

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2021, Yemen made minimal advancement in efforts to eliminate the worst forms of child labor. The International Labor Organization provided training to Ministry of Social Affairs and Labor employees. However, despite this initiative, Yemen is assessed as having made minimal advancement because it continued to implement practices that delay advancement to eliminate child labor. There is evidence of recruitment and use of children in hostilities by state armed forces in contravention of Yemeni law. Furthermore, the government failed to make efforts to address discrimination in schools against children from the Muhamasheen (“marginalized”) community, leading to their increased vulnerability to child labor. Children in Yemen are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and armed conflict, including by Houthi insurgent forces (also known as Ansar Allah) and other armed groups. Children also perform dangerous tasks in fishing. Research found no evidence of a government policy on worst forms of child labor outside of child soldiering, such as commercial sexual exploitation or child trafficking. Moreover, the Republic of Yemen Government continued to have limited operational control over its ministries and was unable to enforce regulations to address child labor.



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

Children in Yemen are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and armed conflict, including by Houthi insurgent forces (also known as Ansar Allah) and other armed groups. (1-3) Children also perform dangerous tasks in fishing. (4-6) Given the ongoing conflict in Yemen and highly variable situation, it is difficult to obtain reliable data. Table 1 provides key indicators on children’s work and education in Yemen.

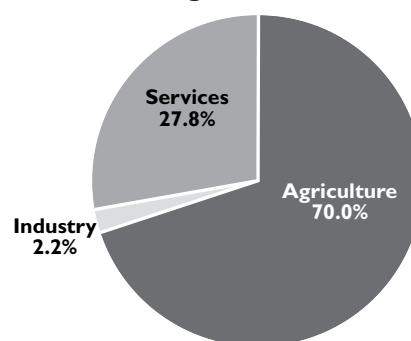
**Table 1. Statistics on Children’s Work and Education**

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 (%)		72.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2022. (7)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labour Survey (NCLS), 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	Farming,† including harvesting dates (5,9,10)
	Fishing,† activities unknown (4-6)
Industry	Quarrying† and mining† (5)
	Construction† and brick production (4,6,9,10)
	Working in carpentry† and welding† workshops (4,6,10-12)
Services	Street work, including selling items, and begging (4,9,10,13-16)
	Working in auto repair and mechanic shops,† car washes, and collecting fares in taxis (5,9)

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

Sector/Industry	Activity
Services	Selling goods in stores and transporting them, working in bakeries (9)
	Voluntarily-recruited children used in hostilities by state armed groups (17-22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,6,10,23,24)
	Use in illicit activities, including in trafficking of drugs (6,10,25-27)
	Forced labor, including domestic work, begging, and working in small shops (24,25)
	Recruitment of children by non-state armed groups for use in armed conflict (2-4,6,10,21,22,28-31)

† 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 suffered another year of escalating hostilities, economic collapse, food insecurity, displacement, and effects of the COVID-19 pandemic that put children at risk. (32) There are 20.7 million people in Yemen in need of humanitarian support with more than 25,500 families displaced, 13,000 of whom have been displaced as a result of hostilities in Ma'rib Governorate. (32) Yemen was also home to approximately 178,000 refugees and asylum seekers, mostly from Somalia and Ethiopia. (33) In addition, 11 percent of the 37,500 new arrivals to Yemen were unaccompanied minors, most of whom were subjected to detention, forced recruitment, and human trafficking. (33) Vulnerable populations, including IDP's and refugees, were at increased risk of child labor and human trafficking. (34,35)

Armed conflict in Yemen intensified in 2021, and security and access restrictions further constrained international observers' ability to fully monitor grave violations, including the recruitment and use of children in armed conflict. Armed groups, especially the Houthis, but also pro-Saudi-led coalition militias, recruited and used child soldiers in armed combat in 2021. (3,30) In 2021, the UN verified the recruitment and use of 174 children, 128 of whom served in combat roles. The Houthis accounted for 131 of these children during the reporting period. In addition, the Yemeni Armed Forces recruited and used children, typically ages 15 to 17, for these same purposes, in contravention of Yemeni law. (3,29) The government's failure to institute effective mechanisms for age verification continued to prolong the problem. (22) Between 2016 and 2020, the UN also reported that pro-coalition militias recruited boys in Ta'izz and Lahij, transported them for training in Saudi Arabia, and redeployed them to Yemen. (29) In areas under Houthi control, children are indoctrinated in schools and recruited into armed forces in 34 schools in 6 governorates. (29) Boys recruited by the Houthis are often used in combat roles and girls are used as recruiters, guards, and spies, and in other non-combat roles. (29)

Children in Yemen continued to face significant barriers to education in 2021. (10) According to UNICEF, over 2 million boys and girls are not attending school due to poverty, conflict, and lack of education. Direct effects of the war, including destruction of schools, prevented more than 400,000 children from attending classes. (36) Further, more than two thirds of teachers in Yemen have not received a regular salary in 4 years, leaving some children with no school to attend. (36) Many families also could not afford transportation costs to schools, and Yemen's multiple crises have pushed families further into poverty making it increasingly difficult to access education. (37,38) According to UNICEF, school closures have had a deleterious impact on school attendance and other aspects of children's lives and has made them more vulnerable to child labor, child sexual exploitation, and recruitment into armed groups. (37)




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. (39,40) 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. (40,41) *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. (41) Research did not uncover any government efforts to address discrimination.

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### 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 laws prohibiting child trafficking.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Articles 5 and 27 of Ministerial Order No. 11 of 2013; Articles 48 and 49 of the Labor Code (42,43)
Minimum Age for Hazardous Work	Yes	18	Article 7 of Ministerial Order No. 11 of 2013; Articles 49 and 154 of the Labor Code (42,43)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 7, 8, and 15 of Ministerial Order No. 11 of 2013 (42)
Prohibition of Forced Labor	No		Articles 6 and 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (42,44)
Prohibition of Child Trafficking	No		Articles 6 and 26 of Ministerial Order No. 11 of 2013 (42)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 147 and 163 of the Child Rights Law; Article 279 of the Penal Code; Articles 6 and 25 of Ministerial Order No. 11 of 2013 (42-45)
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 (42,45)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 149 of the Child Rights Law (45)
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 (42)
Compulsory Education Age	Yes	15‡	Article 18 of the General Education Law (46)
Free Public Education	Yes		Article 87 of the Child Rights Law (45)

\* Country has no conscription (47)

‡ Age calculated based on available information (42)

Although Article 248 of the Penal Code criminalizes buying, selling, and dealing in human beings, the legal framework does not appear to prohibit forced labor. (44)

The law related to child trafficking is insufficient because it only provides criminal penalties for someone who has bought, sold, or dispensed of a child. (42)

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The legal framework does not adequately prohibit using, procuring, or offering a child in pornography and pornographic performances, or using a child in prostitution. (42-45)

The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (42,46)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, research found no evidence that law enforcement agencies in Yemen took actions to address child labor.

**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. (10)
Ministry of the Interior	Enforces child labor laws. Police departments within this ministry handle human trafficking investigations. (10)
Ministry of Justice	Enforces child labor laws; prosecutes and adjudicates child labor cases. (10)

#### **Labor Law Enforcement**

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

In 2021, the ILO provided training to Ministry of Social Affairs and Labor (MOSAL) employees. However, the Republic of Yemen Government continued to have limited operational control over its ministries and was unable to enforce regulations to combat child labor. (10) While it is MOSAL policy to conduct inspections after child labor complaints, MOSAL reported they did not receive any such complaints in 2021, and thus did not undertake any child labor inspections. (10)

MOSAL does not have the authority to enforce child labor laws in casual employment, farming, and domestic work, and lacks a referral mechanism for child labor complaints. (6,43)

The number of labor inspectors is likely insufficient for the size of Yemen's workforce, which includes over 6.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Yemen would need to employ roughly 173 labor inspectors. (10,48,49)

#### **Criminal Law Enforcement**

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

The government is unable to investigate, prosecute, or convict government officials allegedly complicit in human trafficking offenses, including the recruitment and use of child soldiers by the Republic of Yemen Government's Armed Forces. (4) Further, the government lacked the capacity to adequately oversee, effect, investigate, and prosecute labor violations as a criminal matter. (10) Nonetheless, the ILO provided training to government officials on preventing and reintegrating child soldiers. (50)

### 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 a lack of 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, and local NGO's. (10) The National Steering Committee to Combat Child Labor was not active during the reporting period. (10)
National Network for Child Protection	Implements training programs and media awareness campaigns, and advocates for progress on children's issues. (10) 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. (51) In 2021, the committee held a 3-day meeting and workshop on preventing the recruitment of children into the armed forces. (50)

### 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 of 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. (21) Active in 2021. (50)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (52)

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. (28) The government has drafted a National Plan to Reduce Child Labor; however, the plan is pending approval. The government has emphasized that it could not implement the plan without donor support. (28)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, the government participated in programs that include the goal of eliminating child labor (Table 8). However, gaps exist in these social programs, including the inadequacy of programs to address the full scope of the problem in all sectors.

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

Program	Description
Educational Activities	UNICEF-funded programs conducted in cooperation with the Republic of Yemen Government that provide educational support activities and services. (53) In 2021, UNICEF renovated and repaired 23 schools in 3 governorates. (54)

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).

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**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 – 2021
	Ensure that forced labor is criminally prohibited.	2015 – 2021
	Ensure that trafficking of children, including recruitment, harboring, transportation, transfer, and receipt, for purposes of forced labor and commercial sexual exploitation, is criminalized.	2015 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2021
	Ensure that the law adequately prohibits using, procuring, or offering a child in pornography and pornographic performances, and using a child in prostitution.	2020 – 2021
Enforcement	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
	Enforce laws prohibiting children under age 18 from joining the Yemeni Armed Forces, including by implementing adequate screening and age verification measures, and remove children under age 18 in the Yemeni Armed Forces and pro-government militias from engaging in combat.	2018 – 2021
	Ensure that the labor inspectorate has the capacity to enforce labor laws, including reestablishing a mechanism to receive child labor complaints.	2015 – 2021
	Ensure the number of labor inspectors in Yemen meets the ILO's technical guidance.	2020 – 2021
	Ensure that labor inspectors have proper funding and training to conduct inspections.	2009 – 2021
	Ensure that authorities enforce minimum age protections in all sectors in which the worst forms of child labor are prevalent, including in casual employment, farming, and domestic work.	2009 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2017 – 2021
	Ensure that criminal law enforcement agencies enforce child labor laws and publish information on enforcement activities.	2015 – 2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation and child trafficking.	2009 – 2021
Social Programs	Expand programs to improve children's equal access to education, particularly for child <i>Muhamasheen</i> .	2013 – 2021
	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 – 2021

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