

USDOL – US Department of Labor

2020 Findings on the Worst Forms of Child Labor: Yemen

Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement

In 2020, Yemen made minimal advancement in efforts to eliminate the worst forms of child labor. In 2020, the government trained judges and employers in Hadramawt and Ma'rib on the harms of child labor and child soldier recruitment. Despite this initiative to address child labor, however, Yemen is assessed as having made only 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 (also known as Ansar Allah) insurgent forces and other armed groups. Children also engage in child labor in fishing. Research found no evidence of a policy on worst forms of child labor outside of child soldiering, such as commercial sexual exploitation and child trafficking. Moreover, the Republic of Yemen Government continued to exert limited operational control over its ministries and was unable to enforce regulations to combat 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. (1-2) Children also engage in child labor in fishing. (3,4) Table 1 provides key indicators on children's work and education in Yemen.

Children	Age	Percent
Working (% and population)	5 to 14	13.6 (834,866)
Working children by sector	5 to 14	
Agriculture		70.0
Industry		2.2
Services		27.8
Attending School (%)	5 to 14	68.0
Combining Work and School (%)	7 to 14	10.3
Primary Completion Rate (%)		72.3

Table 1. Statistics on Children's Work and Education

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey (NCLS), 2010. (6)

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

Sector/Industry	Activity
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Agriculture	Farming, [†] including harvesting dates (7-9)
	Fishing, [†] activities unknown (3,4,7,10,11)
	Hunting, activities unknown (4)
Industry	Quarrying [†] and mining [†] (4,7,11)
	Construction [†] and brick production (3,4,9,10)
	Working in carpentry [†] and welding [†] workshops (3,10,12,13)
Services	Street work, including selling items, and begging (3,4,9,14-17)
	Working in auto repair and mechanic shops, [†] car washes, and collecting fares in taxis (7,9,11)
	Domestic work [‡] (4,8)
	Selling goods in stores and transporting them, working in bakeries (4,9)
	Voluntarily-recruited children used in hostilities by state armed groups (18-22,23)
Categorical Worst Forms of Child Labor[‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,10,24-27)
	Use in illicit activities, including in trafficking of drugs (10,28-30)
	Domestic work, begging, and working in small shops, each as a result of human trafficking (25,28)
	Recruitment of children by non-state armed groups for use in armed conflict (3,10,22,31-23)

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

[†] 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.

Conditions continued to deteriorate in Yemen in 2020 due to the impacts of escalating hostilities, a collapsing economy, food insecurity, and disease, including the COVID-19 pandemic, that collectively displaced an additional 172,000 Yemenis in 2020. (34) During the reporting period, more than 20 million Yemenis were in need of humanitarian assistance, with 14.3 million in acute need and 4 million internally displaced, 2.2 million of whom were children. (34-36) Yemen was also home to approximately 178,000 refugees and asylum seekers, mostly from Somalia and Ethiopia. (34) 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. (34) Vulnerable populations, including IDPs and refugees, were at increased risk of child labor and human trafficking. (37,38)

Armed conflict in Yemen intensified in 2020, 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 2020. (23,33) In addition, the Yemeni Armed Forces recruited and used children, typically ages 15 to 17, for these same purposes, in contravention of Yemeni law. (23,32) The government's failure to institute effective mechanisms for age verification continued to prolong the problem. According to UN reporting of verified cases, the Houthis recruited and used 163 children in 2020, the Yemeni Armed Forces recruited and used 34 children, and other armed groups recruited and used an additional 14 children. (23) 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. (32) In areas under Houthi control, children are indoctrinated in schools and recruited into armed forces in 34 schools in 6 governorates. (32) 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. (32)

In 2020, the pandemic exacerbated the already significant barriers to education in Yemen. (39) In March, schools across Yemen were suspended and did not reopen until October. (39,40) The number of children out of school has correspondingly increased from 2 million to 5.8 million. Moreover, most teachers have also not received salaries in 3 years. (39) Many families 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. (39,41) According to UNICEF, school closures have had a deleterious impact on school attendance and other aspects of children's lives that has made them more vulnerable to child labor, child sexual exploitation, and recruitment into armed groups. (39)

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. (42,43) They also make up a large proportion of people living as IDPs. (44) 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. (43,45) *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. (45) Research did not uncover any government efforts to address discrimination.

Yemeni children, mostly boys who migrate to Sana'a and Aden within Yemen and Saudi Arabia, are engaged in forced labor for domestic work, begging, or work in small shops. (25,28) Moreover, research indicates that commercial sexual exploitation and child trafficking have increased over the past several years. (25) Girls are subjected to human trafficking for the purpose of commercial sexual exploitation within Yemen in hotels and clubs located in Aden, Sana'a, Ta'izz, and other cities. (28,46)

II. Legal Framework for Child Labor

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

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	

Table 3. Ratification of International Conventions on Child Labor

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.

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 5 of Ministerial Order No. 11 of 2013 (47)
Minimum Age for Hazardous Work	Yes	18	Article 7 of Ministerial Order No. 11 of 2013 (47)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 7–8 and 15 of Ministerial Order No. 11 of 2013 (47)
Prohibition of Forced Labor	No		Articles 6(b) and 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (47,48)
Prohibition of Child Trafficking	No		Article 26 of Ministerial Order No. 11 of 2013 (47)

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 of 2013 (47-49)
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 (47,49)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 149 of the Child Rights Law (49)
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 (47)
Compulsory Education Age	Yes	15‡	Article 18 of the General Education Law (50)
Free Public Education	Yes		Article 87 of the Child Rights Law (49)

Table 4. Laws and Regulations on Child Labor

* No conscription (51)

‡ Age calculated based on available information (47)

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. (48)

The law related to child trafficking is insufficient because it only provides criminal penalties for anyone who has bought, sold, or disposed of any child. (47)

The legal framework does not adequately prohibit using, procuring, or offering a child in pornography and pornographic performances, or using a child in prostitution. (47-49)

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. (47,50)

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 combat child labor.

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. (11)
Ministry of the Interior	Enforces child labor laws. Police departments within this ministry handle human trafficking investigations. (11)
Ministry of Justice	Enforces child labor laws; prosecutes and adjudicates child labor cases. (11)

Table 5. Agencies Responsible for Child Labor Law Enforcement

Labor Law Enforcement

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

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (10)	Unknown (3)

Number of Labor Inspectors	Unknown (10)	Unknown (3)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (3)
Initial Training for New Labor Inspectors	Yes (10)	Unknown (3)
Training on New Laws Related to Child Labor	Yes (10)	N/A
Refresher Courses Provided	Yes (10)	Unknown (3)
Number of Labor Inspections Conducted	182 (10)	Unknown (3)
Number Conducted at Worksites	Unknown (10)	Unknown (3)
Number of Child Labor Violations Found	Unknown (10)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (10)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (10)	Unknown (3)
Routine Inspections Conducted	Unknown (10)	Unknown (3)
Routine Inspections Targeted	Unknown (10)	Unknown (3)
Unannounced Inspections Permitted	Yes (10)	Unknown (3)
Unannounced Inspections Conducted	Yes (10)	Unknown (3)
Complaint Mechanism Exists	Unknown (10)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (10)	Unknown (3)

Table 6. Labor Law Enforcement Efforts Related to Child Labor

During the reporting period, the Republic of Yemen Government continued to exert limited operational control over its ministries and was unable to enforce regulations to combat child labor. (3)

The Ministry of Social Affairs and Labor 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. (10,52)

While the number of labor inspectors is unknown, 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 186 labor inspectors as its workforce consists of over 7.425 million workers.

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Yemen took actions to combat child labor (Table 7).

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (10)	No (3)

Training on New Laws Related to the Worst Forms of Child Labor	Unknown (10)	N/A
Refresher Courses Provided	Unknown (10)	Unknown (3)
Number of Investigations	Unknown (10)	0 (3)
Number of Violations Found	Unknown (10)	0 (3)
Number of Prosecutions Initiated	Unknown (10)	0 (3)
Number of Convictions	Unknown (10)	0 (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (10)	No (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	No (3)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

In 2020, the government remained 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. (3) Further, the government lacked the capacity to adequately oversee, effect, investigate, and prosecute labor violations as a criminal matter. (3)

IV. Coordination of Government Efforts on Child Labor

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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 NGOs. (11) The National Steering Committee to Combat Child Labor was not active during the reporting period. (3)
National Network for Child Protection	Implements training programs and media awareness campaigns, and advocates for progress on children's issues. (11) 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. (53) Research was unable to determine whether the Action Plan to End and Prevent the Recruitment of Children was active during the reporting period.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

V. Government Policies on Child Labor

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including covering all worst forms of child labor.

Policy	Description
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Action Plan to Ensures that national laws comply with international standards, prohibits the End and Prevent recruitment and use of children in armed forces, investigates allegations of the Recruitment violations, and facilitates UN access to monitor compliance. (22) In January and of Children by February 2020, the Republic of Yemen Government coordinated trainings for the Yemeni judges and employers in Hadramawt and Ma'rib on the harms of child labor and Armed Forces child soldier recruitment. (3)

Table 9. Key Policies Related to Child Labor

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (54)

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. (31) 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. (31)

VI. Social Programs to Address Child Labor

In 2020, the government participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including adequacy of services to address the full scope of the problem in all sectors.

Program	Description
Educational Activities	UNICEF-funded programs conducted in cooperation with the Republic of Yemen Government that provide educational support activities and services. (55) In 2020, UNICEF worked with the Ministry of Education and others to help ensure that schools operated under proper safety protocols amid the COVID-19 pandemic. (56)

Table 10. Key Social Programs to Address Child Labor

Since 2017, the Saudi Arabian Government has implemented the Child Soldier Rehabilitation Program in Yemen to provide services to former child soldiers. It has served 530 former child soldiers since its inception through the reporting period. (3)

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 11).

Area	Suggested Action	Year(s) Suggested	
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 2020	-
	Ensure that forced labor is criminally prohibited.	2015 2020	-
	Ensure that trafficking of children, including recruitment, harboring, transportation, transfer, and receipt, for purposes of forced labor and commercial sexual exploitation, is criminalized.	2015 2020	-
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 2020	-
	Ensure that the law adequately prohibits using, procuring, or offering a child in pornography and pornographic performances, and using a child in prostitution.	2020	-
	Raise the minimum age for work to the age up to which education is compulsory.	2018 2020	-

Enforcement	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 2020	-
	Ensure that the labor inspectorate has the capacity to enforce labor laws, including reestablishing a mechanism to receive child labor complaints.	2015 2020	-
	Ensure the number of labor inspectors in Yemen meets the ILO's technical guidance.	2020	
	Ensure that labor inspectors have proper funding and training to conduct inspections.	2009 2020	-
	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 2020	-
	Ensure that criminal law enforcement agencies enforce child labor laws and publish information on enforcement activities.	2015 2020	-
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2017 2020	-
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation and child trafficking.	2009 2020	-
Social Programs	Expand programs to improve children's equal access to education, particularly for child <i>Muhamasheen</i> .	2013 2020	-
	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 2020	-

Table 11. Suggested Government Actions to Eliminate Child Labor

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