

Yemen

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

The Government of Yemen became a member of ILO-IPEC in June 1999. In 2000, USDOL funded an ILO-IPEC country program in Yemen. The program aims to withdraw and rehabilitate 3,000 child workers, provide them with formal and non-formal educational opportunities, train labor inspectors, and assist families through the provision of alternative income sources.²⁶⁹⁴ The program specifically targets children working in hazardous conditions, children under the age of 12, and girls.²⁶⁹⁵ The World Bank is funding a basic education program that provides school supplies to girls in order to offset education costs and boost attendance.²⁶⁹⁶

Incidence and Nature of Child Labor

In 1999, the ILO estimated that 19.2 percent of children between the ages of 10 and 14 were working in Yemen.²⁶⁹⁷ The majority of children work in the rural agricultural sector.²⁶⁹⁸ Children are also reported to work as domestic laborers and in the retail, fishing, construction, transport, and industrial sectors.²⁶⁹⁹ In urban areas, children work in stores and workshops, sell goods on the street, and beg.²⁷⁰⁰

Education is free and compulsory for nine years.²⁷⁰¹ According to the Constitution, educa-

²⁶⁹⁷ *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [CD-ROM].

²⁶⁹⁸ The economic crisis within the country and lack of social security benefits force many families to push their children into subsistence agriculture. See Government of Yemen, *Children and Women in Yemen: A Situation Analysis* (UNICEF and Radda Barnen, 1998) [hereinafter *Children and Women in Yemen*], 107. See also Bjerne Grimsrud, *Working Children in Yemen: Who Are They? A Study of Child Labour in Yemen*, a report produced for the Yemen General Federation of Workers Trade Unions (ILO-FAFO, 1999) [hereinafter *Working Children in Yemen*], 19, and *Country Reports on Human Rights Practices for 2000—Yemen* (Washington, D.C.: U.S. Department of State, 2001) [hereinafter *Country Reports 2000*], Section 6d, at <http://www.state.gov/g/drl/rls/hrrpt/2000/nea/index.cfm?docid=826>.

²⁶⁹⁹ *Working Children in Yemen* at 18-21. See also *Children and Women in Yemen* at 104.

²⁷⁰⁰ *Children and Women in Yemen* at 107.

²⁷⁰¹ *Preliminary Report of the Special Rapporteur on the Right to Education, Ms. Katarina Toma_evski*, submitted in accordance with Commission on Human Rights Resolution 1998/33, UN Document E/CN.4/1999/4913 (Geneva: UN Economic and Social Council, January 1999), at <http://www.right-to-education.org/unreports/unreport1prt3.html#tabel6> on 12/26/01. See also Solita Sarwono, "Women of Yemen Still Denied Their Basic Rights," *Jakarta Post*, March 13, 2000, at <http://users.bart.nl/~lisako/yemen.htm> on 12/26/01. See also *Country Reports 2000* at Section 5.

²⁷⁰² Constitution of Yemen, Article 53, 1994, at <http://www.al-bab.com/yemen/gov/con94.htm> on 12/21/01.

²⁷⁰³ UNESCO, *Education for All: Year 2000 Assessment* (Paris, 2000) [CD-ROM].

²⁷⁰⁴ For a more detailed discussion on the relationship between education statistics and work, see *Introduction* to this report.

tion is a public right and basic education is obligatory.²⁷⁰² In 1998, the gross primary enrollment rate was 68 percent. Boys enrolled at a rate of 89.1 percent, while girls enrolled at only 45.1 percent.²⁷⁰³ Primary school attendance rates are unavailable for Yemen. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.²⁷⁰⁴ The Ministry of Education reported that nearly 200,000 boys dropped out of school in 1999. Child labor is reported to interfere with school attendance, particularly in the agriculture and domestic service sectors.²⁷⁰⁵

Child Labor Laws and Enforcement

There is no clearly established minimum age for employment in Yemen.²⁷⁰⁶ The Labor Law of 1995 requires that children under 15 years of age obtain the consent of a parent in order to work, limits the number of hours children under 15 may work, and forbids overtime or night work.²⁷⁰⁷ The Labor Law also prohibits children from working in hard or hazardous conditions.²⁷⁰⁸ The Constitution of 1994 states that no citizen may be forced to do any work except within the law.²⁷⁰⁹ The Penal Code prohibits procuring another person for immoral purposes and prohibits a man from allowing a female under his guardianship to engage in prostitution.²⁷¹⁰ The Penal Code also criminalizes trafficking of persons.²⁷¹¹ The Ministry of Labor and Vocational Training is responsible for enforcing child labor laws,²⁷¹² but enforcement is reported to be weak, particularly in rural or remote areas.²⁷¹³ The Government of Yemen ratified ILO Convention 138 and ILO Convention 182 on June 15, 2000.²⁷¹⁴

²⁷⁰⁵ *National Program on the Elimination of Child Labor* at 7, 8.

²⁷⁰⁶ Labor Law No. 5 of 1995 defines a working child as an individual younger than 15 years old. However, the law does not specify a minimum age for employment. The 1995 Labor Law is a relaxation of the Labor Law of 1970, which set a minimum age of 12 years and established regulations for working children between 12 and 15 years old. See *National Program on the Elimination of Child Labor* at 4.

²⁷⁰⁷ *Children and Women in Yemen* at 110.

²⁷⁰⁸ *Ibid.* at 105.

²⁷⁰⁹ Constitution of Yemen, Article 29, 1994, at <http://www.al-bab.com/yemen/gov/con94.htm> on 12/21/01.

²⁷¹⁰ Penal Code, Articles 179, 180, as cited in UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1998: Yemen*, UN Document CRC/C/70/Add.1 (Geneva, July 23, 1998) [hereinafter *Second Periodic Reports of States Parties*], para. 91.

²⁷¹¹ Penal Code, Article 248, as cited in *Second Periodic Reports of States Parties* at para. 91.

²⁷¹² *National Program on the Elimination of Child Labor* at 11.

²⁷¹³ *Country Reports 2000* at Section 6d.

²⁷¹⁴ ILO, ILOLEX database: Yemen, at <http://ilolex,ilo.ch:1567/cgi-lex>.

NOTE: Hard copies of all Web citations are on file.

²⁷¹⁵ ILO-IPEC, "National Programme on the Elimination of Child Labour in Zambia" (Geneva, 1999) [hereinafter "Elimination of Child Labour in Zambia"], 5.

²⁷¹⁶ ILO-IPEC, *Prevention, Withdrawal and Rehabilitation of Children in Hazardous Work in the Commercial Agricultural Sector in Africa: Country Annex for Zambia*, (Geneva, 2000) [hereinafter *Prevention*,