

Yemen

The Government of Yemen implements a small number of rehabilitation and reintegration programs for victims of the worst forms of child labor. However, children continue to work in hazardous conditions in agriculture and face the risk of child trafficking. Children are also forced into labor and are recruited as soldiers. Government efforts to combat child labor are hindered by contradictory labor laws, and a lack of funding for enforcement.



Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	15.4%
Attending School	5-14 yrs.	58.5%
Combining Work and School	7-14 yrs	4.7%

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

In Yemen, children are engaged in the worst forms of child labor,⁵³⁸⁹ many of them in agriculture. According to Yemen's Ministry of Social Affairs and Labor (MOSAL), children working in agriculture work with dangerous agricultural equipment, carry heavy loads, and are exposed to pesticides.⁵³⁹⁰ Children work in the production and guarding of *qat*, a mild narcotic plant legal in Yemen. In this work, they are exposed to pesticides and carry weapons which are used to protect the *qat* crops.⁵³⁹¹

Children also perform dangerous work in stone cutting and quarries, welding and glass shops, construction, auto shops, fishing, garbage collection, domestic service, restaurant motels, and in the streets.⁵³⁹² Children working in stone cutting and quarries and welding and glass shops are subject to exploitation by gangs and exposure to habits such as smoking and chewing *qat*.⁵³⁹³ In construction work, children are exposed to chemical toxins and paint.⁵³⁹⁴ Children working in auto shops face physical injuries, including burns and respiratory problems from inhaling fumes.⁵³⁹⁵ Children engaged in fishing are

at risk of drowning.⁵³⁹⁶ Children working in garbage collection may be exposed to toxic or other injurious substances. Child domestics work long hours and their isolation in homes makes them susceptible to sexual harassment and physical abuse. Children working in restaurants and motels are particularly vulnerable as they sometimes work at night and are subject to sexual harassment by patrons.⁵³⁹⁷ Working in the streets renders children particularly vulnerable to mental and physical harassment and abuse.⁵³⁹⁸

Yemeni children are trafficked domestically for commercial sexual exploitation and forced labor.⁵³⁹⁹ Children are internally trafficked to Aden and Sana'a for forced labor, domestic service, begging, street vending, and to work as unskilled laborers.⁵⁴⁰⁰ Girls are trafficked for commercial sexual exploitation.⁵⁴⁰¹ Somali girls are trafficked to Yemen for commercial sex work.⁵⁴⁰² Yemeni children are also trafficked to Saudi Arabia where they are engaged in forced labor and forced prostitution.⁵⁴⁰³ According to MOSAL, the number of children trafficked to Saudi Arabia decreased from 900 in 2008 to 602 in 2009.⁵⁴⁰⁴ Research does not indicate whether these figures represent number of incidents reported, number of children rescued, or number of cases investigated.

Criminals use Yemeni children to carry out illegal activities. Children work as smugglers of drugs and alcohol and may suffer abuse and hunger.⁵⁴⁰⁵

Yemeni children are engaged in prostitution. Children from the Horn of Africa, Ethiopia, and Somalia also are forced into commercial sexual exploitation in Yemen.⁵⁴⁰⁶

Yemeni children are being recruited as soldiers; as many as 600 children are killed or wounded annually by their direct involvement in conflict.⁵⁴⁰⁷ There are reports that both government-supported and opposition militias use child soldiers.⁵⁴⁰⁸

Laws and Regulations on the Worst Forms of Child Labor

The 2004 Ministerial Decree No. 56 sets the minimum working age at 15, but section 133 of the 2002 Child Rights Law establishes the minimum working age at 14.⁵⁴⁰⁹ According to the Government, Decree No. 56 does not repeal inconsistent sections in prior legislation; therefore, the actual legal minimum age for employment is uncertain.⁵⁴¹⁰

The Labor Code prohibits hazardous work for children under age 15, but exempts all persons working in agriculture, domestic service, and children working with their families provided conditions are “suitable,” a term which is not defined by the Labor Code.⁵⁴¹¹ By contrast, Decree No. 56 prohibits hazardous work for those under age 18 without exception.⁵⁴¹² The Decree also states that children between ages 13 and 15 years may engage in light work, which is not specifically defined. The Decree does not specify the minimum working age for apprentices.⁵⁴¹³ The Decree also does not contain sanctions for hazardous work violations.⁵⁴¹⁴

The Child Rights Law protects children under age 18 from economic exploitation and Ministerial Decree No. 56 states that worst forms of child labor must be eliminated (including prostitution, pornography, forced labor, child soldiers, illicit activities, and trafficking) and defines the penalties for inciting children into illegal activity, child prostitution, and child trafficking.⁵⁴¹⁵ The Child Rights Act prohibits the incitement of a child into prostitution, and Ministerial Decree No. 56 stipulates prison sentences for those who force children into prostitution or sell children. Ministerial Decree No. 56 also prohibits inciting

children to engage in drug trafficking.⁵⁴¹⁶ Republican Decree No. 12/1994 prohibits using children in begging. The law also prohibits forced or compulsory labor for all persons including children.⁵⁴¹⁷ Yemen does not have compulsory military recruitment and the voluntary recruitment age is 18.⁵⁴¹⁸

	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	No
	Minimum Age for Work	14/15
	Minimum Age for Hazardous Work	15/18
	Compulsory Education Age	14
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

The National Steering Committee to Combat Child Labor is responsible for coordinating all child labor issues. This committee consists of representatives from the Ministry of Social Affairs and Labor, the Higher Council for Motherhood and Childhood (HCMC), the Chamber of Commerce, ILO-IPEC, and local NGOs.⁵⁴¹⁹ In October 2009, the Child Labor Steering Committee met for the first time in two years.⁵⁴²⁰ In addition, the Higher Council for Motherhood and Childhood addresses child protection, including child labor.⁵⁴²¹ The Council holds regular meetings and conducts trainings.⁵⁴²² In addition, the Children’s Parliament of Yemen continues to advocate against exploitive child labor and child trafficking.⁵⁴²³

MOSAL’s Child Labor Unit (CLU) is responsible for enforcing child labor laws. The CLU has 20 child labor inspectors throughout the country.⁵⁴²⁴ In 2008, the Government of Yemen reported that the CLU visited

5,041 working children, placing 341 of those children in school and transitioning 541 of those children to light work.⁵⁴²⁵ There is no available information on the steps that the CLU took to ensure the safety of the other child laborers. Child labor inspectors have received training in the relevant ILO conventions, the Yemeni laws on child labor, monitoring techniques, and the problems faced by child laborers.⁵⁴²⁶ In 2009, the CLU eliminated travel funds for its child labor inspectors, preventing them from performing site visits.⁵⁴²⁷ The Government admits that a lack of resources hampers child labor law enforcement.⁵⁴²⁸

The HCMC works with MOLSA and the Ministries of Human Rights, Justice, and Legal Affairs to combat child trafficking.⁵⁴²⁹ Government-affiliated press reported that from January through June 2009, security forces captured 26 child traffickers in Hajja attempting to traffic 180 children to Saudi Arabia. The rescued children were sent to Haradh Child Protection Center.⁵⁴³⁰ In December 2009, five Yemeni children who had been trafficked to Saudi Arabia for forced begging were repatriated.⁵⁴³¹ Police stationed at border crossings were trained in how to deal with trafficked children.⁵⁴³²

Government Policies on the Worst Forms of Child Labor

The 2005 National Policy and Program Framework (NPPF) for the Eradication of Child Labor and Elimination of its Worst Forms was developed by the MOSAL in cooperation with ILO-IPEC and the HCMC.⁵⁴³³ The NPPF aims to harmonize domestic legislation with international standards regarding child labor, strengthen national capacity, and increase awareness.⁵⁴³⁴ The NPPF has been delayed due to a lack of effective coordination, including information sharing and documentation, amongst various ministry agencies and other stakeholders. NPPF stakeholders have not conducted any meetings or allocated any funds since 2005.⁵⁴³⁵

The Government developed the National Action Plan (NAP) to Combat Child Smuggling in 2007, which aims to prevent child trafficking.⁵⁴³⁶ The policy includes provisions on law reform, awareness raising, and training activities.⁵⁴³⁷ As part of the NAP, UNICEF trained imams on the risks and dangers of

child trafficking so that they can disseminate this information during their religious Friday services. MOSAL trained taxi and small bus drivers in target cities on child trafficking.⁵⁴³⁸ In addition, MOSAL, UNICEF and IOM established rehabilitation centers for trafficked children in Haradh and Sana'a.⁵⁴³⁹ The Government provided medical and psychological services for child trafficking victims and arranged for free medical care for trafficked children and child laborers at a hospital in Sana'a.⁵⁴⁴⁰ In early 2010, Yemen and Saudi Arabia officials held talks on coordinating mutual cooperation in combating child labor.⁵⁴⁴¹

The Government has also incorporated child labor into its other national policies, including its Third Five-Year Plan (TFYP) and the National Action Plan for Children. The TFYP incorporates child labor into its provisions on childhood and youth strategy, labor force unemployment, education, illiteracy, and vocational training.⁵⁴⁴² The National Action Plan for Children has four components: inclusive education, school health and nutrition, increasing the number of female teachers and addressing girls' education, and protecting disadvantaged children. The plan has identified responsible agencies to address each component.⁵⁴⁴³ By incorporating disadvantaged children into the National Action Plan, the Government of Yemen has targeted those most at risk for worst forms of child labor.

The Government of Yemen does not have policies in place specifically on the elimination of child soldiers, despite reports indicating children participation in many government-related and non-state militia groups.

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

Since 2000, the Government of Yemen has participated in the implementation of programs to eliminate child labor through partnerships with international and domestic organizations and foreign aid agencies. The Government participated in a \$1.4 million national program funded by USDOL which withdrew 2,604 and prevented 1,330 children from working in urban and rural areas through the provision of education and vocational training opportunities.⁵⁴⁴⁴ The Government also participated in a \$3 million USDOL-funded project in Lebanon and Yemen to withdraw and prevent 1,596 children from hazardous work.⁵⁴⁴⁵

The Government is currently participating in a USDOL-funded \$3.5 million project to combat child labor through education in Yemen (2008-2011). The project targets 7,100 children working in hazardous agriculture and fisheries, trafficking, and commercial sexual exploitation for educational and vocational training services.⁵⁴⁴⁶ The Government has allocated \$78,800 for activities related to combating child labor as part of this project.⁵⁴⁴⁷

The Government provides support to victims of the worst forms of child labor through protection and

rehabilitation centers for child victims of smuggling, follow-up services for former child workers, and safe childhood centers for street children.⁵⁴⁴⁸ There are two centers for victims of smuggling that offer psychological support and health care as well as shelter for up to 1 month.⁵⁴⁴⁹ In 2009, 427 children accessed services from these centers.⁵⁴⁵⁰ Safe childhood centers have been established in Sana'a City, Aden, and Ta'izz. These centers provide street children with rehabilitation services and assistance them in reuniting with their families.⁵⁴⁵¹

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

IN THE AREA OF LAWS AND REGULATIONS:

- Amend Ministerial Decree No. 56, Labor Code No. 5, and Law No. 45 on the Rights of the Child (Child Rights Law) to address inconsistencies in the minimum age for work and hazardous work and to adequately define hazardous work.
- Amend Ministerial Decree No. 56 to define light work and establish minimum age for apprenticeships.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Ensure that there is sufficient funding for inspections to be carried out throughout the country and that inspections are targeted in the sectors where the worst forms of child labor are prevalent.

IN THE AREA OF POLICIES:

- Implement the National Policy and Program Framework for the Eradication of Child Labor and Elimination of its Worst Forms by conducting stakeholder meetings and allocating funds.
- Discontinue the use of children in armed conflict and institute criminal penalties for violations of the law.

IN THE AREA OF PROGRAMS:

- Expand child labor programs to target the most prevalent worst forms of child labor including hazardous agriculture, domestic service, and child soldiering.

⁵³⁸⁹ Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2010*. Data on working children and school attendance are from 2006. Data on children combining working and schooling are from 1999. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For

more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

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⁵³⁹¹ ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, Geneva, March 2003, 3, 22; available from http://www.ucw-project.org/resources/pdf/yemen/Report_Yemen_draft.pdf. See also Thabet, "Yemen Times, Yemen Plans to Protect Children from Hazardous Jobs".

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- ⁵³⁹⁵ *Ibid.*
- ⁵³⁹⁶ *Ibid.*
- ⁵³⁹⁷ *Ibid.*
- ⁵³⁹⁸ CHF International, *CHF International Yemen ACCESS-Plus Baseline Report*.
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- ⁵⁴⁰³ U.S. Department of State, "Trafficking in Persons Report- 2010: Yemen."
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