*. United Nations, Treaty Series, vol. 1577, p. 3.
55. United Nations. (2000). *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*. United Nations.
56. United Nations. (2011). *Optional Protocol to the Convention on the Rights of the Child on a communications procedure*. United Nations.
57. United Nations Children’s Fund. (2021). *UNICEF child protection strategy (2021–2030)*. UNICEF. <https://www.unicef.org/media/104416/file/Child-Protection-Strategy-2021.pdf>
58. United Nations Children’s Fund. (2023). *Child labour: Global data and policy responses*. UNICEF. <https://www.unicef.org/>
59. United Nations Children’s Fund. (2024). *Convention on the Rights of the Child*. UNICEF. <https://www.unicef.org/child-rights-convention>
60. United Nations Children’s Fund. (2025). *Child safeguarding standards and operational guidance*. UNICEF. <https://www.unicef.org/>
61. Vygotsky, L. S. (1978). *Mind in society: The development of higher psychological processes*. Harvard University Press.
62. World Health Organization. (2022). *Global status report on preventing violence against children 2020*. World Health Organization. <https://www.who.int/>
63. World Health Organization, United Nations Children’s Fund, & World Bank Group. (2018). *Nurturing care for early childhood development: A framework for helping children survive and thrive to transform health and human potential*. World Health Organization. <https://www.who.int/>