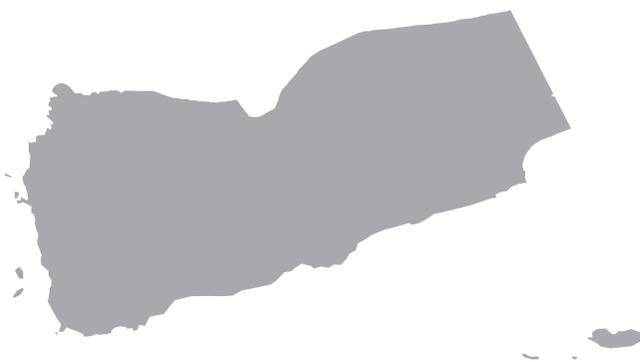


## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

In 2018, Yemen made a minimal advancement in efforts to eliminate the worst forms of child labor. The Republic of Yemen Government participated in UNICEF programs that provided educational and social services. However, despite initiatives to address child labor, Yemen is receiving this assessment because it continued to implement practices that delayed advancement in eliminating the worst forms of child labor. The government did not make efforts to combat chattel slavery by investigating and prosecuting cases, and it failed to make efforts to address discrimination in schools against children from the Muhamasheen

community, leading to their increased vulnerability to child labor. Furthermore, there is evidence of recruitment and use of children in hostilities by state armed forces in contravention of Yemeni law. Children in Yemen engage in the worst forms of child labor, including in commercial sexual exploitation and armed conflict. Children also engage in child labor in fishing. Due to the ongoing armed conflict, the internationally recognized Republic of Yemen Government worked to operationalize government ministries in its temporary capital, Aden, but was unable to provide sufficient demobilization and rehabilitation services to children who have been recruited and used by various groups engaged in armed conflict, or who have engaged in other worst forms of child labor. The rebel Houthi movement that controls a significant amount of territory in Yemen, including the occupation of Yemen's capital city, Sana'a, made no effort to address child labor concerns in areas under their control, and would not allow researchers access to survey the population on child labor indicators.



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

Children in Yemen engage in the worst forms of child labor, including in commercial sexual exploitation and armed conflict. (1-5) Children also engage in child labor in fishing. (6-8) According to the 2010 National Child Labor Survey, most working children were in the agricultural and domestic work sectors. (6) Table I provides key indicators on children's work and education in Yemen.

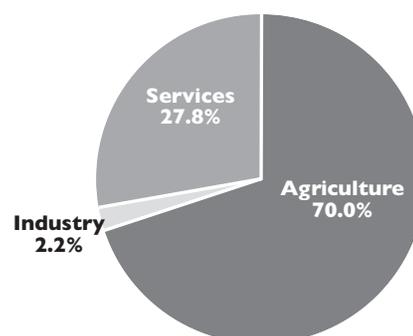
**Table I. Statistics on Children's Work and Education**

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 (%)		71.6

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey, 2010. (10)

**Figure I. 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 (7, 11)
	Fishing, † activities unknown (6-8)
	Hunting, activities unknown (6)

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

Sector/Industry	Activity
Industry	Quarrying† and mining† (6-8)
	Construction,† activities unknown (6)
	Working in carpentry† and welding† workshops (12,13)
Services	Street work, including selling items, begging, and scavenging garbage (6,14-18)
	Working in auto repair and mechanic shops† (7,8)
	Domestic work† (6,11)
	Selling goods in stores (6)
	Voluntarily recruited children used in hostilities by state armed groups (3,19-21,22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,23,24)
	Use in illicit activities, including in drug trafficking (2,25)
	Recruitment of children by non-state armed groups for use in armed conflict (3-5,22,26-28,29)

† 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.

Protracted civil war in Yemen continued in 2018, a situation that the UN called the worst humanitarian crisis in the world. (31) As of December 2018, over 22 million Yemenis were in need of humanitarian assistance, including 18 million who were food insecure, 2 million of whom were children. (31-33) An additional 1.8 million children are severely malnourished. (33) Approximately 2 million Yemenis were internally displaced, half of them children, and an additional 1 million were internally displaced persons (IDPs) who were returning to their homes even though it was not yet safe. (32,34,35) Yemen was also home to approximately 280,000 refugees and asylum seekers, mostly from Somalia and Ethiopia. Over 20 percent of these refugees were children. (36) Vulnerable populations, including IDPs and refugees, were at increased risk of child labor and human trafficking. (37,38)

Various armed groups, including the Houthis or Houthi-affiliated militias, terrorist groups, and pro-government forces, recruited and used child soldiers to serve as fighters or checkpoint guards. In addition, the Yemeni Armed Forces recruited and used children, typically ages 15 to 17, for these same purposes in contravention of Yemeni law. (3-5,21,22,27-29) An international organization reported armed groups used both boys and girls in combat and to guard checkpoints and military facilities during the reporting period. This is largely due to endemic customs and culture in which tribal leaders arm children to participate in local militias that may support the government, back the Houthi movement, act as an anti-Houthi force, or be part of an unaligned tribal, local, or regional group that protects the respective village from rival tribes or other outsiders. (39) Limited evidence also points to recruitment of Yemeni and Sudanese children into the Coalition forces as a result of human trafficking. (30) Some child soldiers are subjected to sexual violence. (3,22) Armed groups provide financial incentives and *qat*, a mild narcotic that is legal in Yemen, for child recruitment, exacerbating the problem. (3,40,41)

There is evidence of chattel slavery, as children are owned, sold, and inherited as property particularly in Al Hajjah, Al Hudaydah, and Al Mahwit governorates. (2,26,42,43) Yemeni children, mostly boys who migrate to Sana’a, Aden, and Saudi Arabia, are engaged in forced labor for domestic work, begging, or work in small shops. (2,26) Moreover, reports indicate that commercial sexual exploitation of children has increased over the past several years. Girls are subjected to human trafficking for commercial sexual exploitation within Yemen in hotels and clubs located in Aden, Sana’a, Ta’iz, and other cities. (2,26)

There were 2,500 schools that were out of use, some partially or totally destroyed as a result of armed conflict, and some used as shelters. (44-46) According to UNICEF, more than 2 million children were unable to attend school. (44) Many families could not afford transportation costs to schools. (47) Approximately 75 percent of teachers in 11 governorates have not been paid since October 2016, disrupting the education of 3.7 million children. (34) The Republic of Yemen Government stated that Houthi forces have changed the school curricula in areas under their control to teach children about their ideology and have children attend militia events. (48)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

Among the *Muhamasheen* (“marginalized”) minority group, generally of African origin, illiteracy rates are high, and child labor in the form of begging is prevalent. This community also suffers from general poverty and severe societal discrimination, including in distribution of humanitarian aid. (14,49-51) They also make up a large proportion of people living as IDPs. (46,51) Many *Muhamasheen* children do not have birth certificates, which are required for enrollment in schools. They face harassment, bullying, and violence at school, are dismissed from school, or are asked to clean the bathrooms, leading some to drop out. (50,51) *Muhamasheen* boys are vulnerable to sexual violence by armed actors, particularly while they engage in child labor, even if they are not directly involved in armed conflict. (50)

## II. LEGAL FRAMEWORK FOR 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 laws and regulations related to child labor (Table 4). However, gaps exist in Yemen’s legal framework to adequately protect children from the worst forms of child labor, including child trafficking.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 5 of Ministerial Order No. 11 of 2013 (52)
Minimum Age for Hazardous Work	Yes	18	Article 7 of Ministerial Order No. 11 of 2013 (52)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 7–8 and 15 of Ministerial Order No. 11 of 2013 (52)
Prohibition of Forced Labor	No		Articles 6(b) and 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (52,53)
Prohibition of Child Trafficking	No		Article 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (52,53)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 147 and 163 of the Child Rights Law; Article 279 of the Penal Code; Article 25 of Ministerial Order No. 11 (52-54)
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 (52,54)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 149 of the Child Rights Law (54)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 6(b) of Ministerial Order No. 11 of 2013 (52)
Compulsory Education Age	Yes	15‡	Article 18 of the General Education Law (55)
Free Public Education	Yes		Article 87 of the Child Rights Law (54)

\* No conscription (56)

‡ Age calculated based on available information

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While Article 248 of the Penal Code criminalizes buying, selling, and dealing in human beings, the legal framework does not appear to prohibit forced labor.

The legal framework does not adequately prohibit using, procuring, or offering a child in pornography and pornographic performances, or using a child in prostitution.

Ministerial Order No. 11 of 2013 does not explicitly include all phases of child trafficking, such as harboring, transporting, and transferring children for exploitation. (52)

Research was unable to discover any law that criminally prohibits recruitment of children under 18 by non-state armed groups.

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, research found no evidence that the Republic of Yemen Government's law enforcement agencies took actions to combat child labor, including its worst forms.

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

Organization/Agency	Role
Ministry of Social Affairs and Labor's Child Labor Unit	Enforces child labor laws, conducts inspections, informs the Ministry of the Interior of any violations, and refers children found during inspections to appropriate social services. (8)
Ministry of the Interior	Enforces child labor laws. Police departments within the Ministry of the Interior handle human trafficking investigations. (8)
Ministry of Justice	Enforces child labor laws; prosecutes and adjudicates child labor cases. (8)
Ministry of Human Rights, Ministry of Legal Affairs, Parliament, and the Social Fund for Development	Maintains supporting roles in combating child trafficking. (8)

The Republic of Yemen Government had limited operational control over its ministries and remained unable to enforce regulations. (7)

#### **Labor Law Enforcement**

Research did not find information on whether labor law enforcement agencies in Yemen took actions to combat child labor during the reporting period.

According to the latest available information on this topic, in 2016, the Republic of Yemen Government was unable to enforce child labor laws due to the civil war. (7) Likewise, in 2016, no funding or training were provided for labor inspection, and there was no mechanism to receive child labor complaints. (7)

The Ministry of Social Affairs and Labor does not have the authority to enforce child labor laws in casual employment, farming, and domestic work. (57)

#### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Yemen took actions to combat child labor.

According to the latest available information on this topic, in 2017, the Republic of Yemen Government did not take any proactive steps to investigate or prosecute the practice of chattel slavery. (26)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 6). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Steering Committee to Combat Child Labor	Coordinates child labor issues in Yemen. Comprises representatives from the Ministry of Social Affairs and Labor; other state agencies, ILO-IPEC, and local NGOs. (8) Research was unable to determine whether the National Steering Committee to Combat Child Labor was active during the reporting period.
National Network for Child Protection	Implements training programs and media awareness campaigns, and advocates for progress on children’s issues. (8) Research was unable to determine whether the National Network for Child Protection was active during the reporting period.
Joint Technical Committee to Prevent Recruitment of Children in the Yemeni Armed Forces	Implements and monitors the Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces. In 2018, the Minister for Human Rights became the chairperson of the Joint Committee, which began developing a roadmap for implementing the Action Plan. (58)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 7). However, policy gaps exist that hinder efforts to address child labor, including covering all worst forms of child labor.

**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, prohibits the recruitment and use of children in armed forces, investigates allegations of violations, and facilitates UN access to monitor compliance. (59) The Republic of Yemen Government began developing a roadmap to implement this Action Plan. The government also began developing standard operating procedures on the release of children previously engaged in armed conflict. (58) The government took some action in criticizing or condemning the active and aggressive rebel recruitment of child soldiers, including public press statements, and expressed its commitment to properly address this crime; however, during the reporting period, militia forces—including some aligned with the legitimate government—continued to unlawfully recruit and use some child soldiers. Verified cases of the unlawful recruitment and use of child soldiers occurred with some familial knowledge or consent, and monetary and material support were utilized as incentives for joining the army, and to a lesser extent forced enrollment via abductions. (39)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (60,61)

Although the Republic of Yemen Government has adopted the Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces, research found no evidence of a policy on other worst forms of child labor, such as commercial sexual exploitation and child trafficking.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government participated in programs that include the goal of eliminating child labor (Table 8). However, gaps exist in these social programs, including adequacy of services to address the full scope of the problem in all sectors.

**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. (62) In 2018, UNICEF provided 4,055 teachers and social workers with training on psychosocial support. (34)
Educational Activities	UNICEF-funded programs conducted in cooperation with the Republic of Yemen Government that provide educational support activities and services. (62) In 2018, UNICEF secured \$70 million to provide cash incentives for 135,000 teachers who have not been paid in over 2 years. UNICEF and its partners also rehabilitated 18 schools and 218 school latrines, supporting access to education for over 204,000 children. (34) In areas in which schools were unavailable, UNICEF helped provide community based classes for over 7,700 children. Approximately 42,000 children received schools supplies and bags. (34)

In 2018, the Arab Coalition, particularly the government of Saudi Arabia, which backs the internationally recognized Republic of Yemen Government, operated four rehabilitation centers in areas under the control of the Republic of Yemen Government, including in the city of Marib, for children previously engaged in armed conflict. (27,41)

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Although the Republic of Yemen Government participates in programs that address child labor and access to education, the scope of these programs is insufficient to fully address the extent of the problem, particularly in commercial sexual exploitation, child soldiering, and fishing.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

**Table 9. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2018
	Ensure that forced labor and all phases of child trafficking are criminally prohibited.	2015 – 2018
	Ensure that the law is sufficiently comprehensive to prohibit using a child for prostitution and using, procuring, and offering a child for pornography and pornographic performances.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018
Enforcement	Ensure that children under age 18 cannot join Yemeni Armed Forces and pro-government militias to engage in combat.	2018
	Ensure that the labor inspectorate has the capacity to enforce labor laws, including reestablishing a mechanism to receive child labor complaints.	2015 – 2018
	Proactively identify, investigate, and remedy cases of chattel slavery.	2018
	Ensure that labor inspectors have proper funding and training to conduct inspections.	2009 – 2018
	Ensure that authorities enforce minimum age protections in all sectors in which the worst forms of child labor are prevalent, including in agriculture and domestic work.	2009 – 2018
	Ensure that criminal law enforcement agencies enforce child labor laws.	2015 – 2018
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2017 – 2018
Government Policies	Implement the Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces.	2009 – 2018
	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation and child trafficking.	2009 – 2018
Social Programs	Expand programs to improve children's equal access to education, particularly for child survivors of chattel slavery and child <i>Muhamasheen</i> .	2013 – 2018
	Institute a rehabilitation and reintegration program for children engaged in armed conflict and children involved in other worst forms of child labor, including in commercial sexual exploitation and fishing.	2011 – 2018

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