

In 2013, Yemen made a minimal advancement in efforts to eliminate the worst forms of child labor. In March, the Ministry of Social Affairs and Labor (MOSAL) issued Ministerial Decree Number 11, which codifies the age limit for hazardous work, and lists specific jobs considered hazardous for children and penalties for employers who violate the law. The Ministry of Education, MOSAL, and the Ministry of Planning and International Cooperation (MOPIC) are participating in donor-funded programs that target special needs groups, including child laborers and street children, and in rehabilitation of schools affected by violence due to the country's internal conflicts. However, children in

Yemen continue to engage in child labor in the agriculture sector and in the worst forms of child labor as child soldiers. Gaps in laws, enforcement, policies, and programs to combat child labor remain. There is no information available on whether enforcement actions were taken during the reporting period, and the child labor policy has not been implemented for more than five years. Both the Yemeni Army and other armed groups continue to use children in the country's internal conflicts. No evidence was found of Government efforts to provide demobilization and rehabilitation services to child soldiers who have been involved in combat.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Yemen are engaged in child labor in the agriculture sector and in the worst forms of child labor as child soldiers. (1-6) Table 1 provides key indicators on children's work and education in Yemen.

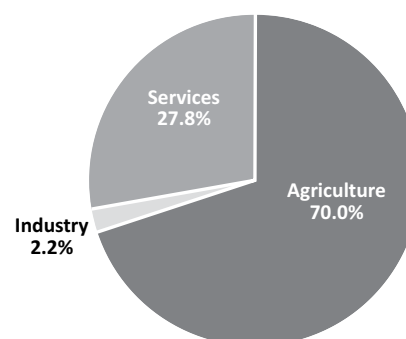
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	13.6 (834,866)
Attending School (%)	5-14 yrs.	68.0
Combining Work and School (%)	7-14 yrs.	10.3
Primary Completion Rate (%)		69.8

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from SIMPOC Survey, 2010.(8)

Figure 1. Working Children by Sector, Ages 7-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of qat*† (a mild narcotic legal in Yemen) (3)
	Production of cereals,* fruits,* and vegetables* (5)
	Fishing,† activities unknown (3, 4, 9-11)
	Hunting, activities unknown (6)
Industry	Work in rock quarries and mining† (3, 6, 11)
	Construction, activities unknown (3, 6)
	Work in auto shops,*† washing cars* (3)
	Work in welding,* glass shops,* and painting* (3)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Street work, begging (3, 6, 12)
	Work in restaurants,† domestic service† (3)
	Waste collection*† (12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of trafficking (3, 13-16)
	Drug trafficking* (3)
	Forced labor, forced begging, and smuggling of <i>qat</i> as a result of trafficking* (3, 17)
	Forced domestic service* and forced work in agriculture* (3, 17)
	Use of under age children in armed conflict and use of children in illicit activities, such as spying, and serving as informants/messengers (11, 18, 19)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Yemen is undergoing a political transition. Armed conflict involving Houthi-aligned forces persists in the north and between the Yemeni Armed Forces (YAF) and al-Qa’ida in the Arabian Peninsula (AQAP) in the south of the country.(20)

Children in Yemen are vulnerable to recruitment and engagement in ongoing armed conflicts.(15, 19, 20) During the reporting period, 106 children were reported to be recruited, all boys between 6 and 17 years of age.(19) While a 1991 law prohibits the use of child soldiers, the Yemeni Armed Forces (YAF), military police, many tribal militias, Popular Committees, al-Qa’ida in the Arabian Peninsula, and other non-state elements, continue to have children in their ranks.(11, 18, 19) In 2013, the YAF and tribal-based factions used children in support roles. However, tribal-based factions also used children in armed conflict.(21) Family members, military officers, and local sheiks facilitate the recruitment of children for the YAF through the means of false identification and birth certificates.(18) Limited evidence suggests that boys in AQAP are subject to sexual abuse.(21)

Determining precise ages of children recruited for military activity is a problem due to the low number of birth registrations.(22) However, limited evidence suggests that 12- to 15-year-old married boys in northern tribal regions are considered adults and therefore are obligated to show their allegiance to their tribe by participating in different activities in the internal conflict. Some reports indicate that boys under age 18 were tribal fighters in conflicts; however, other sources indicate that boys were used only as guards.(17)

Limited evidence suggests that the Government of Yemen has made some efforts to prevent the recruitment of children.(15) The Government does not appear to have any disarmament, demobilization, or reintegration programs for children affected by armed conflict.(23)

Rural children are trafficked within Yemen to hotels in Aden, Sana’a, Taiz, and other cities for commercial sexual exploitation.(15) Yemeni children are trafficked to Saudi Arabia for commercial sexual exploitation, forced labor, forced begging, and smuggling of *qat*.(13, 16, 24) Saudi tourists marry Yemeni girls in temporary marriages, lasting up to a few months, until the tourist either deserts the girl or takes her back to Saudi Arabia where often she is subjected to sex trafficking or abandoned.(14, 16) During the reporting period some men, in order to be accepted into the armed forces, forced their sisters under age 18 into forced marriages with leaders of AQAP.(21)

Access to education in Yemen remains a serious problem. In 2011, it was reported that less than half of all boys and about one quarter of girls attend secondary school.(16) Access to education is limited in poor rural areas, and poor rural girls are the most vulnerable to dropout before the compulsory age.(25) Households sometimes pull children out of schools to work due to household economic and food security concerns.(26) Sometimes girls leave school early so they can get married, and they rarely finish their education after marriage. There is no minimum age for marriage in Yemen, and there is evidence that girls as young as age 8 are forced into marriage.(17, 27)




Enrollment rates in schools have been seriously affected by Yemen's internal conflict and high levels of violence. There is some evidence that these problems have prematurely closed schools and that school buildings have been destroyed during periods of violence.(9, 21, 28-30) In some cases, enrollment has been affected by the internal displacement of persons in the south and north.(9, 21, 28-30) During the reporting period, the Government worked with UNICEF, the Social Fund for Development (SFD), the Global Partnership for Education (GPE), and the Government of Japan on rehabilitation work for many affected schools and construction of temporary schools in conflict-ridden areas.(31-33)

Children in Yemen often are often paid the same wages as adults, a factor that encourages families to allow their children to work.(11)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Yemen has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Ministerial Order No. 11 (34)
Minimum Age for Hazardous Work	Yes	18	Article 21 of Ministerial Decree No. 56 (an amendment to Law No. 45); Labor Law No. 5; Ministerial Decree 11 (11, 35)
List of Hazardous Occupations Prohibited for Children	Yes		Ministerial Decree 11 (11, 35)
Prohibition of Forced Labor	Yes		Ministerial Order No. 56 (35)
Prohibition of Child Trafficking	Yes		Article 248 of Penal Code (15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 161 of Child Rights Act; Ministerial Order No. 56 (36, 37)
Prohibition of Using Children in Illicit Activities	Yes		Ministerial Order No. 56 (36, 38)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Rights of the Child Act; Ministerial Order No. 56 (16, 39)
Compulsory Education Age	Yes	15	Ministerial Decree 56 (36, 38)
Free Public Education	Yes		General Education Law No. 45 (23)

* No conscription or no standing military.

In March 2013, MOSAL issued Ministerial Decree Number 11, which codifies the age limit for hazardous and nonhazardous work, and specifically lists jobs considered hazardous and penalties for employers who violate the law.(11, 40) The hazardous list for children identifies 42 occupational and activity sectors, including spraying

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agricultural pesticides, working in tobacco, *narghile* tobacco, and cloth dyeing factories; working in x-ray and nursing establishments; working with iron and aluminum saws; working in all fishing and diving activities; and descaling of fish with sharp instruments.(40)

There is no criminal law that prohibits foreign tourists from sexually exploiting children and adults in Yemen.(17)

The trafficking law is not fully comprehensive, and only narrowly focuses on transactions and movement of humans internationally. There are no provisions for children trafficked domestically.(15, 45) A new law is awaiting endorsement in parliament, and this law will criminalize forced marriage.(15, 41).

Yemen does not have compulsory military recruitment, and the voluntary recruitment age is 18.(16, 39) The 1991 law prohibiting the use of children as soldiers does not establish a penalty for violations.(11)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
The MOSAL Child Labor Unit (CLU)	Enforce child labor laws, conduct inspections, and inform the Ministry of the Interior of any violations.(10)
Ministry of Interior (MOI)	Enforce child labor laws; police agencies within the MOI handle trafficking investigations.(10, 11)
Ministry of Justice (MOJ)	Enforce child labor laws and prosecute and adjudicate child labor cases.(10)
The Ministry of Human Rights, MOJ, the Ministry of Legal Affairs, Parliament, and the Social Fund for Development (SFD)	Maintain supporting roles in combating child trafficking.(13)

Research found no evidence that law enforcement agencies took actions to combat child labor, including its worst forms.

Labor Law Enforcement

During the reporting period, the CLU had 160 inspectors, which is a large increase from the 57 inspectors that existed in 2012. While inspectors have received training, they have been unable to perform their inspection duties due to lack of funding and transportation.(11) As there were no inspections carried out in 2013, there is no information on violations found or prosecutions for offenses.

Criminal Law Enforcement

Anti-trafficking efforts were impeded during the reporting period due to the political transition.(41) Research found no information on the number of arrests, investigations, prosecutions, or convictions for offenses related to the worst forms of child labor, including trafficking.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
The National Steering Committee to Combat Child Labor	Coordinate child labor issues in Yemen; consists of representatives from MOSAL, the Higher Council for Motherhood and Childhood (HCMC), the Chamber of Commerce, ILO-IPEC, and local NGOs.(42)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
The Technical Committee on Combating Child Trafficking, composed of HCMC, relevant ministries, the UN, and local NGOs	Coordinate efforts to combat child trafficking and smuggling. Established in 2008 and composed of representatives from Saudi Arabia and Yemen and Ministry of Social Affairs and Labor, and UNICEF. Meet on a weekly basis and is currently working on the development of a national strategy to combat human trafficking.(43)
National Network for Child Protection	Hold regular meetings and training sessions; established by HCMC.(36)

In January 2013, UNODC, in partnership with the League of Arab States, held a training workshop on anti-trafficking legislative drafting for the committee charged with this task, made up of representatives from the MOJ, MOI, the General Attorney's Office, and other civil society members in Sana'a. The workshop concluded with recommendations for Yemen to adopt a comprehensive law and develop a national strategy on combating human trafficking.(44)

The National Steering Committee to Combat Child Labor authored the March 2013 Ministerial Decree on hazardous work prohibited to children. In December, MOSAL organized a workshop which included representatives of Yemen's Children's Parliament, NGOs, and the private sector on the issues of child labor.(11)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Yemen has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Policy and Program Framework for the Eradication of Child Labor and Elimination of Its Worst Forms	Created in 2005 and developed by MOSAL, ILO-IPEC and HCMC to eliminate child labor. Implementation of the National Policy and Program Framework for the Eradication of Child Labor and Elimination of its Worst Forms has been delayed by more than 7 years due to a lack of funds and poor coordination among the ministry and other parties.(36)
National Strategy for Combatting Trafficking in Persons*	Drafted in 2013 by the Ministry of Human Rights. Includes researching the problem, training awareness and cooperation between Yemen and neighboring countries, training officials, and creating protection procedures for trafficking victims. Research did not reveal any information on the status of implementation of the National Strategy for Addressing Trafficking in Persons.(41)
The Child Protection Sub-Cluster (CPSC)*	Addresses the effect of the internal strife between Government forces and tribal combatants on Yemen's children.(45) Reports on child rights violations, assesses risks and trends faced by children in the crisis; builds capacity among civil society organizations responding to children's needs and coordinates child protection working groups in all conflict-affected areas.(45) In 2013, met to discuss a policy paper on the review of legislation to protect children; also discussed educating children about the dangers posed by military mines.(46)

*The impact of this policy on child labor does not appear to have been studied.

The Yemeni Cabinet approved during the reporting period a UN-drafted action plan to reduce the use of child soldiers, which was signed by the Prime Minister after the end of the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Yemen participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Phase IV of the Social Fund for Development (SFD)	SFD program to achieve poverty reduction through economic and social development.(47) Special needs groups, including child laborers and street children, are targeted under the SFD for social protection and education programs in partnership with the Ministry of Education, MOSAL, and the Ministry of Planning and International Cooperation. Includes improving centers for street children and developing safe child health and educational services.(48) Phase IV of the SFD, which runs through 2015, has received significant funding (\$167 million) from the United Kingdom's Department for International Development (DFID).(49) In 2013, SFD assisted with the rehabilitation of 33 schools affected by violence in Abyan.(32)
Social Welfare Fund (SWF) cash transfer program*	International Development Association program for low-income households; reaches almost 1 million poor and vulnerable Yemeni households. Provides beneficiaries with vocational skills and economic opportunities, including small and micro-enterprise development, in order to eventually graduate from the cash transfer program.(50)
Direct cash transfer program sponsored by DFID*	\$2.3 million DFID-funded program with Government participation, which provides direct cash transfers for 20,000 chronically poor and food-insecure households during 2012.(49, 51) Reports from 2013 indicate that there are delays in its implementation; however, the DFID expects to meet targets for 2013 and 2014.(52)
Temporary classrooms in conflict-affected areas	Government of Japan-funded project to support construction of 24 new schools in areas affected by conflict in Aden, Lahj, Abyan, Al Dhale, and Shabwa Governorates.(31)
Middle East Partnership Initiative projects	Government participates in project run by the US DOS that offers business training for high school youth; may encourage decent work for youth and reduce their vulnerability to worst forms of child labor. One such project targets youth in Sana'a and Aden for training and internships.(53, 54)

*The impact of this program on child labor does not appear to have been studied.

The Yemeni government closed the reception center for the rehabilitation of child labor trafficking victims in Sana'a due to a low number of clients, but MOSAL continued to operate a center in Haradh.(14, 23) Efforts to combat trafficking in persons in Yemen are hampered by lack of government funding and due to weakened governance during the two-year transition Government.(15, 22)

Although Yemen has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.(11)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Yemen (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Create legislation to criminalize the sexual exploitation of children by foreign tourists.	2013
	Enact new trafficking legislation to ensure all children are protected from trafficking domestically.	2013
	Ratify the Palermo Protocol on Trafficking in Persons.	2013
	Institute criminal penalties for violations of the law against recruitment of children into armed groups.	2013
Enforcement	Record and make public the numbers of investigations, arrests, prosecutions, and convictions for worst forms of child labor offenses, including trafficking.	2010 – 2013
	Ensure there is sufficient funding for inspections to be carried out and that inspections are targeted in the sectors where the worst forms of child labor are prevalent.	2009 – 2013
Government Policies	Discontinue the use of children in armed conflict.	2009 – 2013
	Study the impact on child labor of the Child Protection Sub-Cluster policy.	2013
	Reevaluate and implement the National Policy and Program Framework for the Eradication of Child Labor and Elimination of Its Worst Forms.	2009 – 2013
Social Programs	Implement a demobilization and rehabilitation program for children recruited into armed conflict.	2011 – 2013
	Take steps to address factors that prevent girls and boys from attending school, such as income pressures on families.	2013

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
	Evaluate social protection programs to determine whether they have had an impact on reducing child labor, particularly in the agriculture and fishing sectors.	2011 – 2013

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