

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2022, Yemen made minimal advancement in efforts to eliminate the worst forms of child labor. In 2022, the Ministry of Social Affairs and Labor conducted four inspections based on complaints. However, despite this initiative, 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 use in armed conflict, including by Houthi insurgent forces 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. 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

Table 1 provides key indicators on children’s work and education in Yemen.

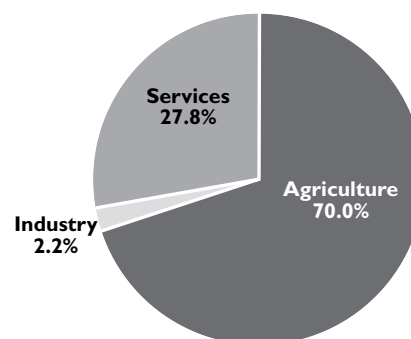
Table 1. Statistics on Children’s Work and Education

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, 2023. (1)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labour Survey (NCLS), 2010. (2)

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 (3-5)
	Fishing,† activities unknown (5-7)
Industry	Construction† and brick production (3,4,6,7)
	Working in carpentry† and welding† workshops (4,6,7)
Services	Street work, including selling items, and begging (3-6,8-11)
	Working in auto repair and mechanic shops† and car washes, and collecting fares in taxis (3)
	Selling goods in stores, transporting goods, working in bakeries (3,11)
	Voluntarily recruited children used in hostilities by state armed groups (12-17)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (4,6,7,18,19)
	Use in illicit activities, including in trafficking of drugs (4,5,7,20,21)
	Forced labor, including domestic work, begging, and working in small shops (19,20)
	Recruitment of children by non-state armed groups for use in armed conflict (4-7,10,16,17,22-27)

† 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.




Armed conflict in Yemen continued in 2022, and security and access restrictions 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-government militias, recruited and used child soldiers in armed combat in 2022. (5,10,23,26,28) According to the UN, the Houthis recruited and used 105 children while Yemeni Armed Forces recruited and used 4 children. (28) In areas under Houthi control, children are indoctrinated in schools and recruited into armed forces; these practices have been documented in 34 schools in 6 governorates. (25) Boys recruited by the Houthis are often used in combat roles and girls are used as recruiters, guards, spies, and in other non-combat roles. (25) Children are also used by the Houthis to transport drugs to the frontlines and neighboring countries. (5)

Children in Yemen continue to face significant barriers to education. (5) According to UNICEF, over 2 million boys and girls are not attending school due to poverty, conflict, and lack of educational opportunities. Direct effects of the war, including destruction of schools, have prevented children from attending classes. (29) In addition, around 170,000 teachers in Houthi-controlled areas have not received salaries since 2016. (10) Many families also continue to be unable to afford transportation costs to schools, and Yemen's multiple crises have pushed families further into poverty, making it increasingly difficult to access education. (5,30) 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. (31,32) Many *Muhamasheen* children do not have birth certificates, which are required for enrollment in schools. They face harassment, bullying, and violence at school, and are dismissed from school or asked to clean the bathrooms; this treatment leads some to drop out of school. (32,33) *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. (33) Research did not discover any government efforts to address discrimination.

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	

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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 deficiencies in 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 (34,35)
Minimum Age for Hazardous Work	Yes	18	Article 7 of Ministerial Order No. 11 of 2013; Articles 49 and 154 of the Labor Code (34,35)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 7, 8, and 15 of Ministerial Order No. 11 of 2013 (34)
Prohibition of Forced Labor	No		Articles 6 and 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (34,36)
Prohibition of Child Trafficking	No		Articles 6 and 26 of Ministerial Order No. 11 of 2013 (34)
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 (34,36,37)
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 (34,37)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 149 of the Child Rights Law (37)
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 (34)
Compulsory Education Age	Yes	15‡	Article 18 of the General Education Law (38)
Free Public Education	Yes		Article 87 of the Child Rights Law (37)

* Country has no conscription (39)

‡ Age calculated based on available information (34)

Although Article 248 of the Penal Code criminalizes buying, selling, and dealing in human beings, the legal framework does not appear to prohibit or provide punishments for forced labor. (36) 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. (34) The legal framework does not adequately prohibit using, procuring, or offering a child in pornography and pornographic performances, or using a child in prostitution. (34,37) 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. (34,38)

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 limited 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 & Activities
Ministry of Social Affairs and Labor’s (MOSAL) 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. (4)
Ministry of the Interior	Enforces child labor laws. Police departments within this ministry handle human trafficking investigations. (4)
Ministry of Justice	Enforces child labor laws; prosecutes and adjudicates child labor cases. (4)

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Labor Law Enforcement

Research found limited information that labor law enforcement agencies in Yemen took actions to address child labor.

The Government of the Republic of Yemen continued to have limited operational control over its ministries and was largely unable to enforce regulations to combat child labor. (4,5) It is the policy of the Ministry of Social Affairs and Labor (MOSAL) to conduct inspections after child labor complaints; however, the public is not accustomed to interacting with its hotline, which is the only complaint mechanism. (4) In 2022, MOSAL reported that it conducted four inspections based on complaints; however, the results of these inspections are unknown. (5) MOSAL also lacks the authority to enforce child labor laws in temporary employment, farming, or domestic work. (7,35) Additionally, research indicates that Yemen does not have an adequate number of labor inspectors to carry out their mandated duties. (5,40)

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. (6) Further, the government lacked the capacity to adequately investigate and prosecute labor violations as a criminal matter. (4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established a key mechanism 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.

Table 6. Key Mechanism to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Activities
National Steering Committee to Combat Child Labor	Coordinates child labor issues in Yemen. Comprises representatives from MOSAL, other state agencies, the ILO, and local NGOs. (4) The National Steering Committee to Combat Child Labor was not active during the reporting period. (5)

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 a lack of policies that cover all worst forms of child labor that exist in the country.

Table 7. Key Policies Related to Child Labor

Policy	Description & Activities
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. (16) Signed with the UN in 2014. Active in 2022. (43)

Although the Republic of Yemen 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 of children. (24) The government drafted a National Plan to Reduce Child Labor in a previous reporting period; however, the plan remains pending approval. The government has emphasized that it could not implement the plan without donor support. (24)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Research found no evidence that the government funded or participated in programs that include the goal of eliminating child labor.

Although the Republic of Yemen participates in programs that address access to education, research found no evidence of any programs with the goal of eliminating or preventing child labor. (44)

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 8).

Table 8. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2022
	Ensure that the law criminally prohibits forced labor.	2015 – 2022
	Ensure that trafficking of children, including recruitment, harboring, transportation, transfer, and receipt, for purposes of forced labor and commercial sexual exploitation, is criminalized and punishments are prescribed.	2015 – 2022
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2022
	Ensure that the law adequately prohibits and provides punishments for using, procuring, or offering a child in pornography and pornographic performances, and using a child in prostitution.	2020 – 2022
Enforcement	Raise the minimum age for work from 14 to 15 to align with the compulsory education age.	2018 – 2022
	Enforce laws prohibiting children under age 18 from joining the Yemeni Armed Forces. Ensure that any children under age 18 already in the Yemeni Armed Forces and pro-government militias do not engage in combat.	2018 – 2022
	Ensure that the labor inspectorate has the capacity to enforce labor laws, including sufficient funding, labor inspectors, office facilities, transportation, and fuel.	2015 – 2022
	Employ at least 195 labor inspectors to ensure adequate coverage of the labor force of approximately 7.8 million people.	2020 – 2022
	Ensure that authorities enforce minimum age protections in all sectors in which the worst forms of child labor are prevalent, including in temporary employment, farming, and domestic work.	2009 – 2022
	Ensure that criminal law enforcement agencies enforce child labor laws and publish information on enforcement activities.	2015 – 2022
	Ensure that the National Steering Committee to Combat Child Labor is active and able to carry out its intended mandates.	2017 – 2022
Government Policies	Adopt a policy that addresses all worst forms of child labor, including commercial sexual exploitation and child trafficking.	2009 – 2022
Social Programs	Implement programs to address the worst forms of child labor and expand programs to improve children's equal access to education, particularly for <i>Muhamasheen</i> children.	2013 – 2022
	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 – 2022

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