

# Yemen

*In 2011, Yemen made no advancement in efforts to eliminate the worst forms of child labor. Although the Government partnered with UNICEF to identify and provide vulnerable children with temporary schools, gaps in laws, enforcement, policies, and programs to combat child labor grew during the reporting period. In efforts to respond to internal unrest, the Government diverted funding from key ministries that have a role in addressing the worst forms of child labor. Laws on the minimum age for work are contradictory, inspectors report a lack of resources for inspections and the child labor policy has not been implemented for more than 5 years. In addition, the Yemeni army continued to recruit and use children in combat roles in the country's internal conflict. Non-state groups likewise use children in this role. No evidence was found of government efforts to end the recruitment of children or provide demobilization and rehabilitation services to children. In addition to child soldiering, children in Yemen continue to engage in other worst forms of child labor, in particular they perform dangerous tasks in the fishing industry and agriculture.*

## Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	15.4 (978,915)
Attending School	5-14 yrs.	58.5
Combining Work and School	7-14 yrs.	12.7
Primary Completion Rate		63.2

### Sources:

**Primary completion rate:** Data from 2012, published by UNESCO Institute for Statistics, 2012.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from MICS3 Survey, 2006.(2)

## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Yemen are engaged in the worst forms of child labor in dangerous activities in the fishing industry and agriculture, and in armed conflict.(3-7) Children, chiefly boys, engage in dangerous agricultural work activities around the production of *qat*, a mild narcotic legal in Yemen, and in the production of cereals, fruits and vegetables.(5, 7, 8) Through this work, they are exposed to pesticides, injuries related to the usage of tools and machinery, excessive working hours and heavy equipment.(5, 7) Children, primarily boys, also work



in fishing along Yemen's coastline, in which they are exposed to extreme temperatures, dangerous tools and the risk of drowning.(6, 8)

Children are engaged in dangerous work in rock quarries and mines.(5) They also work in welding and glass shops, where they are subject to injury from tools and equipment.(5) Some children work in construction, where they risk injuries from stone cutting.(5) Others work in auto shops where they carry heavy loads, risk falls and physical injuries, including burns and respiratory problems from inhaling fumes.(5) Children working in waste dumps are exposed to numerous health risks, including bodily injury, disease and parasite infections, tetanus, and food poisoning.(9) Street children are at risk of violence, traffic accidents, exhaustion from long working hours, exposure and addiction to drugs and psychological abuse.(9)

Children, primarily girls, work in domestic service in which they face long hours of work, the inability to leave their employer's home, as well as physical and sexual abuse. Children who work in restaurants also are at risk of sexual abuse.(5)

Yemeni children are trafficked to Saudi Arabia for commercial sexual exploitation, forced labor and the smuggling of *qat*, which is illegal in Saudi Arabia. Once in Saudi Arabia, these children are exposed to a variety of dangers, including work as *qat* vendors and beggars, and are at risk of commercial sexual exploitation.(10-12) Some Yemeni children in transit to Saudi Arabia have reportedly been abducted by Yemeni rebel groups to serve as combatants.(13)

There are reports of rural children who are trafficked within Yemen to hotels in Aden, Sana'a, Taiz, Hudeidah, and other cities for commercial sexual exploitation.(11, 13) Citizens from Saudi Arabia and other Gulf countries further fuel the demand

for commercial sexual exploitation of children in urban areas.(11) Saudi tourists marry Yemeni girls in fake marriages, which can last up to a few months before the tourist deserts the girl and returns to his country or takes her back to Saudi Arabia where she is subjected to sex trafficking or abandonment on the streets.(12-14) Children are also trafficked internally to Aden and Sana'a for forced labor, domestic service, begging, street vending, and to work as unskilled laborers.(11)

Children in Yemen are vulnerable to recruitment and engagement in the ongoing civil conflict.(3, 4) During the reporting period, children were observed in the ranks of the Central Security Forces, Republican Guard and the First Armored Division.(15, 16) Both the Yemeni army and tribal-based factions continued to recruit and deploy children as soldiers and spies in internal struggles in the north and south.(17-20) Although determining precise ages is a problem due to the low number of birth registrations, reports have indicated that military units have recruited children as young as age 11.(15)

Access to education in Yemen remains a serious problem. According to UNESCO's 2011 Education for All Report, net primary enrollment rates in Yemen's schools are among the lowest in the region.(21, 22) Poor rural girls are the most vulnerable to early drop out.(23)

In June 2011, CHF International reported that the internal conflict further reduced enrollment rates through the premature closure of schools at the end of the academic year; many children have yet to return to school due to high levels of violence, the nonexistence or destruction of school buildings, and the takeover of schools by pro-government and anti-government forces and internally displaced persons in the south.(8, 24) Furthermore, a recent study by Oxfam reported that a significant number of households admitted to pulling their children out of school and putting them to work due to household economic and food security concerns.(25)

## Laws and Regulations on the Worst Forms of Child Labor

Law No. 45 on Child Rights sets the minimum age for employment at age 15.(12, 26) Labor Law No. 5 (1995), however, does not specify any minimum age for employment, but simply defines a working child as a person under age 15.(27, 28) It also sets a maximum number of hours for working children under age 15 at 7 hours a day and 42 hours a week, and establishes a minimum age for hazardous work at age 15, prohibiting children under that age from engaging in arduous work, work in harmful industries or work that is socially damaging.(27-29) In October 2010,

Parliament considered an amendment to the minimum age for employment law that, if passed, would require employers to get written consent from a parent or guardian before employing someone under age 15.(8) However, during the reporting period, the ongoing political turmoil in the North and South, and resulting from the Arab Spring, stalled the passage of the law.(8) Even if these protections passed, however, Labor Law No. 5 does not comply with international standards on the minimum age for employment.

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

Law No. 45 on Child Rights, meanwhile, requires that all working children ages 15 and up have a formal contract and medical coverage, and stipulates that they should not work more than 6 hours a day.(27) Ministerial Decree No. 56 (an amendment to Law No. 45) includes a list of hazardous work which identifies 57 types of jobs banned to children under age 18.(26, 27)

The three aforementioned laws contradict one another and it is unclear which law takes precedence.(30)

Ministerial Order No. 56 (2004) prohibits the use of children under age 18 in pornography, forced labor, illicit activities and human and drug trafficking.(31) Both the Child Rights Act and Ministerial Order No. 56 prohibit the incitement of a child into prostitution.(27, 31) Ministerial Order No. 56 stipulates prison sentences for those who force children into prostitution.(31)

The Child Rights Act and Ministerial Order No. 56 prohibit the involvement of children in armed conflicts.(12, 31) Yemen

does not have compulsory military recruitment, and the voluntary recruitment age is age 18.(12, 32)

Education is compulsory and free from age 6 until the age of 15.(12, 33) However, cultural norms and a lack of access deter enrollment among children from poor rural areas.(34) Gender inequity in Yemen is apparent in the public schools, with almost half of all boys attending and slightly more than 25 percent of girls enrolled in secondary school, according to a recent Save the Children Sweden study.(12)

## **Institutional Mechanisms for Coordination and Enforcement**

The National Steering Committee to Combat Child Labor coordinates child labor issues in Yemen. This committee consists of representatives from the Ministry of Social Affairs and Labor (MOSAL), the Higher Council for Motherhood and Childhood (HCMC), the Chamber of Commerce, ILO-IPEC and local NGOs.(35) The last Steering Committee meeting, held in September 2011, focused on how to secure future funding to combat child labor.(36)

The MOSAL's Child Labor Unit (CLU), the Ministry of Interior (MOI) and the Ministry of Justice (MOJ) are all responsible for the enforcement of child labor laws.(37) The MOSAL's CLU conducts inspections and informs the MOI of any violations.(37) The police conduct investigations of cases brought to the MOI, and the MOJ prosecutes and adjudicates. Research was unable to determine the number of inspections or child labor violations found during the reporting period. Inspectors indicate they lack adequate finances to conduct their work, including for traveling outside of urban areas.(37) According to Ahmad al-Qurashi, Chairman of the local NGO Seyaj Organization for Childhood Protection, a reputable Yemeni child protection NGO, the Government had to severely cut funding for child labor work.(8) Work related to child labor at MOSAL and other national government entities was extremely limited over the reporting period.(38)

The Technical Committee on Combating Child Trafficking (TCCCT), comprised of the Higher Council of Motherhood and Childhood, relevant ministries, the UN and local NGOs, coordinates efforts to combat child trafficking and smuggling.(11)

The Ministry of Human Rights, MOJ, the Ministry of Legal Affairs, Parliament and the Social Fund for Development (SFD) all have supporting roles in combating child trafficking.(11) However, nearly all ministries have had their funding severely curtailed in order to fund attacks against global tribal insurgencies in the North and the South, which

has hindered the Government's efforts to combat child trafficking.(11, 36, 38)

Research found no information on the number of arrests, investigations and prosecutions for offenses related to the worst forms of child labor, including trafficking.

Despite legislation that stipulates army recruits must be age 18, both government and tribal forces have systematically violated the law.(12, 39) The Government reportedly turns a blind eye to the falsification of child recruits' ages on formal documentation.(18, 40) A retired general recently revealed that under the Saleh regime, child orphans and runaways were systematically targeted to join the army.(18) Research has not identified any instances of arrests or prosecutions for use of children in armed conflict.

## **Government Policies on the Worst Forms of Child Labor**

In 2005, the National Policy and Program Framework for the Eradication of Child Labor and Elimination of its Worst Forms was developed by the MOSAL, the ILO-IPEC and the Higher Council for Motherhood and Childhood (HCMC).(27) Although the Government has had a comprehensive child labor policy, its implementation has been delayed by more than 5 years due to a lack of funds and poor coordination.(27)

A National Strategy for Addressing Trafficking in Persons was ratified by the Council of Ministers in 2009; research did not reveal any information on its implementation.(11)

The third Social Economic Development Plan for Poverty Reduction (SEDP) (2006-2010) expired in 2010. Research found no evidence to indicate that the planned fourth SEDP, which was designed to put an increased focus on child protection, was adopted.(41, 42)

Co-led by MOSAL and UNICEF, a group of child protection stakeholders formed the Child Protection Sub-Cluster (CPSC) in 2009 to address the impacts of the internal strife between government forces and tribal combatants in the North and the South on Yemen's children.(43) The primary responsibilities of the CPSC are to report on child rights violations, assess risks and trends faced by children in the crisis, build capacity among civil society organizations responding to children's needs, and coordinate child protection working groups in all conflict affected areas.(43) Reports indicate that the Government acknowledges the use of child soldiers and is committed to addressing the problem.(15, 16) However, there is no information on the current status of CPSC efforts and no evidence of other government policies to address the issue of children involved in armed conflict.

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

Years of tribal clashes, separatist movements and the recent “Arab Spring-inspired” movement calling for social and political change and the deposition of President Ali Abdullah Saleh, has devastated Yemen’s already fragile political, social and economic fabric. Today, levels of childhood malnutrition in areas of Yemen are among the worst in the world, yet food prices continue to rise and most donors continue to scale back funding or close down operations in Yemen.(25, 36, 44)

Despite this situation, there have been some efforts to address the worst forms of child labor in the country. The USDOL-funded \$3.5 million project to combat child labor through education in Yemen (2008-2011), which collaborated closely with the Government, ended during the reporting period. Over the life of the project, 7,675 children working or at risk of working in hazardous agriculture and fisheries, trafficking, and urban street jobs received educational and vocational training services.(36, 45) In 2011, the program conducted trainings on child labor among volunteers and religious leaders, and meetings with the Community Leadership Committees, all of whom are committed to continue the work of the project upon its closure.(38) The program successfully provided all youth graduates of vocational training programs with tool kits; several vocational training graduates subsequently acquired internships with local businesses.(36, 38) The program received formal endorsement by the Ministry of Technical Education and Vocational Training and will likely be duplicated among other vocational training youth.(36) Despite this program’s success, by the end of the project in September 2011, 502 of the withdrawn children were re-engaged in work, apparently due to the hardship brought upon them by the internal conflict and the related economic crisis.(38)

In recent years, the Government’s Central Statistics Organization collaborated with the ILO-IPEC, UNICEF and the SFD on a child labor survey, the results of which were to be disseminated in 2011. However, due to the political upheaval and conflict, the ILO-IPEC suspended its operations and UNICEF and the SFD curtailed its activity in Yemen, and the data have not yet been released.(36)

Members of the CPSC have advocated to cease the recruitment of children for combat. Local NGOs also launched a campaign with the slogan, “No to Recruitment of Children.”(46) The campaign strives to raise the awareness among families and communities about protecting children from armed conflict.(46) Despite efforts to raise awareness on the recruitment of children into armed combat, the Government

has no disarmament, demobilization and reintegration programs for affected children.

The Government, in collaboration with UNICEF and NGOs continued to operate two reception centers in Sana’a and Haradh for the rehabilitation of child labor trafficking victims.(13) A government-affiliated NGO maintains a registry to track trafficked children returning from Saudi Arabia, although this reportedly only captures a small number of such victims.(11) Efforts to combat trafficking in persons in Yemen are hampered by lack of government funding.(15, 47)

In an effort to assess child vulnerability trends in response to the crisis, in June 2011, the Ministry of Education partnered with UNICEF to launch a social protection monitoring system that routinely collects household data.(46) The findings led to the assistance of 124,392 out-of-school children in the south through the establishment of temporary schools. Members of the CPSC, including the MOSAL, are currently designing a plan to send out-of-school children back to school while assuring their protection.(46) Despite these efforts, programs to get out-of-school children into temporary learning facilities or to their newly rehabilitated schools are lacking.

The SFD, created in 1997, works with various ministries to achieve poverty reduction through economic and social development in Yemen.(48) Special needs groups, including child laborers and street children, are targeted under the SFD for social protection and education programs in partnership with the Ministry of Education, the MOSAL and the Ministry of Planning and International Cooperation.(49) SFD has built the capacity of the government and NGOs to implement programs such as the improvement of centers for street children and the development of safe child health and educational services.(49) Phase IV of the SFD, 2011 through 2015, received significant funding (\$153 million) from the UK’s Department for International Development (DFID).(50)

The Government’s Social Welfare Fund (SWF) cash transfer program, created to shield low-income households from price and income shocks, currently reaches almost 1 million poor and vulnerable Yemeni households.(51) Among other services, the SWF provides beneficiaries with vocational skills and economic opportunities, including small and micro-enterprise development, in order to eventually graduate from the cash transfer program.(51) DFID provided support of up to \$2.3 million in direct cash transfers for 10,000 chronically poor and food-insecure households during the reporting period.(52) Due to the security situation, DFID has scaled down its operation in Yemen. It is unclear whether this program continues to operate at its full capacity.(53)

The Ministry of Youth collaborates on a Middle East Partnership Initiative (MEPI) project on business training for high school youth, which may encourage decent work for youth and reduce their vulnerability to worst forms of child

labor. One such project targets youth in Sana'a and Aden for business training, internships and innovative challenges.<sup>(54)</sup> The issue of whether these social protection programs have an impact on child labor does not appear to have been addressed.

**Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Yemen:**

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Amend Ministerial Decree No. 56, Labor Code No. 5, and Law No. 45 on the Rights of the Child (Child Rights Law) to address inconsistencies in the minimum age for work and hazardous work, and to define and administer sanctions on hazardous work violations.	2009, 2010, 2011
Coordination and Enforcement	Ensure there is sufficient funding for inspections to be carried out throughout the country and that inspections are targeted in the sectors where the worst forms of child labor and trafficking are prevalent.	2009, 2010, 2011
	Record and make public the number of inspections, investigations, arrests and prosecutions for child labor and trafficking related offenses.	2010, 2011
Policies	Discontinue the use of children in armed conflict and institute criminal penalties for violations of the law.	2009, 2010, 2011
	Reevaluate and implement the National Policy and Program Framework for the Eradication of Child Labor and Elimination of its Worst Forms.	2009, 2010, 2011
	Make public information on the implementation of the National Strategy for Addressing Trafficking in Persons.	2011
	Implement the fourth Social Economic Development Plan for Poverty Reduction, focusing efforts on increased child protection.	2011
Social Programs	Make removal of children involved in armed conflict a government policy priority.	2011
	Conduct research on the worst forms of child labor, including trafficking, domestic servitude, and commercial sexual exploitation of children in Yemen.	2011
	Implement a disarmament, demobilization and rehabilitation program for children recruited into armed conflict.	2011
	Increase funding to vulnerable out-of-school youth in order to get them back into temporary or full-time learning centers.	2011
	Evaluate social protection programs to determine whether they have had an impact on reducing child labor.	2011

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- data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
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