

In 2012, Yemen made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government's Central Statistical Office coordinated with ILO-IPEC to release the results of the 2010 National Child Labor Survey. However, gaps in laws, enforcement, policies, and programs to combat child labor remain. Laws on the minimum age for work are contradictory, there is no information available on whether enforcement actions were taken during the period, and the child labor policy has not been implemented for more than 5 years. Both the Yemeni army and rebel groups continue to recruit and use children in combat roles in the country's internal conflict. No evidence was found of government efforts to end the recruitment of children or to provide demobilization and rehabilitation services to children. In addition to child soldiering, children in Yemen are engaged in the worst forms of child labor, particularly in dangerous activities 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		62.9

Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2013.(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.(3-8)

According to the 2010 National Child Labor Survey (NCLS), approximately 1,309,000 Yemeni children are child laborers, 56.1 percent or 734, 349 of whom are engaged in agriculture.(8) (Data from this survey were not available in time for analysis prior to the release of this report and are not included in the data table above.) Although the extent of their involvement is unknown, children, mainly 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, 7-9) 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 engaged in fishing are exposed to extreme temperatures, dangerous tools, and the risk of drowning.(6, 9)

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, the Republican Guard, and the First Armored Division.(10) Both the Yemeni army and tribal-based factions continued to recruit and deploy children as soldiers, porters, and spies in internal struggles in the north and south.(11-19) Rebel groups have been reported as using children as human shields.(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.(21)

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 and auto shops, where they risk injuries from tools and equipment.(5, 8) Children working in waste dumps are exposed to numerous health risks, including bodily injury, disease and parasite infections, and tetanus.(22) According to the NCLS, 500,000 children work in the streets.(23) The specific activities performed by these children and the hazards they may face are unknown.

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, 8)

Yemeni children are trafficked to Saudi Arabia for commercial sexual exploitation, forced labor, and the smuggling of *qat*,

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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.(24-26) Yemeni children are also trafficked to Saudi Arabia for forced begging.(27) Some Yemeni children in transit to Saudi Arabia have reportedly been abducted by Yemeni rebel groups to serve as combatants.(28)

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.(25, 28) Citizens from Saudi Arabia and other Gulf countries further fuel the demand for commercial sexual exploitation of children in urban areas.(25) Saudi tourists marry Yemeni girls in fake marriages, which can last up to a few months before the tourist either 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.(26, 28, 29) Children are also trafficked internally to Aden and Sana’a for forced labor, domestic service, begging, street vending, and to work as unskilled laborers.(25)

Access to education in Yemen remains a serious problem. According to UNESCO, Yemen has a gross enrollment rate of 72 percent, making it one of the 10 countries in the world with the lowest enrollment.(30, 31) Cultural norms and lack of access deter enrollment among children from poor rural areas.(32) Poor rural girls are the most vulnerable to early drop out.(31, 33) Gender inequity in Yemen is apparent in the public schools. For example, according to a recent Save the Children Sweden study, less than half of all boys attend secondary school while only slightly more than 25 percent of girls attend.(26) Parents often pull girls out of school so they can get married, and they rarely finish their education after marriage; there is no minimum age for marriage in Yemen.(34, 35)

In June 2011, Global Communities (formerly 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 not yet returned to school due to high levels of violence, the nonexistence or destruction of school buildings, the takeover of schools by progovernment and antigovernment forces, and internal displacement of persons in the south.(9, 36) 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.(37)

Laws and Regulations on the Worst Forms of Child Labor

Law No. 45 on Child Rights sets the minimum age for employment at 15, requires that all working children ages 15 to 18 have a formal contract and medical coverage, and stipulates that they should not work more than 6 hours a day.(14, 38, 39) Ministerial Order No. 56 (an amendment to Law No. 45) includes a list of hazardous work that identifies 57 types of jobs banned to children under age 18.(38)

International Conventions and Selected Laws on Child Labor and Education

	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

However, Labor Law No. 5 sets different limits which appear to contradict Ministerial Order No. 56 of 2004 and it is unclear which law takes precedence.(40) Labor Law No. 5 sets the maximum 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 15. It also prohibits children under that age from engaging in arduous work, work in harmful industries, or work that is socially damaging.(39, 41) Labor Law No. 5 requires employers to get written consent from a parent or guardian before employing someone under age 15.(41, 42)

Ministerial Order No. 56 prohibits the use of children under age 18 in pornography, forced labor, illicit activities, and human and drug trafficking.(13) Both the Child Rights Act and Ministerial Order No. 56 prohibit the incitement of a child into prostitution.(13, 39) Ministerial Order No. 56

stipulates prison sentences for those who force children into prostitution.(13)

The Child Rights Act and Ministerial Order No. 56 prohibit the involvement of children in armed conflicts.(13, 26) Yemen does not have compulsory military recruitment, and the voluntary recruitment age is 18.(26, 43)

Education is compulsory and free from age 6 until age 15.(44)

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.(45) The last Steering Committee meeting, held in September 2011, focused on how to secure future funding to combat child labor.(46)

The MOSAL 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.(47) CLU conducts inspections and informs MOI of any violations.(47) The police investigate cases brought to MOI, and MOJ prosecutes and adjudicates. Research was unable to determine the numbers of inspections or child labor violations found during the reporting period. In the past, inspectors have indicated that they lack adequate finances to conduct their work, including for traveling outside of urban areas.(47) It is not clear whether MOSAL and other national government entities made efforts to enforce child labor laws during the reporting period.

The Technical Committee on Combating Child Trafficking, comprised of the Higher Council of Motherhood and Childhood, relevant ministries, the UN, and local NGOs, coordinates efforts to combat child trafficking and smuggling.(25)

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.(25) However, nearly all ministries have had their funding severely curtailed in order to fund attacks against tribal insurgencies, which has hindered the Government's efforts to combat child trafficking.(25, 46, 48)

Research found no information on the number of arrests, investigations, and prosecutions for offenses related to the criminal 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.(26, 49) Government forces have reportedly turned a blind eye to the falsification of child recruits' ages on formal documentation.(12, 50) 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 MOSAL, ILO-IPEC and the HCMC.(39) Although the Government has this comprehensive child labor policy, its implementation has been delayed by more than 7 years due to a lack of funds and poor coordination.(39)

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.(25)

Co-led by MOSAL and UNICEF, the Child Protection Sub-Cluster (CPSC) addresses the impacts of the internal strife between government forces and tribal combatants on Yemen's children.(51) 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.(51) Reports indicate that the Government acknowledges the use of child soldiers and claims it is committed to addressing the problem.(21) 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

The Government's Central Statistical Office collaborated with ILO-IPEC, UNICEF, and SFD on a child labor survey, and the Government released the results of the survey in November 2012.(46, 52)

Because of political upheaval during the first half of the reporting period, it is unclear whether 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.(28) Efforts to combat trafficking in persons in Yemen are hampered by lack

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of government funding.(21) Other than this effort to assist trafficking victims, research did not identify any social programs to eliminate or prevent the worst forms of child labor.

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.(53) Members of the CPSC, including the MOSAL, were designing a plan to send out-of-school children back to school while assuring their protection in 2011. At the midpoint of the reporting period, 857 children from conflict-affected schools were enrolled in “catch-up” lessons in Taiz, and by the end of the reporting period, 24 of 35 schools in Aden had been restored and reopened.(53-55) Despite these efforts, programs to get out-of-school children into temporary learning facilities or their newly rehabilitated schools are lacking. Furthermore, the Government does not appear to have any disarmament, demobilization, and reintegration programs for children affected by armed conflict.

The SFD works with various ministries to achieve poverty reduction through economic and social development in Yemen.(56) 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, MOSAL, and the Ministry of Planning and International Cooperation.(57) The SFD has built the capacity of the government and NGOs to implement programs such as improving centers for street children and

developing safe child health and educational services.(57) Phase IV of the SFD, which runs through 2015, has received significant funding (\$153 million) from the United Kingdom’s Department for International Development (DFID).(58)

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.(59) 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.(59) DFID provided support of up to \$2.3 million in direct cash transfers for 10,000 chronically poor and food-insecure households in 2011.(60) Due to the security situation, DFID scaled down its operation in Yemen during the first half of the reporting period but increased the targeted number of recipients for the 2012-2013 period.(61, 62)

In the past, the Ministry of Youth has collaborated on Middle East Partnership Initiative projects that offer 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.(63, 64) Research did not identify whether this collaboration continued during the reporting period, and 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 Law No. 5, and Law No. 45 on the Rights of the Child (Child Rights Law) to provide coherence and consistency in the law and to comply with international standards.	2009, 2010, 2011, 2012
Coordination and Enforcement	Ensure there is sufficient funding for inspections to be carried out in nonurban areas and that inspections are targeted in the sectors where the worst forms of child labor are prevalent.	2009, 2010, 2011, 2012
	Record and make public the numbers of inspections, investigations, arrests, and prosecutions for child labor and trafficking-related offenses.	2010, 2011, 2012
Policies	Discontinue the use of children in armed conflict and institute criminal penalties for violations of the law.	2009, 2010, 2011, 2012

Area	Suggested Actions	Year(s) Action Recommended
Policies	Reevaluate and implement the National Policy and Program Framework for the Eradication of Child Labor and Elimination of Its Worst Forms.	2009, 2010, 2011, 2012
	Make public information on the implementation of the National Strategy for Addressing Trafficking in Persons.	2011, 2012
Social Programs	Implement a disarmament, demobilization, and rehabilitation program for children recruited into armed conflict.	2011, 2012
	Increase funding to return vulnerable out-of-school youth to temporary or full-time learning centers.	2011, 2012
	Evaluate social protection programs to determine whether they have had an impact on reducing child labor, particularly in the agriculture and fishing sectors.	2011, 2012

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