

## Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Yemen has been a member of ILO-IPEC since 2000.<sup>4664</sup> Reports from the Ministry of Labor and Social Affairs on the state of child labor in Yemen contributed to the formation of an ILO mission to investigate child labor in 1999.<sup>4665</sup> Since that time,<sup>4666</sup> the Ministry has played a central role in the government's commitment and action toward eliminating child labor in the country.<sup>4667</sup>

The government has taken a number of steps to improve education and prevent children from engaging in hazardous work. With assistance from ILO-IPEC, UNICEF, and the World Bank, the government is finalizing a National Policy and Program Framework for the elimination of child labor in Yemen.<sup>4668</sup> The government has committed to pro-actively promoting policies to curb child labor by implementing policies outlined in its Poverty Reduction Strategy Paper, which was developed in cooperation with the World Bank.<sup>4669</sup> In 2002, the World Bank developed a country assistance strategy designed to complement and support the government's efforts to alleviate poverty as outlined in Yemen's strategy paper.<sup>4670</sup> With support from USDOL, in October 2000, the Government of Yemen implemented a national program in cooperation with ILO-IPEC that aims to withdraw child workers from the worst forms of child labor, mainstream them into non-formal and formal education programs, provide them pre-vocational and vocational training, and offer them counseling, health care and recreational activities.<sup>4671</sup> In 2003, ILO-IPEC opened a rehabilitation center for street children who are victims of child labor.<sup>4672</sup> ILO-IPEC is collaborating with the Ministry to develop a baseline survey of child labor in Yemen relying on information collected from trade unions, chambers of commerce and the Ministry field offices.<sup>4673</sup>

Although Yemen has the second lowest literacy rate for women in the Middle East<sup>4674</sup> and suffers from pronounced gender disparity in enrollment rates, the government is committed to improving overall basic education and bridging the gender gap.<sup>4675</sup> The government's abolition of primary school fees for girls was designed to eliminate one

<sup>4664</sup> ILO-IPEC, *All About IPEC: Programme Countries*, ILO-IPEC, [online] [cited September 16, 2003]; available from [http://www.ilo.org/public/english/standards/ipec/about/countries/t\\_country.htm](http://www.ilo.org/public/english/standards/ipec/about/countries/t_country.htm).

<sup>4665</sup> The Ministry of Labor and Social Affairs was formerly the Ministry of Labor and Vocational Training until April 2001. See ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen*, Project Document, Yemen/00/P/USA, ILO, Geneva, October 2000, 7-8.

<sup>4666</sup> ILO Regional Office for Asia and the Pacific: Bangkok, *Yemen*, pursuant to Thirteenth Asian Regional Meeting, August 31, 2001; available from <http://www.ilo.org/public/english/region/asro/bangkok/arm/yem.htm>.

<sup>4667</sup> *Memorandum of Understanding between the Government of Yemen and the International Labour Organization*, ILO, Geneva, June 12, 2000. See also ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen*, project document, 7-8.

<sup>4668</sup> ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen*, technical progress report, Sana'a, March 2003, 5.

<sup>4669</sup> *Ibid.*, 2. For more on the PRSP, see Republic of Yemen, *Poverty Reduction Strategy Paper (PRSP): 2003-2005*, May 31, 2002; available from [http://poverty.worldbank.org/files/Yemen\\_PRSP.pdf](http://poverty.worldbank.org/files/Yemen_PRSP.pdf).

<sup>4670</sup> Among the main objectives, the CAS seeks to develop a sound social system that emphasizes the health and education of girls. See World Bank, *Yemen Makes Strides in Poverty Fight*, press release, DevNews Media Center, September 10, 2002; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20067417~menuPK:34457~pagePK:34370~piPK:34424~theSitePK:4607,00.html>.

<sup>4671</sup> The program targets children working in extremely hazardous or abusive conditions, children below the age of 12, and girls. The sectors from which child workers will be removed include: domestic service; agricultural and fishery work; factory work, particularly in the production of textiles and leather goods; construction; automobile repair; street vending and begging; retail trade and other services. See ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen*, project document, 1, 13-14.

<sup>4672</sup> Over the summer, 500 children were enrolled in the center and received training. Throughout the rest of the year, the center will hold classes after working hours to facilitate the transition from work to school. See U.S. Embassy- Sana'a, *unclassified telegram no. 2028*, August 18, 2003.

<sup>4673</sup> *Ibid.*

<sup>4674</sup> UNESCO, *Education in the Arab States: Five Million Girls Still Denied Access to School*, UNESCO Media Services, May 14 2003; available from [http://portal.unesco.org/en/ev.php@URL\\_ID=12055&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php@URL_ID=12055&URL_DO=DO_TOPIC&URL_SECTION=201.html).

<sup>4675</sup> Gender disparity in enrollment rates in Yemen is 31 percent. See UNICEF, *Girl's Education in Yemen*, UNICEF August 29 2003; available from <http://www.unicef.org/girlseducation/Yemen.pdf>.

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of the main obstacles to education.<sup>4676</sup> In 2000, the Government of Yemen and the World Bank developed a 6-year Basic Education Expansion Project to give the highest priority to primary education, particularly focusing on increased access to education for girls in remote rural areas.<sup>4677</sup> In June 2002, the Government of Yemen became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.<sup>4678</sup>

The Ministry of Education is taking steps to eliminate child labor by developing educational support programs, lowering school dropout rates of working children, and raising public awareness of the relationship between education and work.<sup>4679</sup> UNICEF has been working with the government to promote education through a number of programs, including support for the government's Community School Project, which implements an integrated approach to address the gender disparity at the primary school level.<sup>4680</sup> Various donor governments and the World Bank are collaborating with the Ministry of Education to expand access to education and improve the quality of basic education, and are assisting the Ministry of Education by building its capacity to implement and monitor basic education reforms and other national education sector strategies.<sup>4681</sup> USAID is supporting a USD 4.7 million project to increase access to and improve the quality of basic education at the school level.<sup>4682</sup>

## Incidence and Nature of Child Labor

In 2001, the ILO estimated that 18.5 percent of children ages 10 to 14 years were working in Yemen.<sup>4683</sup> Child labor is common, especially in the rural areas.<sup>4684</sup> Children also work in urban areas in stores, restaurants and work-

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<sup>4676</sup> UN, *Summary Record of the 523rd Meeting: Yemen*, CRC/C/SR.523, Convention on the Rights of the Child, Geneva, April 27, 1999, para. 8; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/200013c949cfe26880256763005987b0?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/200013c949cfe26880256763005987b0?Opendocument). According to the 1999 labor force survey of over 19,000 Yemeni households, the primary reason that children dropped out of school both in urban and rural areas was the household's inability to pay for education costs. School-related costs also ranked second among reasons why girls abandoned education; the primary reason cited was household attitudes toward girls' education. See Republic of Yemen, *Final Report: 1999 National Labour Force Survey Results*, Ministry of Labour and Vocational Training-Central Statistical Organization, Labour Market Information System Programme, 2000, table 4, 60-63.

<sup>4677</sup> World Bank, *Basic Education Expansion Project*, Summary, World Bank, 2000; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P043255>. See also World Bank, *Republic of Yemen-Basic Education Expansion Project, Project Document Information*, YEPE43255, World Bank, May 26, 2000; available from [http://www-wds.worldbank.org/servlet/WDSContentServer?WDSPath=/IB/2000/07/27/000009265\\_3980929100228/Rendered/PDF/multi0page.pdf](http://www-wds.worldbank.org/servlet/WDSContentServer?WDSPath=/IB/2000/07/27/000009265_3980929100228/Rendered/PDF/multi0page.pdf).

<sup>4678</sup> World Bank, *World Bank Announces First Group Of Countries For 'Education For All' Fast Track*, press release, Washington, D.C., June 12, 2002; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20049839~menuPK:34463~pagePK:34370~piPK:34424,00.html>.

<sup>4679</sup> ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen*, technical progress report, ILO, Sana'a, Yemen, March 15, 2002, 10.

<sup>4680</sup> Activities include building low-cost classrooms, providing a separate shift exclusively for girls, training teachers, and raising awareness. See UNICEF, *Girl's Education in Yemen*.

<sup>4681</sup> Electronic communication from Labor Officer to USDOL official, February 17, 2004. See also World Bank, *Basic Education Summary*.

<sup>4682</sup> Electronic communication from Labor Officer to USDOL official, February 17, 2004.

<sup>4683</sup> World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. The prevalence of work among young children is also significant. It is estimated that 120,000 children aged 6 to 8 years are economically active. The average workweek of working children of all ages in Yemen is 38.5 hours. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, prepared by ILO, UNICEF, and World Bank, March 2003, 1-2; available from [http://www.ucw-project.org/resources/pdf/yemen/Report\\_Yemen\\_draft.pdf](http://www.ucw-project.org/resources/pdf/yemen/Report_Yemen_draft.pdf).

<sup>4684</sup> Children living in rural areas are more than five times as likely to work than children in urban areas. Rural child workers constitute more than 90 percent of all child workers in Yemen. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. See also Republic of Yemen, *NLFS*, Table 11.

shops, and peddle goods on the street.<sup>4685</sup> The vast majority of children work in agriculture without wages.<sup>4686</sup> Other children work as street vendors, beggars, domestics and in the fishing, leather, construction, and automobile repair sectors.<sup>4687</sup> There are no official reports that children in Yemen were victims of trafficking.<sup>4688</sup> Children under age 18 are prohibited from entering the Government armed forces, but there are some reports that children are involved in armed conflicts.<sup>4689</sup>

The Constitution guarantees free and compulsory education to all Yemeni citizens.<sup>4690</sup> Education is compulsory for children from ages 6 to 15 years.<sup>4691</sup> In 2000, the gross primary enrollment rate was 79.2 percent (61 percent for girls and 96.5 percent for boys), while the net primary enrollment rate was 67.1 percent (49.2 percent for girls and 84.2 percent for boys).<sup>4692</sup> Primary school attendance rates are unavailable for Yemen.<sup>4693</sup> While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.<sup>4694</sup> The Ministry of Education reported that nearly 200,000 boys dropped out of school in 1999.<sup>4695</sup> Child labor is reported to interfere with school attendance, particularly in the agriculture and domestic service sectors.<sup>4696</sup>

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<sup>4685</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2002:Yemen*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18293pf.htm>.

<sup>4686</sup> Republic of Yemen, *PRSP*, 11. Children working in agriculture are exposed to hazardous working conditions including the use of pesticides, prolonged exposure to extreme temperatures, and carrying weighty loads. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2.

<sup>4687</sup> ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen, project document*, 14. See also Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2.

<sup>4688</sup> U.S. Department of State, *Country Reports- 2002:Yemen*. There have been reports that Yemen has been a country of destination and transit for trafficking, but the extent to which children are involved is not known. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. See also Dr. Mohamed Y. Mattar, "Trafficking in Persons, Especially Women and Children, in Countries of the Middle East," *Fordham International Law Journal* 26 721 (March 2003), 10, n133; available from <http://209.190.246.239/iomz.pdf>. See also The Protection Project, "Yemen," in *Human Rights Report on Trafficking in Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, March 2002; available from <http://209.190.246.239/ver2/cr/Yemen.pdf>. UNICEF is working with the relevant ministries to investigate the reports of child trafficking. See Electronic communication from Labor Officer to USDOL official, March 6, 2004.

<sup>4689</sup> Children reportedly participate in ongoing conflicts among tribal groups and in the defense of Qat (a mild narcotic found in Yemen) fields. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. See also Coalition to Stop the Use of Child Soldiers, *Child Soldiers: An Overview*, London, 2001; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf>. See also Peter W. Singer, *Children at War*, Brookings Institution, [online] 2002 [cited February 26, 2004]; available from <http://www.brook.edu/views/articles/fellows/singer20021101.htm>.

<sup>4690</sup> *Yemen (Constitutional Guarantees)*, UNESCO, [Right to Education Database] [cited June 3, 2003], Articles 32 and 53; available from <http://www.right-to-education.org/search/index.html>.

<sup>4691</sup> UN, *Preliminary Report of the Special Rapporteur on the Right to Education, Ms. Katarina Tomasevski, Submitted in Accordance with Commission on Human Rights Resolution 1998/33*, UNESCO, January 1989, table 6; available from <http://www.right-to-education.org/content/unreports/unreport1prt3.html#11>.

<sup>4692</sup> World Bank, *World Development Indicators 2003*.

<sup>4693</sup> It is estimated that only one-third of 10 to 14 year-old working children attend school. While 59 percent of working boys attend school, only 14 percent of working girls go to school. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2.

<sup>4694</sup> For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

<sup>4695</sup> ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen, project document*, 7-8.

<sup>4696</sup> Girls from households without access to water are more than three times as likely to work full-time (primarily to fetch water), and less than half as likely to go to school as girls from households with water access. A recent ILO study found that providing a household with water access increased the probability of girls' school attendance by 16 percent in urban areas and 11 percent in rural areas. For a more detailed discussion on the relationship between household water access and children's involvement in school and work in Yemen, see Lorenzo Guarcello and Scott Lyon, *Children's Work and Water Access in Yemen*, prepared by Understanding Children's Work (UCW), March 2003; available from [http://www.ucw-project.org/resources/pdf/cw\\_yemen\\_water.pdf](http://www.ucw-project.org/resources/pdf/cw_yemen_water.pdf).

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## Child Labor Laws and Enforcement

In 2002, the Government of Yemen passed the Yemeni Child Rights Law, which set the minimum legal working age at 14 years.<sup>4697</sup> The law prohibits the employment of children under the age of 15 in industrial work; however, there are no restrictions, regardless of age, on children working in family enterprises.<sup>4698</sup> Yemeni law defines a young person as someone below the age of 15.<sup>4699</sup> Under the Labor Code of 1995, a young person may work up to 7 hours per day and must be allowed a 60-minute break after 4 hours of labor. Youth may work a maximum of 42 hours per week.<sup>4700</sup> An employer must secure the approval of a child's guardian and notify the Ministry of Labor before employing a young person. The Labor Code prohibits hazardous working conditions for children.<sup>4701</sup> The Labor Code further establishes the minimum wage for children to be not less than two-thirds that of an adult.<sup>4702</sup> Penalties for violations of the Labor Code range from 5,000 riyals (USD 27.78) to 20,000 riyals (USD 111.12) and up to 3 months in prison.<sup>4703</sup>

The Ministry of Labor's Child Labor Unit is responsible for enforcing child labor laws,<sup>4704</sup> but by its own admission, the government lacks the requisite resources to enforce them adequately.<sup>4705</sup> The law prohibits trafficking in persons.<sup>4706</sup> While there are laws in place to regulate employment of children, the government's enforcement of these provisions is limited, especially in remote areas, and inspectors generally prefer to address the problem through informal means.<sup>4707</sup> The government also has not enforced the laws requiring nine years of compulsory education for children.<sup>4708</sup>

The Government of Yemen ratified ILO Conventions 138 and 182 on June 15, 2000.<sup>4709</sup>

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<sup>4697</sup> Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 3.

<sup>4698</sup> It is estimated that 87 percent of child workers in Yemen are working in some kind of family enterprise. Ibid.

<sup>4699</sup> Government of Yemen, *Labor Code of 1995*, [NATLEX] [cited June 3, 2003], Article 2; available from <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>.

<sup>4700</sup> Ibid., Article 48.

<sup>4701</sup> Overtime, night work, and work on official holidays are also prohibited for young persons. Moreover, employers must grant every youth a 30-day annual leave for every 12-month period of labor completed. Neither the child nor the parent may waive this annual leave. See Ibid., Articles 49-52.

<sup>4702</sup> Ibid., Article 52.

<sup>4703</sup> The Labor Code of 1995 imposed fines ranging from 1,000 to 20,000 riyals. Ibid., Article 154. The 1997 amendment increased the fines to a minimum of 5,000 riyals and added a penalty of imprisonment for up to 3 months. See UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1998: Yemen, Addendum*, prepared by Ministry of Social Security and Social Affairs Government of Yemen, pursuant to Article 44 of the Convention on the Rights of the Child, July 23, 1998, 1998, para 37; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/a72b28140dcd1e8d802566db0036b118?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/a72b28140dcd1e8d802566db0036b118?Opendocument). For currency conversion, see XE.COM, *Universal Currency Converter*, [Currency Converter] 2003 [cited June 4, 2003]; available from <http://www.xe.com/ucc/convert.cgi>.

<sup>4704</sup> U.S. Department of State, *Country Reports- 2002:Yemen*, Section 6d.

<sup>4705</sup> Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 3.

<sup>4706</sup> U.S. Department of State, *Country Reports- 2002:Yemen*, Section 6f. The 2003 Department of State *Trafficking in Persons Report* does not provide information on severe forms of trafficking in Yemen. See U.S. Department of State, *Trafficking in Persons Report- 2003*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/>.

<sup>4707</sup> U.S. Department of State, *Country Reports- 2002:Yemen*, Section 6d. See also U.S. Embassy- Sana'a, *unclassified telegram no. 002028*, 1.

<sup>4708</sup> U.S. Department of State, *Country Reports- 2002:Yemen*.

<sup>4709</sup> ILO, *Ratifications by Country*, in ILOLEX, [online database] [cited April 25, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.