

Shadow Report on

Children's Rights in Yemen

**Prepared By:
Civil Society Organizations in Yemen**

In cooperation and coordination with

**Sisters Arab Forum for Human Rights (SAF), a corresponding member of
the International Federation for Human Rights
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Introduction:

The republic of Yemen is located in the south of the Arabia Peninsula and is approximately 555,000¹ square kilometers in size. The geographic nature of the country varies in different areas (mountainous, hilly, coastal, desert, and islands). The political system is a republic and the Yemeni constitution views the Islamic Shari'a as the main source of laws. The constitution separates legislative, executive and judicial authorities. The government- in accordance with its written resolutions- allows the existence of multiple political parties and the peaceful exchange of power. Parliament and presidential elections are routinely held. Political parties carry out their activities according to political party laws.

The country implements decentralization through local councils in all 20 governorates, in addition to the capital Sana'a. Yemen is classified as a third world country and the poorest country in the Arab world. The Yemeni people depend largely on agriculture and are governed by tribes and tribal traditions. The Yemeni judicial system is weak and is not independent. Reports done by the WB and other international organizations show that corruption is widespread in all governmental institutions which in turn weakens the judicial system. The result is violation of human rights although the country has signed various human rights Convention and established a Human Rights Ministry in 2003. The government has also allowed the establishment of various human rights organizations and civil society institutions.

The population of Yemen is approximately 19,721,643 people, according to the last census (December 2004); females make up 49.3% of the population while males make up the remaining 50.7%. The population is distributed among 20 governorates in addition to the capital. The population growth has, according to the last census, decreased to reach an average of 3.02%². The population is distributed in rural and urban areas and the country – especially rural areas- lacks many essential services. The country contains a minority of Jews in addition to a neglected population known as *Akhdam*.

According to the number of houses built in 2003 and the family health survey of the same year children ages newborn-18 years old make up 55% of the population. This segment of the population which makes up half the present and all of the future is affected greatly by the weak economic growth and increasing poverty. We find that there are 5 million children between the ages of 6-15 (school age) but elementary schools are only able to absorb 68.5 percent of these children, 38% of who are females. There are more than 1,700,000 children ages 16-18, only 31.5% are absorbed by high schools, 70.7% of which are males. This is in addition to the high dropout rate at different stages especially among females. Child labor has increased due to the weak economical and social conditions and the continuous deterioration of living conditions. One of the occupations carried out by children is begging. The begging phenomenon has spread among all ages but most beggars are children who have been forced to beg by their guardians. The health situation is not any better, the death rates of newborns and children aged 1-4 are among the highest in the world. The family health survey (2003) reported that 82.4% of deaths are between 0-1 years of age, and 32.5% are between 1-4 years of age. Diseases such as Malaria, Typhoid, and Diarrhea remain major causes of death. There is one doctor for every 6372 patients and one bed for each 1662 patients. In addition, the sale of children across borders has become widespread. These children are endangered and in many cases sexually abused.

I - General measures of implementation

1) Report writing according to the guidelines set by CRC

¹ The area has not been updated after the border agreement was signed with neighboring countries

² The previous percentage was 3.5%

1. The ministry of Human rights has recently attempted to improve reporting to the Committees by conducting training for its staff in addition to a number of staff from various civil society organization. Although this is an encouraging attempt it is not enough.
2. Another problem is that the government writes the reports without involving the civil society. The Yemeni government prepares and submits the report to the Children's Rights Committee in Geneva. It did not however share the document except with a few selective civil society organizations. It also does not open the comments made by the CRC for discussion by different parties in the Yemeni society or the media. The result is the limited spread and distribution of these comments.

2) Inconsistency of present laws with the main principles of the convention

Even though the country has adopted laws to protect children's rights and signed the optional protocols on the involvement of children in armed conflicts and on the sale of children, child prostitution and child pornography, it has not taken any action to solve the inconsistency between present laws and the main principles of the convention. This can be seen in the following:

- A. Although article (6) of the constitution states that Yemen is committed to follow any agreement or convention it signs, it does not enforce the principles of these conventions/agreements as laws by naming them clearly in straightforward articles. The Islamic Shari'a requires Yemen to honor all articles included in any convention/agreement it signs and to enforce all articles as if they were part of the Shari'a itself.³ This is not taken into consideration by the government which only enforces the parts of the Shari'a that are in their interest.
- B. The constitution also states in article (30) that it is the country's duty to protect and foster mothers, children and youth.
- C. Children's rights law number (45) for the year 2002:
Although the children's rights law does contain many aspects of the convention it sets the juvenile age at 7-15 which does not follow the age set by the convention itself or by civil law
- D. Criminal prosecution law (13) for the year 1994:
This law treats children age 7-15 as juveniles and prosecutes them accordingly. Under this law the maximum penalty that can be imposed upon children of this age is one third (1/3) of the maximum penalty stated in the criminal prosecution law. Children between the ages of 15-18 are considered to hold partial responsibility for their actions and the maximum penalty that can be imposed upon them is half (1/2) the maximum penalty stated in the criminal prosecution law. If the penalty is the death sentence the child is instead sentenced to 3-10 years jail time. This is a clear violation of article (1) of the convention which states that a child means every human being below the age of eighteen. It is also inconsistent with the article (50) of the civil law which states that maturity begins at the age of fifteen.
- E. Labor Law Number (5) for the year 1995:
Articles 49-53 of the labor law are in violation of articles (26:1.2) and (36) of the Convention which state that social security and welfare are the right of every child

³ An example is that the prophet (saw) followed all the articles of the Hudaibia agreement although some articles were against Islamic law

The case is the same with the civil services law which states that the legal age to apply for a job is 18 but an exception may be made at the age of 16 which disagrees with article (1.2:26) concerning the right to social security. The law also fails to agree with article (28) which states that financial support should be given to children to ensure that they remain in schools and to decrease the number of dropouts.

F. Amended social status law number (24) for the year 1999:

Article (1) of this law is against the Convention because it gives the guardian of a child the right to marry her off. The law does not state a legal age for marriage which leads to the spread of early age marriages especially in rural areas among females 10-11 years old. This leads to many physical, psychological and social problems.

G. Juvenile Justice Law number (24) for the year 1992:

Article (11:B) of this law makes it legal for children at the age of twelve to be arrested and kept in custody in any police department which clearly disagrees with article (37:C) of the Convention.

H. Citizenship law number (6) for the year 1990:

This law prohibits the transfer of Yemeni citizenship from mother to child if the mother is married to a foreigner. Also, the law prohibits the transfer of Yemeni citizenship to the father (from his wife). The law also states that for the children to acquire citizenship the parents must be divorced or the father must be deceased, mentally ill, missing or unknown.

This law was amended in January 2002 and it was clearly stated that citizenship may not be transferred from mother to child. The law also prevents them from requesting citizenship at any stage of their childhood and sets 18 as a legal age to request citizenship. At the age of 18 citizenship may be acquired if the unreasonable conditions set by the law are followed. Such conditions are deprivation of parental authority of the father in court or accusing the father of being mentally unstable.

This disagrees with articles (11,12) of the children's rights law which states that every child has the right to a citizenship. It also states that every child has the right to a known parentage and the right to a relationship with both his/her parents. It also disagrees with the essence of the Convention which was stated in articles (7,8,9,18)

3)Coordinating between concerned parties

Coordination between different parties in Yemen is weak in general and this includes parties concerned with children's rights.

4) Data and information:

All data available in Yemen, even official data is not specific, updated or detailed. There is a tremendous deficiency in data collection by citizens and a lack of knowledge of the importance of data collection. Governmental efforts are also very ineffective, for example it is difficult to know in detail the number of deaths among children according to sex (male and female), minority group (such as Jews) or immigrants.

5) Distributing and promoting the Convention:

Distribution and promotion of the Convention remains very limited. The events that are held are mostly seasonal and carried out by international organizations such as the UNICEF with international funding.

6)Training Programs

Training programs for professionals are extremely limited and there are no clear training programs in this subject. The ones that exist are internationally funded

7) Results of the economical reform plan

The economical reform plan that was launched in 1995 negatively affected the society as a whole. The program included laying off large numbers of employees, reducing the number of citizens employed, privatizing many governmental institutions, and discontinuing the subsidization of most essential goods. This all led to an increase in unemployment and the spread of poverty. At the same time, the privatized institutions were unable to absorb the work force due to their weakness and because the authorities did not require them to do so. Additional reasons may be the difficulty of investment due to high rates of corruption, the weak judicial system, and the weak economical infrastructure. This all resulted in poor children leaving school to join the workforce, which in turn led to a spread of mendicants, homeless children, sexual abuse, prostitution, sale of children across the border to KSA (the government has admit a rise in the number of children sold across the border to 50,000 children in 2004), the continuity and increase in the early marriage phenomenon, and the increase in child labor. The 1994 census showed that more than 231,655 children between the ages of 10-14 are involved in child labor, 51.7% are males and the remaining are females. The census also shows that this phenomenon has increased and that the rate of children joining the workforce has increased by 3% and the number may have doubled. The types of child labor vary between rural and urban areas. In rural areas most children are employed in agriculture and fishing (92%) while children in urban areas are mostly employed in trade, services and handicrafts (29.6%, 17.6% consequently).

According to the 1994 census the private sector absorbs (98.3%) of child labor while (1.1%) of children age 15 work in the government sector. This violates the civil service law which states that the legal employment age is 18 with an exception for graduates from different training institutes who can be legally employed at 16.

II - Definition of the Child

1) Adulthood, criminal liability and marriage

The convention sets the age 18 as a child and here we find confusion regarding the age of a “child”. There is no agreement between different laws on the exact age of a “child”; juvenile justice laws set the age at 15, the civil law on the other hand sets it at 18, the election law also sets the age at 18.

The social status law violates the convention because it allows the guardian of a child to “marry her off” which protects these guardians from any legal action that should be taken against them if they “marry off” a child less than 18 years of age as stated in the convention. The guardian of a child is sometimes an uncle or a brother and it is in his best interest to “marry her off” to reduce his financial burden and to guarantee that she does not bring any dishonor to the family.

The criminal prosecution law stated that children must assume responsibility for their actions at the age of 7 but the penalty in such a case is reduced. On the other hand, if the criminal is between the ages 15-18 his/her penalty is half of the maximum sentence that can be given. Finally, if the sentence is the death penalty it is reduced to 3-10 years jail time and in all cases jail sentences are carried out.

III General principles

1) Discrimination : differences between areas

There is a significant concentration of services in the capital. Services provided are scarce in other cities, even more scarce in rural areas and almost non-existent in remote areas. Citizens in southern areas are affected more by the hierarchical program because of the socialist regime that existed before the union and that prohibited citizens from ownership. There are no laws that protect children outside marriages, runaway children, and neglected children. Immigrant children are also negatively affected by the poor services provided by the country which are a result of its weak economic situation, there is no clear statistic of the number of immigrant school-aged children.

2) Best Interest of the child

As shown above, most laws still do not take into consideration children's rights. Even if they do mention discrimination against children, they do not consider it as a crime or set detailed programs that protect children's right to grow and prosper. In addition, the local culture treats children as minors in knowledge, awareness, and decision making although they are held fully responsible for their criminal actions. Children in the society are expected to carry out orders and no attention is paid to their opinions.

3) Respect for the views of the child

Articles (41,43) of the constitution state that all citizens are equal in all rights and responsibilities but this does not mean that all citizens have those rights and freedoms. The National Human Rights report for the year 2003 places such freedoms under the guarantee of the government, it states that "the country will guarantee the freedom of thought and expression of opinion in speech, writing or photos within the limits of the law" (page 227 of the report). The report does not refer to the laws that allow these freedoms except in the law concerning freedom of the press (article 3). This law is very limited and does not affect the majority of citizens, it also does not protect the average citizen from law that prohibits freedom of religion, thought and expression.

The law makes it legal to deprive citizens of their right to freedom of speech in religious matters, i.e. a citizen can receive a death sentence for expressing his/her opinion on religious issues. Simply expressing an opinion can lead to death sentence, as well as converting from Islam to another religion. The death sentence, as a punishment for conversion, is a controversial issue that has not been legitimized.

The only remaining law that is followed is the social law (culture, habits and traditions) which make children citizens of the third degree by classifying them as blind followers to their families (especially older males such as the father and brothers).

The child's ability to think and express, which is built by the family, school, mosque, cultural clubs and the media, is negatively affected because a child's right to self-consciousness is targeted and his/her rights and freedoms are not made clear. The result of this is the child's willingness to have his/her rights and freedoms taken and to take the rights and freedoms of others.

Even though the constitution guarantees children's rights by building cultural and social clubs and providing gathering opportunities, in reality any children's gathering is usually for exercise purposes with very limited resources and is basically a way to waste time.

Extra-curricular activities have been brought back to schools after an absence of almost a quarter of a decade. There was a lost link between the social environment with its predominant culture and these extracurricular activities and their importance educationally and sentimentally, this link needs to be reborn. In addition, schools need to be rehabilitated with equipment, resources and a trained cadre. A change has to also be made inside the family and inside the child him/herself regarding the incorrect ideas that exist about art and music (which in some cases are considered against Islam). Theater, dance and choirs remain absent from almost 96% of schools in the country.

Yemen has good experience in forming a children's parliament elected by school children. This experience gave children a chance to express their opinions freely, practice democracy, and discuss public issues.

IV - Civil rights and freedoms

1) Name, nationality, identity

Articles (37,38,39,45) of the civil law state that a human's identity begins when he/she is born and ends when he/she dies. This statement may be considered an acknowledgment of a child's right to have a name and be registered but in reality this is not the case. Social laws state that a child and all he/she owns is the ownership of his/her father, this means that whether or not a child is registered depends on the father's strength, dependency on the government and acknowledgment of laws especially in rural and remote areas. When the social status law was written in 1992 it took into consideration social laws and stated that registration is the right of the father not the child. This law was amended in 2003 to give the mother the right to register her child.

Neither the legislative nor the executive authority defended children's right to register and have an identity. This is reflected in most laws especially those that are concerned with families, civil rights citizenship, and civil status. This is reflected in articles (20,21,23,25,26,27,29) of the social status law and can be summarized in the following:

A child born to an incestuous relations loses his/her right to hold his/her father's or mother's name

A child born to a married woman but fathered by a man other than her husband loses his/her right to hold the mother's name

A child loses his right to hold his father's name if he is born before a legal marriage contract is signed or after the contract has been broken

The manager of social status is in charge of registering foundling children. When these children are registered the names of the parents are left empty unless a parent comes forward to claim parentage. This means that even if one or both of the parents are known they cannot be registered as the child's parents unless the parent admits parentage, he/she are not required to do so to protect the child's parentage rights. The father has the choice whether to acknowledge his child or not. In this case the mother's acknowledgment has no social benefit because she will be acknowledging that the child is a "bastard". Also, the mother will then be considered a criminal. If she is not married she will be whipped, if she is married she will be stoned to death. The Islamic Shari'a gives the child a right to a full 2 years of breastfeeding which means that his/her mother's sentence may be postponed for two years but losing his/her mother affects the child negatively and there are not practical solutions to this problem that protect a child's humanity.

This is further emphasized in the citizenship law which only acknowledges a child's identity under his/her father and give the father the right to automatically transfer his

citizenship to his children even if he has been out of the country for decades. This right is not given to the mother, she can only transfer her citizenship to her children under degrading conditions that results in making the child an outcast to society.

Discrimination in acknowledgment and protection of a child's identity is evident in the following cases:

Born to a father who holds Yemeni citizenship

Born in Yemen to a mother who holds Yemeni citizenship and a father who holds an unknown citizenship or who does not hold any citizenship

Born to a mother who holds a Yemeni citizenship and an unknown father

Born in Yemen but his/her parents are unknown

Immigrants who held Yemeni citizenship when they left the country

2) Inhuman or degrading treatment

Although child abuse is prohibited by law there is no penalty for it. Child punishment in families may turn into an inhumane and cruel act and may need to be controlled especially because parents believe that they own their children and have the right to treat them in any manner they please.

V - Family environment and alternative care

1) Supporting the role of families

Programs that support the role of families are non-existent in Yemen. There may be some activities carried out by some organizations but they remain scarce.

2) Fostering children that are deprived of family environment

There are no organizations that foster abandoned children or abandoned girls, there are instead a limited number of centers that foster orphans such as the Rahmah Center for Orphan girls and Al Eslah association which fosters 18,000 orphans and is considered one of the largest organizations in the country. 59% of the orphans fostered are females and the organization sets education as a condition for its continued support to orphans.

VI - Basic health and welfare

1) Disabled children

Many laws have been issued regarding disabled children such as the republican decree (5) which ordered the formation of the Higher National Committee for Rehabilitation of Disabled People and law (61) which was issued in 1999 and states clearly that it is legal for the government to support associations that foster disabled persons in order to form a National Union of Disabled People. Also, law number (2) issued in 2002 ordered the formation of a fund for rehabilitation of disabled persons. Although this is true, in reality the associations that are concerned with disabled persons remain very limited and are present only in large cities. The services that the government provides for these disabled children also remain very limited, for example the education report for the years 2004-2005 stated that only 297 disabled children were accepted into six schools in the capital and there is no data regarding disabled children in general or the results of this experiment. The report issued by the Arabic Association for Disabled Persons stated that the rate of disabled people is (4.6), this report also points out that official statistics in Arab countries are usually unrealistic.

2) Health

The quality and quantity of health care in Yemen remains very poor. The few hospitals and other health facilities that exist are short on equipment, do not have a trained cadre, and suffer from large numbers of visitors. The yearly statistic book (2003) stated that there is one doctor for every 6372 patients and one bed for every 1662 patients. The UNICEF 2004 report on children under 5 stated that the rate of children's deaths under the age of 5 is 107/1000 and 79/1000 for children under one. As a direct result of poverty and malnutrition 46% of children moderately and severely underweight. 13% suffer from frailty and 52% from moderate and severe height problems.

The report also declares that 74% of the population in urban areas and 68% in rural areas have clean drinking water, 89% in urban areas and 21% in rural areas have a sewage system. The percentage of pregnant women who received health care during pregnancy between the years 1995-2000 is 34%, 22% gave birth in the presence of a trained individual.

Due to the scarce water supply in Yemen, some governorates (such as Taiz) only receive water twice or three times a month which resulted in the spread of many diseases such as the Dank Fever. A few cases of Polio have surfaced in Al Hudaidah and the government blamed these cases on families who refused to vaccinate their children. Non governmental sources claim that these cases surfaced because the children were given an overdose of the vaccine due to the lack of training of vaccinators.

3) Teenage health and fighting AIDs

Studies show that early marriage is a widely spread phenomenon in the Yemeni society which results in early pregnancy among women. Studies also show that the high rate of deaths among mothers is a result of early marriage.

In addition, the spread of poverty has caused an increase in prostitution among young girls but exact data is not available and education about sexually transmitted diseases and how they can be prevented is very rare.

As a result of the poor health situation in Yemen there are no specialized facilities that treat children that have AIDs, they are instead treated like adults regardless of their age.

4) Female circumcision

Studies show that female circumcision is widely spread in 9 governorates, the governorates are Al Mahrah 92%, Al Hudaidah 49%, Ibb 40%, Hajjah 9.2% and Lahj 5%. It does not exist in other governorates. The government has made no effort to issue a law to prohibit such an act ; instead a decree was issued that prohibits physicians and nurses performing such an act within public or private health centers . Although this decree is mostly followed in these medical institutions, it is not followed on the outside.

VII Education, leisure and cultural activities

1) The education system

The education system has no law that makes education compulsory and free to all. Students are required to pay a yearly fee of 150 YR in elementary school and 300YR in high school. In addition, they must pay for books, uniforms, exams and other educational means. This is in clear violation of article (28) of the convention which states that it is the government's duty to develop and provide education opportunities.

Due to the poor economic situation of most families and the governments failure to assume its responsibilities in this regard the dropout rate has increased significantly. This can

be seen by looking at the workforce, 66.2% of the workforce are illiterate. 38% of all children are not registered in the education system, 22.8% males and 77.2% females.

The rate of school registration in rural areas is 30% and 80% in urban areas. The educational survey report (1998-99) which was supported by the 2003 report states that 15.4% of all schools are not suitable for use, 55% need to be renovated and 74.1% of elementary school children study on the floor (they have no desks or chairs) and 9.7% do not have school books.

The educational level of children is generally weak and is illustrated by the high rate of dropouts and failures. Studies show that 8% of school children dropout annually and 11% fail or repeat a grade at some point. This means that instead of spending 9 years in elementary school the average child spends 15 years which results in a waste of resources.

In addition, education suffers from many difficulties such as the curriculum's failure to keep up with scientific developments, the bad conditions of school buildings and equipment, the inequality in the distribution of students/teacher especially between rural and urban areas and finally the low qualifications of teachers in general.

Although the curriculum was recently updated, these updates were not carefully studied which resulted in their failure. Many workshops were held in the last five years to train teachers and other education providers on how to use the new curriculums but these curriculums were not accepted by families, teachers or students themselves. The curriculums are also full of mistakes, contain a shortage of information, and each new edition contains no new information. They do not teach modern studies such as computer, internet technology and languages (especially in elementary school). The school curriculums in Yemen violate articles (29:A,B,C,D) of the convention.

The quality and quantity of daycare also remains very limited. There are currently 197 daycares which contain 14,771 children and have 964 trained employees, some of these daycares are part of a larger school while others are independent.

The labor law states that a daycare must be opened in any workplace that has over 50 female workers but this law is not implemented. The number of students who join technical schools after elementary school remains very low (0.4% of overall registered students). 10,456 male students and 180 female students graduated from technical schools which is a 1/17 ratio to students that graduated in general.

2) Including human rights principles in school curriculums

Children are not made aware of human rights principles because of the material that is in schools and the absence of extracurricular activities such as art. A subject that teaches human rights should be developed and added to the school curriculum (it should be included in the schedule) and taught in all stages. Human rights principles should also be included and discussed in other subjects. Although the curriculum was updated in the last 5 years the Convention of the Rights of the Child was not included as a separate subject or as part of any other subject. This is a clear violation of article (42) of the convention.

VIII - Special protections measures

1) Refugee Children

The Ministry of Human Rights submitted a report in 2004 that stated that the number of refugee children in Maifaa (Shabwah) between the years 1999 and 2005 is 3145 Somali child and 126 Eritrean, Sudanese, Tanzanian and Malian children. The report also listed a number of refugee names and their occupations, not a single refugee was employed in teaching. Refugees

in Al Bustan area (Aden) were also discussed. Refugees in this area lead a primitive lifestyle and do not have even basic living necessities. They have one social center that provides social and educational activities and a daycare for 50 children ages 3-6 which provides basic language and math education from 8-4 five days a week (there is a small fee) . Food is served to these children in cooperation with the World Food Program.

2) Children and armed conflicts

Continuous armed conflicts for vengeance and local military conflicts are constant threats to the lives of children. These conflicts also deprive children of their parents and make it almost impossible for them to get an education. In rural areas schools sometimes close for months or years due to armed conflicts. Weapon ownership is common in Yemen especially among tribes and children sometimes own weapons and take part in tribal armed conflicts.

Military action taken by the government such as the war in 1994 and the “Hatat” and “Sadaa” wars (2004-2005) directly affect the local community that is under siege. The local community is deprived of almost all living necessities, the death rate is greatly increased, and most houses, farms and shops are burned and destroyed. This all results in the spread of poverty, slows down development, and fills the streets with poor orphaned children that are far away from home due to the armed conflict. Arrests of children also increase, an example is the arrest of Ibrahim Al Saiani (age 13) in Sadaa. His parents do not know his whereabouts and have not been able to visit him or provide him with any medical care because he was injured in battle (he lost an arm and his leg remains in a cast, he is also paralyzed)

This was all mentioned in section (583-41/55/A) of the committees comments and in sections (567 + 564) of the same document. The government is incapable of implementing the convention, especially articles (11+19+37+38) and is also violating the constitution, national law and international treaties.

3) Juvenile care and juvenile justice

- A. A number of articles of the current juvenile care law violate the convention in the sense that they do not guarantee full protection and care for children. These articles also violate various religious principles which are consistent with the convention
- B. The Higher Council for Children and motherhood has submitted a request to modify some of these article to the parliament , this request has not been approved. The council held a workshop with some parliament members to educate them on the importance of approving the modification of the laws requested. A main amendment that is requested is raising the legal age, there are only 7 juvenile halls in the country and they have scarce resources
- C. There are no jails for girls except in the capital. Young girls are placed in jails with women from different ages who have been convicted of a crime. There is no distinction between imprisoned women according to their crime. This is a clear violation of article (37) of the convention. It is important to note that these jails do not comply with international standards, i.e. they do not have heating, cooling, lighting, are not spacious and do not provide medical service. These jails also do not provide any corrective programs, instead the atmosphere in these jails drives juveniles towards committing more criminal acts. Some girls are raped and impregnated by jail guards. In such cases the girls have a choice to leave the jail or demand an investigation.
There are no exact statistics for such cases because victims usually do not report such incidents due to fear of humiliation in the society. These incidents have been greatly

reduced after the employment of female jail guards and the banning of investigations at night.

- D. Juvenile justice is neglected by authorities in comparison with their concern for other forms of justice (such as Commercial Judiciary). This neglect is an extension of the view adults have toward children in general. This justice is protected by different organizations such as the UNICEF and the Swedish organization, if it wasn't for such organization juvenile justice would have died down. Juvenile courts are categorized as courts of the third degree and their budget is extremely low. Juvenile courts are not provided with any vehicles, their judges are not promoted, and most areas in the country don't even have juvenile courts
- E. Juvenile courts receive many complaints from juveniles held in juvenile halls that they are beaten by supervisors. In general juvenile halls are run like military institutions.
- F. The law that punishes guardians who drive juveniles to commit crimes is not being implemented.

4) Children exploitation : beggars

Poverty in Yemen is reported at 63% of the total population and Yemen was listed among the poorest countries in the world by the WB in 1998. Economical and social growth is extremely slow in comparison to other countries in the area and in the world.

The spread of poverty caused an increase in the number of beggars (children). Studies show that there is an inverse relationship between poverty and beggars and that 28% of street children are deprived of parental care due to death. Studies also show that 24% of street children are deprived of mother's care due to divorce. The number of beggars or street children reaches 30,000 in Sana'a alone, and 7000 children are illegally employed. According to recent studies 86% of all street children are dropouts and have no education. According to unofficial statistics there are 2 million street children in Yemen.

5) Sexual abuse

Many children are sexually abused within their families, on the streets (in the case of homeless children) and when they are arrested and kept in custody. There are no exact statistics on sexual abuse and there are no non governmental organizations that protect children from such abuse and give them the opportunity to report cases that occur.

The situation is worsened by the social makeup of the society which regards sex as something that is secretive and important that must not be discussed. This hinders the reporting of any sexual abuse or rape. Rape victims are also subject to social harassment and rejection.

The government has done nothing to prevent sexual abuse and rape or treat the reasons that lead to it and its outcomes or results. There are also no psychological treatment centers for rape victims.

In a study done by SAF on children that work in transportation (small buses) it was reported that these children are raped at night.

The sale of children across borders to KSA has greatly spread to reach thousands of sold children (according to UNICEF and several Yemeni newspaper articles). The sold children are sexually abused before and after the sale. The Saudi authorities arrest these

children and send them back to Yemen where they are again kidnapped and sent back, the sale of children is a continuous process without a feasible solution.

**List of organizations that participated in the preparation of the Shadow Report on
Children's
Rights in Yemen**

| No | Organization |
|-----------|--|
| 1 | Sisters Arab Forum for Human Rights |
| 2 | Yemeni Human Rights Watch |
| 3 | Al Afeef Cultural Foundation |
| 4 | Al Afeef Girls Forum |
| 5 | Social Democracy Forum |
| 6 | Civil Society Forum |
| 7 | Ibhar Childhood and Creativity Foundation |
| 8 | Yemeni Youth Development Organization |
| 9 | Yemeni Organization for Defense of Human Rights and Freedoms |
| 10 | Yemeni Writers Union |
| 11 | Yemeni Lawyers Syndicate |
| 12 | Education and Creativity Network |
| 13 | Oriental Consulting Research Corporation |
| 14 | Yemeni Civil Development Foundation (EFA) |
| 15 | Women's Human Rights and Democratic Center- Aden |
| 16 | National Illiteracy Organization-Taiz |
| 17 | Yemen Center for Human Rights Studies- Aden |
| 18 | Women's Support and Training Center- Taiz |
| 19 | Juvenile Care Association |
| 20 | The National Authority for Defense of Human Rights and Freedoms |
| 21 | Democratic School |
| 22 | Women's Development Center for Education and Resisting Violence |
| 23 | International Communication Center for Girls |

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Shadow report on Children's rights in Yemen

| N o | Newspaper Name | Number | Date | Issuing Party | Subject |
|--------|---------------------|--------|---------------|---------------|---|
| 1 | Al Tahdeeth | 8 | 2/1/2005 | Private | Child Labor in a corrupted Yemen |
| 2 | Al Wehdawi | 646 | 8/2/2005 | Political | Where is free education for children? |
| 3 | Al Wehdawi | 646 | 8/2/2005 | Political | Poverty in Yemen |
| 4 | Al Wehdawi | 646 | 8/2/2005 | Political | Child waiting for execution |
| 5 | Al Wehdawi | 646 | 8/2/2005 | Political | Government absence |
| 6 | Sawt Al Shora | 64 | 14/2/2005 | Political | Stealing the future |
| 7 | Sawt Al Shora | 64 | 14/2/2005 | Political | Juvenile Ahsan Al Maliki in Jail |
| 8 | Al Balagh | 104 | 15/2/2005 | Private | Child saved from a kidnapping attempt |
| 9 | Al Balagh | 104 | 15/2/2005 | Private | Taiz may be better but families have no source of income |
| 10 | Al Nehar | 144 | 17/2/2005 | Private | Police chief in Taiz enters woman's home and beats her children |
| 11 | Sawt Al Shora | 65 | 21/2/2005 | Political | Najdah soldiers abuse a child in Ibb |
| 12 | Sawt Al Shora | 65 | 21/2/2005 | Political | Torture in police station in Thamar |
| 13 | Al Balagh | 105 | 22/2/2005 | Private | Municipality bullets kill Amr and break his mother's heart |
| 14 | Al Sahwah | 962 | 24/2/2005 | Political | Child torture and detention for years is illegal |
| 15 | Sawt Al Shora | 66 | 28/2/2005 | Political | Al Maswari disappears after return form KSA |
| 16 | Sawt Al Shora | 66 | 28/2/2005 | Political | Citizens complain and they are ill treated |
| 17 | Sawt Al Shora | 66 | 28/2/2005 | Political | Prostitution and child abuse |
| 18 | Al Balagh | 105 | 1/3/2005 | Private | Prostitution and sexual abuse against children |
| 19 | Al Tareeq | 41 | 1/3/2005 | Private | Sale of children |
| 20 | Eqtisad Wa Aswaq | 21 | March 2005 | Private | Great mistakes |
| 21 | Al Wasat | 41 | 2/3/2005 | Private | Al Hada- Revenge at school doors |
| 22 | Al Tahdeeth | 12 | 3/3/2005 | Private | Prostitution and child abuse |
| 23 | Al Tahdeeth | 12 | 3/3/2005 | Private | Feeling criticism |
| 24 | Al Wehdah | 729 | 23/3/2005 | Governmental | Intersection children: dancing to the rhythms of pain |
| 25 | Al Wehdah | 729 | 23/3/2005 | Governmental | Children under tires |
| 26 | Al Wehdah | 729 | 23/3/2005 | Governmental | Juvenile prosecution embarrasses Yemen in front of the world |

Shadow report on Children's rights in Yemen