

In 2016, Yemen made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Education worked with UNICEF to rehabilitate schools and set up temporary learning facilities to allow 1.7 million children to access education. However, children in Yemen are engaged in the worst forms of child labor, including in fishing and armed conflict. Due to the ongoing armed conflict with the Houthi-Saleh rebels, the internationally recognized Republic of Yemen Government remained in exile in Saudi Arabia for the majority of this period and had limited operational control of its ministries in Yemen. As a result, it was unable to enforce the minimum age protections of the law or to provide demobilization and rehabilitation services to children who have been recruited and used by non-state armed groups in armed conflict.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Yemen engage in the worst forms of child labor, including in fishing and armed conflict.(1-7) According to the 2010 *National Child Labor Survey*, the majority of working children were in the agricultural and domestic work sectors.(1) Table 1 provides key indicators on children’s work and education in Yemen.

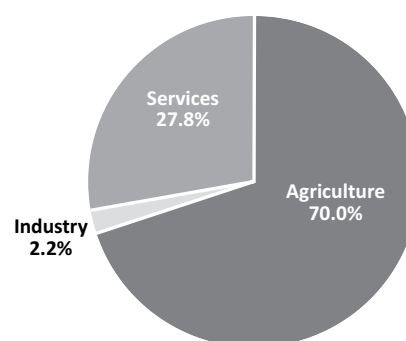
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	13.6 (834,866)
Attending School (%)	5 to 14	68.0
Combining Work and School (%)	7 to 14	10.3
Primary Completion Rate (%)		69.2

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from *National Child Labor Survey, 2010*.(9)

**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	Farming, activities unknown (2, 10)
	Fishing, † activities unknown (1, 2, 11)
	Hunting, activities unknown (1)
Industry	Quarrying and mining (1, 2, 11)
	Construction, † activities unknown (1)
Services	Street work, including begging and scavenging garbage (1, 2, 11-14)
	Working in auto shops (2, 11)
	Domestic work † (1, 10)
	Selling goods in stores (1)
	Voluntarily recruited children used in hostilities by state armed groups (2, 4)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 3, 11, 15, 16)
	Use in illicit activities, including in drug trafficking (16)
	Domestic work, begging, and working in small shops, each as a result of human trafficking (16)
	Forced recruitment of children by non-state armed groups for use in armed conflict (2-7)

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

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

The civil war in Yemen continued throughout 2016. Republic of Yemen Government officials traveled intermittently from Saudi Arabia to Yemen, mostly Aden, but were unable to establish a sustained presence in the country.(2) The Republic of Yemen Government also had limited operational control over its ministries and remained unable to enforce regulations.(2)

Reports indicate that, due to economic hardships, commercial sexual exploitation of children increased. Girls are trafficked within Yemen to hotels in Aden, Sana’a, Ta’iz, and other cities for commercial sexual exploitation.(16) There is evidence that Yemeni children, mostly boys, migrate to Sana’a, Aden, and Saudi Arabia, where they are engaged in forced labor in domestic work, begging, or working in small shops. Tourists, including those from Saudi Arabia, enter into temporary marriages with Yemeni girls, which is a form of commercial sexual exploitation.(16) Limited evidence points to the existence of chattel slavery, as children are sold and inherited as property in the al-Hudaydah and al-Mahwit governorates.(16)

Various armed groups recruited and used child soldiers, including the Houthis, the Houthi-affiliated Popular Committees, *Al Qaeda* in the Arabian Peninsula, tribal militias, and government forces.(2-4, 7, 17) Children served as checkpoint guards or fighters.(4) Child soldiers on all sides of the conflict likely received payments, meals, and *qat*, a mild narcotic that is legal in Yemen, in exchange for their service.(2, 4) Limited evidence suggests that boys between the ages of 12 and 15 who are married in northern tribal regions are considered adults, and therefore are obligated to show their allegiance to their tribes by participating in the internal conflict, including through fighting or serving as guards. Some child soldiers were subjected to rape when captured by opposing warring groups in Aden.(2)




Enrollment rates in schools have been seriously affected by the internal conflict in Yemen, high levels of violence, and internal displacement.(18) According to UNICEF, in the 2015–2016 academic year, 1,600 schools remained closed and approximately 2.2 million school-aged children were out of school.(5)

Among the *Muhamasheen* (“marginalized”) minority group, generally of sub-Saharan African origin, illiteracy rates are high and child labor in the form of begging is prevalent.(12) Syrian refugee children are also engaged in begging.(19)

## II. LEGAL FRAMEWORK FOR 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 Republic of Yemen Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Yemen's legal framework to adequately protect children from child labor.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Section 5 of Ministerial Order No. 11 of 2013 (20)
Minimum Age for Hazardous Work	Yes	18	Section 7 of Ministerial Order No. 11 of 2013 (20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 7, 8, and 15 of Ministerial Order No. 11 of 2013 (20)
Prohibition of Forced Labor	No		Section 26 of Ministerial Order No. 11 of 2013 (21)
Prohibition of Child Trafficking	No		Section 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (21, 22)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 147 and 163 of the Child Rights Law; Articles 272-274 and 279 of the Penal Code (22, 23)
Prohibition of Using Children in Illicit Activities	Yes		Section 24 of Ministerial Order No. 11 of 2013; Articles 148 and 162 of the Child Rights Law (21, 23)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 149 of the Child Rights Law (23)
Non-State Compulsory	No		
Compulsory Education Age	Yes	15 <sup>‡</sup>	Article 18 of the General Education Law (24)
Free Public Education	Yes		Article 87 of the Child Rights Law (23)

\* No conscription (25)

<sup>‡</sup> Age calculated based on available information

Research did not find any legal prohibition of debt bondage and slavery. The legal framework does not appear to explicitly prohibit forced labor.

Research could not determine whether the legal framework adequately prohibits using, procuring, or offering a child in pornography and pornographic performances, or whether it prohibits using a child in prostitution, because a public version of Ministerial Order No. 11 of 2013, which replaced Ministerial Order No. 56 of 2004 containing some protections, was not available.

Based on available information, Ministerial Order No. 11 of 2013 does not appear to explicitly include all phases of child trafficking, such as harboring, transporting, and transferring children for exploitation.(21)

Research did not discover any law to establish 18 as the minimum age for recruitment by non-state armed groups.

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

The Republic of Yemen Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Social Affairs and Labor's Child Labor Unit	Enforce child labor laws, conduct inspections, inform the Ministry of the Interior of any violations, and refer children found during inspections to appropriate social services. Receive complaints of child labor.(11)
Ministry of the Interior	Enforce child labor laws. Police agencies within the Ministry of the Interior handle human trafficking investigations.(11)
Ministry of Justice	Enforce child labor laws and prosecute and adjudicate child labor cases.(11)
Ministry of Human Rights, Ministry of Legal Affairs, Parliament, and the Social Fund for Development	Maintain supporting roles in combating child trafficking.(11)

# Yemen

## MINIMAL ADVANCEMENT

As of late November 2016, the internationally recognized Republic of Yemen Government reestablished a steady presence in Aden, as well as an intermittent presence in some other governorates. However, it was unable to return to the capital Sana'a or fully reestablish the rule of law in the territory it holds.(17)

### *Labor Law Enforcement*

In 2016, labor law enforcement agencies in Yemen did not take actions to combat child labor, including its worst forms. The Republic of Yemen Government was unable to enforce child labor laws due to the civil war.(2) No funding and training were provided for labor inspection. There was no mechanism to receive child labor complaints.(2)

The Ministry of Social Affairs and Labor's General Administration of Labor Inspection does not have the authority to enforce child labor laws in agriculture and domestic work.(26)

### *Criminal Law Enforcement*

In 2016, criminal law enforcement agencies in Yemen did not take actions to combat the worst forms of child labor.(2)

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

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

**Table 6. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee to Combat Child Labor	Coordinate child labor issues in Yemen. Comprises representatives from the Ministry of Social Affairs and Labor, other state agencies, ILO-IPEC, and local NGOs.(11)
Technical Committee for Combating Trafficking in Persons	Develop a national strategy to combat human trafficking.(27)
National Network for Child Protection	Implement training programs and media awareness campaigns, and advocate for progress on children's issues.(11)
Joint Technical Committee to Prevent Recruitment of Children in the Yemeni Armed Forces	Implement and monitor the Action Plan to end and prevent the recruitment of children by the Yemeni Armed Forces. Comprises the Ministry of Defense, the Higher Council for Motherhood and Childhood, the Civil Status and Registration Authority, and UN representatives.(28)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

**Table 7. Key Policies Related to Child Labor**

Policy	Description
Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces	Ensures that national laws comply with international standards, prohibit the recruitment and use of children in armed forces, investigate allegations of violations, and facilitate UN access to monitor compliance.(29) Due to political instability, the Republic of Yemen Government could not implement the Action Plan in 2016.(2)

Although the Republic of Yemen Government has adopted the Action Plan to End and Prevent the Recruitment of Children, research found no evidence of a policy on other worst forms of child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Republic of Yemen Government participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Key Social Programs to Address Child Labor**

Program	Description
Child Protection Activities	UNICEF-funded programs designed to provide psychosocial support, including access to sports and arts, in community-based and mobile centers.(30) In 2016, UNICEF provided psychosocial support to approximately half a million children in child-friendly spaces in 18 governorates.(31)
Educational Activities	UNICEF-funded programs, conducted in cooperation with the Republic of Yemen Government, that provide educational support activities and services.(30) In 2016, UNICEF worked with the Ministry of Education to rehabilitate schools and set up temporary learning schools to allow 1.7 million children to access education.(31)

Research found no programs intended to remove, rehabilitate, and reintegrate children engaged in armed conflict.(32) Although Yemen has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in fishing.

## 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
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Ensure that debt bondage, slavery, and all phases of child trafficking are criminally prohibited.	2015 – 2016
	Make Ministerial Order No. 11 of 2013 publicly available.	2015 – 2016
	Ensure that the law is sufficiently comprehensive to prohibit using, procuring, and offering a child for prostitution, as well as child pornography and pornographic performances.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Ensure that the labor inspectorate has the capacity to enforce labor laws, including through reestablishing a mechanism to receive child labor complaints.	2015 – 2016
	Ensure that labor inspectors have proper funding and training to conduct inspections.	2009 – 2016
	Ensure that authorities can enforce minimum age protections in all sectors in which the worst forms of child labor are prevalent, including in agriculture and domestic work.	2009 – 2016
	Ensure that criminal law enforcement agencies can enforce child labor laws.	2015 – 2016
Government Policies	Implement the Action Plan to End and Prevent the Recruitment of Children by Yemeni Armed Conflict.	2009 – 2016
	Adopt a policy that addresses all relevant worst forms of child labor, such as human trafficking.	2009 – 2016
Social Programs	Expand programs to improve children's access to education.	2013 – 2016
	Institute a rehabilitation and reintegration program for children engaged in armed conflict and children involved in other worst forms of child labor, including fishing.	2011 – 2016

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