Yemen

Incidence and Nature of Child Labor

An estimated 23.7 percent of children ages 6 to 14 years were counted as working in Yemen in 2001. Approximately 27.2 percent of all boys 6 to 14 were working compared to 20.1 percent of girls in the same age group. 4977 Children living in rural areas are more likely to work than children in urban areas. 4978 The majority of working children work in agricultural sectors, including in the production of *qat* (a mild narcotic found in Yemen). 4979 Children also work as street vendors, beggars, domestic servants, and in the fishing, leather, construction, textile, and automobile repair sectors. 4980 Children employed in domestic service and working street children are particularly vulnerable to sexual abuse and exploitation. 4981 Child labor is one of many problems associated with poverty. In 1998, the most recent year for which data are available, 15.7 percent of the population in Yemen were living on less than USD 1 a day. 4982

Yemen is a country of origin and destination for child trafficking. The U.S. State Department reports that children are trafficked out of the country to work as street beggars, domestic help, or as camel jockeys in oil rich Gulf States, especially Saudi Arabia. Very young children are reportedly trafficked into Saudi

⁴⁹⁷⁷ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. 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, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

⁴⁹⁷⁸ Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. See also U.S. Department of State, *Country Reports*- 2004: *Yemen*, Section 6d.

http://www.imf.org/external/np/prsp/2002/yem/01/053102.pdf. Children working in agriculture are exposed to hazardous working conditions including the use of pesticides, prolonged exposure to extreme temperatures, and carrying heavy loads. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. See also UN Committee on the Rights of the Child, *Third Periodic Reports of States Parties due in 2003: Yemen*, CRC/C/129/Add.2, prepared by Government of Yemen, pursuant to Article 44 of the Convention on the Rights of the Child, December 3, 2004, para. 319; available from http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/55f20ff8a72f20c0c1256f8800329002?Opendocument.

⁴⁹⁸⁰ See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. See also CHF International, *Alternatives to Combat Child Labor through Education and Sustainable Services in the Middle East and North Africa (MENA) Region*, project document, Silver Spring, MD, March 28, 2005, 7-8. 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.

⁴⁹⁸¹ UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Yemen*, CRC/C/15/Add.267, prepared by Government of Yemen, pursuant to Article 44 of the Convention on the Rights of the Child, June 3, 2005, paras. 64, 72; available from

http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/1296a4127ff7b38ac1257018002e6633?Opendocument.

World Bank, World Development Indicators 2005 [CD-ROM], Washington, D.C., 2005.

⁴⁹⁸³ U.S. Department of State, *Trafficking in Persons Report-* 2005: *Yemen, Kuwait, Saudi Arabia,* Washington, D.C., June 3, 2005; available from http://www.state.gov/g/tip/rls/tiprpt/2005/46612.htm. See also U.S. Department of State, *Country Reports-* 2004: *Yemen.* See also Victoria Firmo-Fontan, *Abducted, beaten and sold into prostitution: two women's story from an Iraq in turmoil,* The Independent, [online] July 24, 2004 [cited December 13, 2005]; available from http://www.ecpat.net/eng/Ecpat_inter/IRC/newsdesk_articles.asp?SCID=1484.

⁴⁹⁸⁴ U.S. Department of State, *Trafficking in Persons Report-* 2005: *Yemen, Kuwait, Saudi Arabia*. The majority of trafficked children in Yemen are from the poor, northern regions of the country, particularly in the governorates of Hajja and al-Mahweet, close to the Saudi Arabian border. See U.S. Embassy- Sana'a, *reporting*, March 15, 2005. Press reports claimed that children were trafficked out of the country at a rate of approximately 200 children per week. See U.S. Department of State, *Country Reports-* 2004: *Yemen*, Section 5. See also U.S. Embassy - Sana'a, *reporting*, May 21, 2005.

Arabia and forced to beg or work, often with the consent of their parents. There have been reports of some parents driven by poverty to push their daughters into brief "tourist marriages" to male tourists from wealthy Gulf States, which can be considered another form of child prostitution. Children are also used as smugglers to move goods between Saudi Arabia and Yemen. Children move back and forth across the border, smuggling in *qat* (an illegal substance in Saudi Arabia) and bringing back flour to sell at home. Children reportedly participate in ongoing conflicts among tribal groups and in the defense of *qat* fields.

The Constitution guarantees free and compulsory primary education to all Yemeni citizens from age 6 to 15 years. However, according to the U.S. Department of State, the law on compulsory education is not applied. In 2002, the gross primary enrollment rate was 83 percent and the net primary enrollment rate was 72 percent. 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. Children's work interferes with school attendance, particularly in the agriculture and domestic service sectors. In 2001, 52.9 percent of children ages 5 to 14 years were attending school. As of 2001, 76 percent of children who started primary school were likely to reach grade 5. According to Ministry of Education estimates, more than 3 million children in Yemen are without access to education. Yemen has only an estimated 15,000 formal schools to serve the country's population centers, many of which are too remote to provide sufficient infrastructure. The Government of Yemen has committed to building at least one new school per day, but would need to build at least four schools per day to keep pace with demand. Recently, the Government has been criticized for giving too much attention to increasing access to basic education, and insufficient efforts to improve the quality of schooling. The lack of trained teachers, especially female teachers and the lack of sanitary facilities at schools have been identified as major

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⁴⁹⁸⁵ Reuters, *Yemen: Fears over increasing child trafficking*, [online] December 8, 2005 [cited December 13, 2005]; available from http://www.alertnet.org/thenews/newsdesk/IRIN/5dde8e4137c3567c18fcd97571d639b4.htm. See also UNICEF, *Where the Streets are Golden: Yemeni families traffic their boys to Saudi Arabia hoping for a better life*, 2005 [cited July 5, 2005]; available from http://www.unicef.org/protection/index_27525.html.

⁴⁹⁸⁶ Integrated Regional Information Networks, *Yemen: Social impact of temporary marriages*, [online] 2005 [cited July 7, 2005]; available from http://www.irinnews.org/print.asp?ReportID=48010.

Paul Garwood, "Yemen Steps up Fight vs. Child Smuggling," *Associated Press* (Seattle), October 29, 2005; available from http://www.childtrafficking.org/cgi-bin/ct/main.sql?ID=2117&file=view_news.sql&TITLE=-1&TOPIC=-1&YEAR=-1&LISTA=No&GEOG=545&FULL_DETAIL=Yes.

⁴⁹⁸⁸ It is culturally accepted that boys will be given their own gun between 10 and 16 years of age, varying by region. In rural areas in the north, boys often own or carry fully automatic assault rifles from the age of 15 years. See Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. See also Coalition to Stop the Use of Child Soldiers, *Global Report* 2004.

⁴⁹⁶⁹ Yemen (Constitutional Guarantees), UNESCO, [Right to Education Database] November 1994 [cited July 5, 2005], Articles 32 and 53; available from http://www.right-to-education.org/search/index.html. See also U.S. Department of State, Country Reports- 2004: Yemen, Section 5.

⁴⁹⁹⁰ U.S. Embassy - Sana'a, reporting, May 21, 2005.

⁴⁹⁹¹ UNESCO Institute for Statistics, *Gross and Net Enrolment Ratios, Primary*, October 2005; available from http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51.

⁴⁹⁹² 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.

⁴⁹⁹³ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*. ⁴⁹⁹⁴ UNESCO Institute for Statistics, *School life expectancy*, % *of repeaters, survival rates*, December 2005; available from http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55.

⁴⁹⁹⁵ Dr. Hashem Awnallah, Ministry of Planning- Republic of Yemen, "Progress and Challenges in Mainstreaming the Most Disadvantaged Children & Youth: Experiences from Yemen" (paper presented at the Urban Children and Youth in the MENA Region, Dubai, May 17, 2005).

UN Committee on the Rights of the Child, *Third Periodic Reports of States Parties*, para. 247.

deterrents to enrollment and retention in rural areas, particularly for girls. 4997 Nearly half of primary school age girls in Yemen do not go to school. 4998

Child Labor Laws and Enforcement

The 2002 Yemeni Child Rights Law sets the minimum working age at 14 years; 15 years is the minimum age for industrial work. The law also emphasizes that children must be protected from all types of exploitation. The existing Labor Law stipulates that young persons (defined as any person below 15 years of age) may not be employed without the consent of his/her guardian and without notifying the Ministry's specialized office. 4999 It is unclear which law would apply in the case of a child under 15 who is working with the consent of his/her parents. In addition, there are no restrictions on children of any age working in family enterprises. 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. 5001 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. The Labor Code further establishes the minimum wage for children to be not less than two-thirds that of an adult. Since 1999, the Government of Yemen has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138. 5004

The Ministry of Labor's Child Labor Unit is responsible for enforcing child labor laws. The U.S. Department of State reports that while there are laws in place to regulate employment of children, the government's enforcement of these provisions is limited, especially in remote areas. According to Understanding Children's Work, a joint program of the World Bank, ILO-IPEC, and UNICEF, legal sanctions for child labor violations, including fines of 5,000-20,000 Yemeni Riyals (USD 28-111) and up to three months of imprisonment, are rarely applied.

⁴⁹⁹⁷ UNDP Yemen, *Literacy and Education*, [online] 2005 [cited July 5, 2005]; available from http://www.undp.org.ye/education.htm.

⁴⁹⁹⁸ UNICEF, *Promoting Girls' Education in Yemen*, UNICEF, February 15, 2005 [cited July 7, 2005]; available from http://www.unicef.org/girlseducation/Yemen.pdf.

⁴⁹⁹⁹ The Rights of the Child Act No. 45 of 2002 covers the substance and provisions of the UN Convention on the Rights of the Child, and as such, is regarded as a major legislative success for children in Yemen. See UN Committee on the Rights of the Child, *Third Periodic Reports of States Parties*, paras. 3, 35, 134. See also ILO-IPEC, *Supporting the National Policy and Programme Framework for the Elimination of the Worst Forms of Child Labour in Lebanon and Yemen: Consolidating Action against the Worst Forms of Child Labour*, project document, RAB/04/P51/USA, ILO, Geneva, September 3, 2004, 103. See also Government of Yemen, Labor Code, Act No. 5 of 1995, (1995), Chapter IV, Articles 48-53; available from http://natlex.ilo.org/txt/E95YEM01.htm.

⁵⁰⁰⁰ 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.

⁵⁰⁰¹ Labor Code, Article 48.

⁵⁰⁰² Ibid., Articles 48-52.

⁵⁰⁰³ Ibid., Article 52.

⁵⁰⁰⁴ ILO-IPEC official, email communication to USDOL official, November 14, 2005.

⁵⁰⁰⁵ U.S. Department of State, Country Reports- 2004: Yemen, Section 6d.

⁵⁰⁰⁶ Ibid. There are fewer than 20 child labor inspectors in Yemen. See U.S. Embassy-Sana'a, *reporting*, August 23, 2004. ⁵⁰⁰⁷ Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 31. For currency conversions, see Oanda.com, *FXConverter*, [online] [cited December 9, 2005]; available from http://www.oanda.com/convert/classic.

The worst forms of child labor may be prosecuted under different statutes in Yemen. Children under age 18 are prohibited from entering the government armed forces. 5008 Although Yemeni law does not specifically prohibit trafficking in persons⁵⁰⁰⁹, there are provisions in the Penal Code to prosecute and punish traffickers. 5010 Article 248 of the Yemeni Penal Code stipulates a prison sentence of 10 years for "anyone who buys, sells, or gives as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him." If the offense is committed against a child, the prison term can be extended to 15 years. Article 249 assigns a penalty of seven years in prison for kidnapping and the death penalty in kidnapping cases that involve sexual assault or murder. Articles 146, 147, and 161 of the Child Rights Law protect children from sexual and economic exploitation and other illegal activities. 5011 In 2004, the most recent year for which such information is available, the government investigated 12 cases of trafficking in children and referred two for prosecution, resulting in one conviction and a three-year prison sentence. In March, the U.S. State Department reported that there were numerous cases of aborted child trafficking operations intercepted by authorities during the year, particularly in the cities of Sana'a and Aden. ⁵⁰¹² The government has stated that it is extremely difficult to control Yemen's long seacoast, and that lack of resources, security staff, and equipment have exacerbated the situation. 5013

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

The Government of Yemen is implementing policies to curb child labor outlined in its National Strategy to Combat Child Labor and through its Poverty Reduction Strategy Paper (PRSP), which was designed to complement and support the government's efforts to alleviate poverty. The government is also taking steps to combat child labor through its National Strategy for Integrating Youth into Development, which aims to enforce laws and legislation that prohibit child labor and undertake actions against any forms of exploitation of young people that adversely affect their mental, physical, social or

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	✓

⁵⁰⁰⁸ Understanding Children's Work (UCW), *Understanding Children's Work in Yemen*, 2. See also Coalition to Stop the Use of Child Soldiers, *Global Report* 2004.

⁵⁰⁰⁹ U.S. Department of State, *Trafficking in Persons Report- 2005: Yemen, Kuwait, Saudi Arabia.* See also U.S. Embassy-Sana'a, reporting, March 15, 2005.

⁵⁰¹⁰ U.S. Embassy-Sana'a, reporting, March 15, 2005. See also U.S. Department of State, Trafficking in Persons Report- 2005: Yemen, Kuwait, Saudi Arabia.

⁵⁰¹¹ U.S. Embassy-Sana'a, reporting, March 15, 2005.

⁵⁰¹² U.S. Embassy-Sana'a, reporting, March 15, 2005.

⁵⁰¹³ UN Committee on the Rights of the Child, *Consideration of Reports of States Parties (continued): Third periodic report of Yemen,* CRC/C/SR.1049, prepared by Government of Yemen, pursuant to Article 44 of the Convention on the Rights of the Child, June 9, 2005, para. 54; available from

http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/43ba7a8950f906ecc125708400311306?Opendocument.

See UN Committee on the Rights of the Child, *Third Periodic Reports of States Parties*, para. 8. Among the main objectives, the PRSP 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. See also Republic of Yemen, *PRSP*, 11.

ethical well-being, among other goals. The Ministry of Human Rights has established a center to receive complaints concerning the exploitation, trafficking, and sexual or other abuse of children, and has set up a hotline for this purpose. The Ministry of Human Rights has established a center to receive complaints concerning the exploitation, trafficking, and sexual or other abuse of children, and has set up a hotline for this purpose.

With support from USDOL, the Government of Yemen is implementing a national program in cooperation with ILO-IPEC that aims to strengthen enforcement and monitoring mechanisms, build capacity, raise awareness on the negative consequences of child labor, and prevent and/or withdraw several thousand children engaged in or at risk of engaging in the worst forms of child labor. As part of this project, ILO-IPEC, with support from the Mayor of Sana'a, provides remedial education and vocational training in a rehabilitation center for street children who are engaged in exploitative forms of work or at-risk of entering child labor. The Ministry of Labor's Child Labor Unit is working with support from ILO-IPEC to analyze and update information on the worst forms of child labor in Yemen, and other aspects of child labor pertaining to gender, education, statistics, inspection, enforcement, occupational health and safety, and legislation; and to conduct additional policy analysis on the linkages between child labor and development issues. The government is also participating in a USD 8 million sub-regional project funded by USDOL to combat child labor through education in Lebanon and Yemen.

The Government of Yemen is increasing its efforts to combat trafficking in children and has signed agreements with neighboring countries in order to deal with the problem. Yemeni authorities, with support from UNICEF, are also working to crack down on corruption of border guards who participate in trafficking and to raise awareness among parents about the dangers of child trafficking. The government is also using its state-owned radio waves to broadcast programs for families aimed at raising awareness of child trafficking. The Yemeni government, in cooperation with UNICEF and ILO-IPEC, has set up a reception center at the Haradh border with Saudi Arabia to receive, rehabilitate, and educate child returnees. Since its launch in May until December 2005, the center had received more than 300 children. 5023

Although Yemen has the second lowest literacy rate for women in the Middle East,⁵⁰²⁴ the government is committed to improving overall basic education and bridging the gender gap.⁵⁰²⁵ The government has recently abolished primary school fees, assigned monetary penalties to parents who do not send their children to school, and prohibited corporal punishment in schools to eliminate some of the main obstacles to education.⁵⁰²⁶ Through the National Strategy for Girls' Education and the National Strategy for the

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⁵⁰¹⁵ Ministry of Youth and Sport Republic of Yemen, *The National Strategy for Integrating Youth Into Development, Second Edition*, 2002, 20.

⁵⁰¹⁶ UN Committee on the Rights of the Child, Consideration of Reports, para. 56.

The 4-year project, which began in September 2004, is targeting the following districts and sectors: Aden (fisheries); Hadhramout-Seiyoon (rural child labor); and Sana'a (working street children). See ILO-IPEC, Supporting the National Policy and Programme Framework, project document, 38.

⁵⁰¹⁸ U.S. Embassy- Sana'a, *reporting*, *August 23*, 2004. Throughout the year, the center holds classes after working hours to facilitate the transition from work to school. See U.S. Embassy- Sana'a, *reporting*, August 18, 2003.

⁵⁰¹⁹ ILO-IPEC, Supporting the National Policy and Programme Framework, project document, 33.

⁵⁰²⁰ 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. The 4-year project is targeting 3,000 children working and/or at-risk of working in agriculture or vulnerable to trafficking in Hajja, agricultural laborers in lbb, and children working in the fishing industry in Abyan. See also CHF International, *Alternatives to Combat Child Labor through Education and Sustainable Services in the Middle East and North Africa (MENA) Region*, cover page.

⁵⁰²¹ UN Committee on the Rights of the Child, Consideration of Reports, para. 22.

⁵⁰²² Garwood, "Yemen Steps up Fight."

⁵⁰²³ Reuters, Yemen: Fears over increasing child trafficking.

UNESCO, Education in the Arab States: Five Million Girls Still Denied Access to School, UNESCO Media Services, [electronic press release] May 14, 2003 [cited July 7, 2005]; available from

http://portal.unesco.org/en/ev.php@URL_ID=12055&URL_DO=DO_TOPIC&URL_SECTION=201.html.

⁵⁰²⁵ UNICEF, *Promoting Girls' Education in Yemen,* UNICEF, February 15, 2005 [cited July 7, 2005]; available from http://www.unicef.org/girlseducation/Yemen.pdf.

UN Committee on the Rights of the Child, Consideration of Reports, paras. 7-8, 34.

Development of Basic Education 2000-2015, special classes have been established for girls in existing schools, and new primary and secondary schools have been built. Other efforts include teacher training, modernization of curricula, and the provision of better facilities and equipment to schools throughout Yemen.

Through the World Bank's Education for All Fast Track Initiative, Yemen is one among 13 countries receiving expedited support to expand and improve the basic education sector and to provide all children with a primary school education by the year 2015. In 2005, with support from the World Bank, the Government of Yemen began implementing a USD 65 million Basic Education Development Program to help increase access to basic education for all, particularly girls and disadvantaged groups, to enhance the quality of education and to strengthen the capacity of the Ministry of Education (MOE). The Government of Yemen and the World Bank are also continuing to implement the Basic Education Expansion Project, which aims to support national basic education sector strategies. UNICEF is also working with the government to reduce the gender gap in primary education and improve educational quality. USAID is supporting a USD 4.7 million project to increase access to and improve the quality of basic education at the school level.

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World Bank, World Bank Announces First Group Of Countries For 'Education for All' Fast Track, [electronic press release] June 12, 2002 [cited July 7, 2005]; available from

http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,contentMDK:20049839~menuPK:34463~pagePK:34370~piPK:34424, 00.html.

⁵⁰²⁸ The 10-year project is scheduled to close in June 2010. See World Bank, *Yemen: World Bank Approves US \$65 Million to Boost Basic Education in Yemen*, press release, Washington, D.C., September 24, 2004; available from

http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,contentMDK:20261552~menuPK:34463~pagePK:64003015~piPK:640 03012~theSitePK:4607,00.html. See also World Bank, *Yemen: Basic Education Development Program*, World Bank, [database online] July 7, 2005 [cited July 7, 2005]; available from

http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P043255.

World Bank, *Basic Education Expansion Project*, World Bank, [database online] July 7, 2005 [cited July 7, 2005]; available from http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projecti d=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/multi0pag e.pdf. See also U.S. Embassy-Sana'a official, email communication to USDOL official, February 17, 2004.

⁵⁰⁵⁰ Activities include training teachers, headmasters, and teachers and parents' councils, and raising awareness at the community, regional, and national levels. See UNICEF, *Promoting Girls' Education in Yemen*.

U.S. Embassy-Sana'a official, email communication, February 17, 2004.