

# Yemen

## Incidence and Nature of Child Labor

The Yemeni Central Statistics Office and Understanding Children's Work (UCW) estimated that 12 percent of children ages 6 to 14 were working in Yemen in 1999.<sup>4245</sup> The vast majority of children work in agriculture without wages.<sup>4246</sup> Children living in rural areas are more than five times as likely to work than children in urban areas, and rural child workers constitute more than 90 percent of all child workers in Yemen.<sup>4247</sup> Children also work as street vendors, beggars, domestic servants, and in the fishing, leather, construction, and automobile repair sectors.<sup>4248</sup> Children are trafficked out of the country to work as street beggars, domestic help, or as camel jockeys in oil rich Gulf States.<sup>4249</sup> There are some reports that children are involved in armed conflicts in the country.<sup>4250</sup>

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<sup>4245</sup> This estimate was made by UCW based on the Yemen Poverty Monitoring Survey of 1999, though this calculation is probably an underestimate. 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, 14; 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). Although information reported last year in *The U.S. Department of Labor's 2003 Findings on the world Forms of Child Labor* indicated that 18.5 percent of children ages 10-14 were working in 2001, this estimate was based on a different age range and source of data. The UCW data is more believed to reflect the situation of working children in Yemen more accurately.

<sup>4246</sup> Republic of Yemen, *Poverty Reduction Strategy Paper (PRSP): 2003-2005*, May 31, 2002, 11; available from [http://poverty.worldbank.org/files/Yemen\\_PRSP.pdf](http://poverty.worldbank.org/files/Yemen_PRSP.pdf). 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>4247</sup> Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. See also 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 11.

<sup>4248</sup> ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen*, Project Document, Yemen/00/P/USA, ILO, Geneva, October 2000, 14. See also Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. It has been reported that children who work in restaurants have encountered sexual abuse. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2.

<sup>4249</sup> U.S. Department of State, *Trafficking in Persons Report-2004: Kuwait, Saudi Arabia*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/>. UNICEF is working with the relevant ministries to explore the nature and extent of child smuggling. See U.S. Embassy-Sana'a, *unclassified telegram no. 2015*, August 23, 2004. There have been reports that Yemen has been a country of destination and transit for trafficking in persons, but the extent to which children are involved is not known. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. The Ministry of Human Rights reported that in 2002, 3,500 children were "returned" from Saudi Arabia where they were found working. Other sources estimate the numbers of Yemeni children deported from Saudi Arabia back to Yemen as much higher. See Peter Willems, *Urgent need to stop child trafficking*, Yemen Times, [online] 2003 [cited October 8, 2004]; available from [http://www.yementimes.com/print\\_article.shtml?i=755&p=front&a=2](http://www.yementimes.com/print_article.shtml?i=755&p=front&a=2).

<sup>4250</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 Coalition to Stop the Use of Child Soldiers, *Child Soldiers: An Overview*, London, 2001; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf>.

The Constitution guarantees free and compulsory education to all Yemeni citizens.<sup>4251</sup> Education is compulsory for 9 years for children ages 6 to 15 years.<sup>4252</sup> In 2001, the gross primary enrollment rate was 81.0 percent (64.3 percent for girls and 97.0 percent for boys).<sup>4253</sup> Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary attendance rates are not available for Yemen.<sup>4254</sup> Child labor interferes with school attendance, particularly in the agriculture and domestic service sectors.<sup>4255</sup>

## 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>4256</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>4257</sup> Yemeni law defines a young person as someone below the age of 15.<sup>4258</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. A young person may work a maximum of 42 hours per week.<sup>4259</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. Overtime, night work, and work on official holidays are 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.<sup>4260</sup> The Labor Code further establishes the minimum wage for children to be not less than two-thirds that of an adult.<sup>4261</sup> The 1997 amendment to the Labor Code increased the fines to a minimum of

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<sup>4251</sup> *Yemen (Constitutional Guarantees)*, UNESCO, [Right to Education Database] [cited March 12, 2004], Articles 32 and 53; available from <http://www.right-to-education.org/search/index.html>.

<sup>4252</sup> UN, *Preliminary Report of the Special Rapporteur on the Right to Education, Ms. Katarina Tomaševski, 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>4253</sup> Net primary school enrollment rates are not available for 2001. In 2000, the net primary enrollment rate was 67.2 percent. See World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004.

<sup>4254</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>4255</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. Lorenzo Guarcello and Scott Lyon, *Children's Work and Water Access in Yemen*, prepared by Understanding Children's Work (UCW), March 2003, 3-4; available from [http://www.ucw-project.org/resources/pdf/cw\\_yemen\\_water.pdf](http://www.ucw-project.org/resources/pdf/cw_yemen_water.pdf).

<sup>4256</sup> Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 3. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Yemen*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27942.htm>.

<sup>4257</sup> It is estimated that 87 percent of child workers in Yemen are working in some kind of family enterprise. Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 3.

<sup>4258</sup> Government of Yemen, *Labor Code, Act No. 5 of 1995*, (1995), Article 2; available from <http://natlex.ilo.org/txt/E95YEM01.htm>.

<sup>4259</sup> *Ibid.*, Article 48.

<sup>4260</sup> *Ibid.*, Article 48-52.

<sup>4261</sup> *Ibid.*, Article 52.

5,000 riyals (USD 28) and added a penalty of imprisonment for up to 3 months.<sup>4262</sup> Children under age 18 are prohibited from entering the government armed forces.<sup>4263</sup>

The Ministry of Labor’s Child Labor Unit is responsible for enforcing child labor laws.<sup>4264</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.<sup>4265</sup> The government also has not enforced the laws requiring 9 years of compulsory education for children.<sup>4266</sup> Yemeni law prohibits trafficking in persons.<sup>4267</sup> The government prosecuted two child traffickers in 2003.<sup>4268</sup>

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

The Government of Yemen is proactively promoting policies to curb child labor by implementing policies outlined in its Poverty Reduction Strategy Paper, which was designed to complement and support the government’s efforts to alleviate poverty.<sup>4269</sup> With support from USDOL, the Government of Yemen is implementing 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>4270</sup> In 2004, the USDOL funded a new USD 3 million ILO-IPEC project to provide continued support for country activities to combat exploitive child labor in Yemen.<sup>4271</sup> Also in 2004, the government began participating in a new

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	6/15/00	✓
Ratified Convention 182	6/15/00	✓
ILO-IPEC Member		✓
National Plan for Children		
National Child Labor Action Plan		✓
Sector Action Plan		

<sup>4262</sup> 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*, [online currently conversion] [cited March 12, 2004]; available from <http://www.xe.com/ucc/convert.cgi>.

<sup>4263</sup> Understanding Children's Work (UCW), *Understanding Children’s Work in Yemen*, 2.

<sup>4264</sup> U.S. Department of State, *Country Reports- 2003: Yemen*, Section 6d.

<sup>4265</sup> Ibid. There are less than 20 child labor inspectors in Yemen. U.S. Embassy- Sana'a, *unclassified telegram no. 2015*.

<sup>4266</sup> U.S. Department of State, *Country Reports- 2003: Yemen*, Section 6d.

<sup>4267</sup> The law is not specified in this source. See Ibid., Section 6f.

<sup>4268</sup> One trafficker received a sentence of three years. The other sentence was not specified in this source. See U.S. Embassy- Sana'a, *unclassified telegram no. 2015*.

<sup>4269</sup> Among the main objectives, the Country Assistance Strategy seeks to develop a sound social system that emphasizes the health and education of girls. See World Bank, *Yemen Makes Strides in Poverty Fight*, DevNews Media Center, [electronic press release] September 10, 2002 [cited March 12, 2004]; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20067417~menuPK:34457~pagePK:34370~piPK:34424~theSitePK:4607,00.html>.

<sup>4270</sup> ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen, project document*, 1, 13-14.

<sup>4271</sup> U. S. Department of Labor, *United States Provides over \$110 Million in Grants to Fight Exploitive Child Labor Around the World*, press release, Washington, DC, October 1, 2004.

USD 8 million sub-regional project funded by USDOL to combat child labor through education in Lebanon and Yemen.<sup>4272</sup> In collaboration with the Mayor of Sana'a, ILO-IPEC began providing remedial education and vocational training in 2003 in a rehabilitation center for street children who are victims of child labor.<sup>4273</sup> The Ministry of Labor worked with trade unions, chambers of commerce, and the Ministry field offices to gather information about child labor throughout Yemen.<sup>4274</sup>

Although Yemen has the second lowest literacy rate for women in the Middle East<sup>4275</sup> and suffers from pronounced gender disparity in enrollment rates, the government is committed to improving overall basic education and bridging the gender gap. Gender disparity in enrollment rates in Yemen is 31 percent.<sup>4276</sup> The government's abolition of primary school fees for girls was designed to eliminate one of the main obstacles to education.<sup>4277</sup> The Government of Yemen and the World Bank are implementing a Basic Education Expansion Project from 2000-2006 to give the highest priority to primary education, particularly focusing on increased access to education for girls in remote rural areas, improve the quality of basic education, build the Ministry of Education's capacity to implement and monitor basic education reforms, and support other national education sector strategies.<sup>4278</sup> The Government of Yemen is receiving 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>4279</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

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<sup>4272</sup> Ibid.

<sup>4273</sup> U.S. Embassy- Sana'a, *unclassified telegram no. 2015*. Throughout the year, the center holds classes after working hours to facilitate the transition from work to school. U.S. Embassy- Sana'a, *unclassified telegram no. 2028*, August 18, 2003.

<sup>4274</sup> U.S. Embassy- Sana'a, *unclassified telegram no. 2015*.

<sup>4275</sup> UNESCO, *Education in the Arab States: Five Million Girls Still Denied Access to School*, UNESCO Media Services, [electronic press release] May 14 2003 [cited March 12, 2004]; 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>4276</sup> UNICEF, *Girl's Education in Yemen*, UNICEF, August 29 2003 [cited March 12, 2004]; available from <http://www.unicef.org/girlseducation/Yemen.pdf>.

<sup>4277</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, *1999 NLFS*, table 4, 60-63.

<sup>4278</sup> World Bank, *Basic Education Expansion Project*, World Bank, [electronic summary] March 12, 2004 2000 [cited March 12, 2004]; 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/WDSP/IB/2000/07/27/000009265\\_3980929100228/Rendered/PDF/multi0page.pdf](http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2000/07/27/000009265_3980929100228/Rendered/PDF/multi0page.pdf). See also U.S. Embassy- Sana'a official, email communication to USDOL official, February 17, 2004.

<sup>4279</sup> World Bank, *World Bank Announces First Group Of Countries For 'Education For All' Fast Track*, [electronic press release] June 12, 2002 [cited March 12, 2004]; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20049839~menuPK:34463~pagePK:34370~piPK:34424,00.html>.

relationship between education and work.<sup>4280</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>4281</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>4282</sup>

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<sup>4280</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>4281</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>4282</sup> U.S. Embassy- Sana'a official, email communication, February 17, 2004.