

Yemen

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

The Government of Yemen has been a member of ILO-IPEC since 2000.³⁸⁴³ The Ministry of Labor has played a role in the development of strategies to recognize and combat child labor. Reports from the Ministry of Labor on the state of child labor in Yemen contributed to the formation of an ILO mission to investigate child labor in 1999.³⁸⁴⁴

On October 2000, USDOL funded an ILO-IPEC national program in Yemen that aims to withdraw approximately 3,000 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 support them with counseling, health care and recreational activities.³⁸⁴⁵ The program targets children working in extremely hazardous or abusive conditions, children below the age of 12, and girls.³⁸⁴⁶ A program to develop a National Policy and Program Framework for the elimination of child labor in Yemen was initiated in November 2001.³⁸⁴⁷

The Ministry of Education is making efforts to eliminate child labor by developing educational support programs, lowering school drop out rates of working children, and raising public awareness of the relationship between education and work.³⁸⁴⁸ In 2000, the Government of Yemen and the World Bank developed a Basic Education Expansion Project to give the highest priority to primary education, particularly focusing on increased access to education for girls in underserved rural areas. One of the stated objectives of the six-year project is to bridge gender gaps in basic education.³⁸⁴⁹

³⁸⁴³ *Memorandum of Understanding between The Government of Yemen and the International Labour Organization*, ILO, Geneva, June 12, 2000.

³⁸⁴⁴ *National Program on the Elimination of Child Labor in Yemen*, project document, ILO-IPEC, October 2000, 7-8.

³⁸⁴⁵ *Ibid.*, 13.

³⁸⁴⁶ *Ibid.*, 14.

³⁸⁴⁷ *National Program on the Elimination of Child Labor in Yemen: Technical Progress Report*, technical progress report, ILO-IPEC, March 15, 2001, 4.

³⁸⁴⁸ *Ibid.*, 10.

³⁸⁴⁹ *Basic Education Expansion Project* World Bank,2002 [cited August 2, 2002]; available from <http://4.worldbank.org/sprojects/Project.asp?pid=P043255>. and *Project Information Document* World Bank,2002 [cited August 2, 2002]; available from [wds.worldbank.org/servlet/WDSContentServer/WDSPath=IB/2000/07/27//000009265_3980929100228/Rendered/PDF/multi0page.pdf](http://wds.worldbank.org/servlet/WDSContentServer?WDSPath=IB/2000/07/27//000009265_3980929100228/Rendered/PDF/multi0page.pdf).

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 18.7 percent of children between ages 10 to 14 years were working in Yemen.³⁸⁵⁰ The majority of children work in agriculture without wages.³⁸⁵¹ Other children work street vendors, beggars, and domestics and in the fishing, leather, and automobile repair sectors.³⁸⁵²

The Constitution guarantees free and compulsory education to all Yemeni citizens.³⁸⁵³ Nine years of education is compulsory for children.³⁸⁵⁴ In 1998, the gross primary enrollment rate was 77.9 percent (100.2 percent for boys and 55.1 percent for girls), and the net primary enrollment rate was 61 percent.³⁸⁵⁵ 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.³⁸⁵⁶ 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.³⁸⁵⁷

Child Labor Laws and Enforcement

There is no clearly established minimum age for employment in Yemen.³⁸⁵⁸ Yemeni law defines a child as someone below the age of 15.³⁸⁵⁹ Under the Labor Law of 1995, a child may work up to seven hours per day and must be allowed a 60-minute break after four hours of labor. The

³⁸⁵⁰ World Bank, *World Development Indicators 2002* [CD ROM], Washington, DC, 2002.

³⁸⁵¹ Government of Yemen et al., *Children and Women in Yemen: A Situation Analysis- Summary 1998* (Government of Yemen et al., 1998), 1: 103-06. Please note that there is a paucity of current data on child labor in Yemen. The figures cited in the study are based on a 1994 population census.

³⁸⁵² *National Program on the Elimination of Child Labor*, 14.

³⁸⁵³ *Yemen (Constitutional Guarantees)* The Right to Education Project, Articles 32 and 53; available from right-to-education.org/search/index.html.

³⁸⁵⁴ UNESCO, "World Education Report 1998," in *Preliminary Report of the Special Rapporteur on the Right to Education*, ed. Katarina Tomasevski 1999, 144-47 [cited 2 August 2002]; available from right-to-education.org/search/index.html. These figures refer to 1995.

³⁸⁵⁵ World Bank, *World Development Indicators 2002*.

³⁸⁵⁶ For a more detailed description on the relationship between education statistics and work, see the preface to this report.

³⁸⁵⁷ *National Program on the Elimination of Child Labor*, 7-8.

³⁸⁵⁸ Article 19 of the Basic Labor Code (Act No. 141 of 1978) prohibits the employment of children under 16 years of age unless they have completed their basic education or are granted special permission from the ministry. The Labor Law 5 of 1995 does not specify a minimum age for employment. See Government of Yemen et al., *Children and Women in Yemen*, 1:100-01. The U.S. Department of State's 2001 Human Rights Report states that the minimum age of a working child is 15 in the private sector and 18 in the public sector. U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Yemen*, Washington, DC, 2002, 2341-43, Section 6d.

³⁸⁵⁹ See the unofficial English translation of the *1995 Labor Law* conducted by ILO. Government of Yemen, *1995 Labor Law*, translated by ILO, Article 2 [cited 2 August 2002]; available from www.natlex.ilo.org/txt/E95YEM01.htm#a42.

maximum workweek for a child is 42 hours per week.³⁸⁶⁰ An employer must secure the approval of a child's guardian and notify the Ministry of Labor before employing a child. The Labor Law prohibits hazardous working conditions for children.³⁸⁶¹ Overtime for children and work on official holidays is also prohibited.³⁸⁶² Moreover, employers must grant every child a 30-day annual leave for every 12-month period of labor completed. Neither the child nor the parent may waive this annual leave.³⁸⁶³ The Labor Law further establishes the minimum wage for children to be not less than two-thirds that of an adult.³⁸⁶⁴

A severe lack of resources and capacity prevents the government from enforcing laws regarding child labor and education, a problem that is compounded in rural areas.³⁸⁶⁵

The Government of Yemen ratified ILO Conventions 138 and 182 on June 15, 2000.³⁸⁶⁶

³⁸⁶⁰ Article 45 of the *1995 Labor Law*, as quoted in Government of Yemen et al., *Children and Women in Yemen*, 1: 101. The English translation locates this stipulation elsewhere. See *1995 Labor Law*, Article 48; available from natlex.ilo.org/txt/E95YEM01.htm#a42.

³⁸⁶¹ *1995 Labor Law*, Article 49.

³⁸⁶² Article 48 of the *1995 Labor Law* quoted in Government of Yemen et al., *Children and Women in Yemen*, 1: 101. See also *1995 Labor Law*, Article 49.

³⁸⁶³ *1995 Labor Law*, Article 50.

³⁸⁶⁴ *Ibid.*, Article 52.

³⁸⁶⁵ U.S. Department of State, *Country Reports- 2001: Yemen*, 2341-43, Section 6d. *National Program on the Elimination of Child Labor*, 8, *National Program on the Elimination of Child Labor in Yemen: Technical Progress Report*, 23.

³⁸⁶⁶ ILO, *Ratifications by Country* in ILOLEX, [database online] [cited September 15, 2002]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.