

NGO Group for the Convention on the Rights of the Child
**Database of NGO Reports presented to the UN Committee on
the Rights of the Child.**

Document Title:

**The Alternative Report of the Yemeni Non-governmental Organizations
on the Implementation Of the UN Convention on the Rights of the Child**

Region:

Middle East

Country:

Yemen

Issued by:

Yemeni NGO Coalition for Children's Rights

Date of publication of NGO Report:

Date of presentation to presessional working group:

CRC Session

(at which related national state party report was submitted):

11th Session : Jan 96

Language:

English

Document Text

[Link to related state party report at UNHCHR](#)

IN THE NAME OF GOD, THE MOST GRACIOUS, THE MERCIFUL

REPUBLIC OF YEMEN BOARD OF COORDINATION AMONG YEMENI
NONGOVERNMENTAL ORGANIZATIONS FOR SAFEGUARDING THE CHILD'S RIGHTS

INTRODUCTION upon the ratification of the UNCON- RC IN 1991, our country has committed itself to taking all the legislative, administrative and other measures that are relevant for observing the rights acknowledged in this agreement ; as well as the practical steps concerning economic, social and cultural rights, to the maximum degree within the framework of international cooperation as stated in the fourth article of the international agreement. As nongovernmental organizations, unions and societies, we have done our best in this report to introduce a brief picture of the legislative, administrative, economic, social and cultural measures which our country has taken to observe the rights acknowledged in the Convention on the Child's Rights, within our modest capacities, particularly what concerns the availability of precise information and statistics on the whole country and the possibilities of benefiting from

them. The wording of the report, however, was not clear enough.

It is quite clear from this report that the Yemeni laws have covered to a large extent the Child's Rights which were included in the Convention in spite of the shortcomings to some of which reference has been made throughout the report. These rights have been mentioned in the Yemeni Laws either directly or as child-specific rights or indirectly within general contexts that concern the whole community, taking into consideration the traditions and the national and religious peculiarities. We do hope, however, for a special law for the child's rights.

Moreover, it is quite clear from this report and from the present situation that the efforts have not become yet a first class national concern.

It requires a tremendous effort in devising a programme in the coming years to mobilize public opinion which gives the issue of the child's rights the attention it deserves.

BOARD OF COORDINATING THE EFFORTS OF NON-GOVERNMENTAL YEMENI ORGANIZATIONS TO DEFEND THE CHILD'S RIGHTS

MEASURES TAKEN FOR THE IMPLEMENTATION OF THE UNCONVENTION ON THE RIGHTS OF THE CHILD IN THE REPUBLIC OF YEMEN

The UN CONVENTION on the rights of the Child has made it mandatory in its Article 4 that all countries take the necessary legislative and administrative measures to realize the rights as acknowledged in this agreement. The official report has enumerated a number of legal contexts in the legislation of the Republic Of Yemen, with some reservation on a number of the articles of the convention, which the report did not illustrate particularly articles 7, 14, 21 and 3 which conflict with the Muslim Yemeni belief-system.

We, as non-governmental organizations, do confirm this position. The report, however, has omitted a number of laws and decisions that were issued. This is what we wish to enumerate in the following

(i) - THE LEGISLATIVE (LEGAL) ASPECT:

The amended constitution of the Republic Of Yemen has taken human rights into consideration. This is what the official report mentioned under the title 'The Legislation of the Republic of Yemen'.

A good number of laws that are relevant to the convention of the Child's Rights have been passed; among these are the following :

- 1- Presidential Decree No. 23,1991 on civil affairs and Civil Registration.
- 2- Parliamentary Decree No. 48,1991 on imprisonment regulations.
- 3- A parliamentary Decree No. 19,1992 on civil law.
- 4- Parliamentary Decree No. 20,1992 on civil affairs.
- 5- Parliamentary Decree No. 24,1992 on juvenile guidance.
- 6- Parliamentary Decree No. 26,1992 on social security.
- 7- Presidential Decree No. 3,1992 on illegal merchandise and use of drugs and other intoxicants.
- 8- Law No. 6,1990 on citizenship.
- 10- Law No. 7,1990 on Journalism and publishing.
- 11- Law No. 19,1991 on civil service.
- 12- Law No. 67,1991 on military service.
- 13- Education Law, 1993.
- 14- Health Law.

(ii) THE PROCEDURAL ASPECTS

Decisions have been taken to establish administrative systems in order to devise strategies and to organize the administrative units. They will also follow up and monitor the implementation of the convention on the Child's Rights. These are based on the following.

- 1- A presidential Decree No. 13,1992 on forming the National Council of the people.

2- A presidential Decree No. 5, 1991 on forming the Higher National Committee to Care For the Handicapped.

3- A presidential Decree No. 53, 1991 for the formation of the Yemeni Council For Maternal and Child Health Care.

Through analysis of the present situation, the applicability of these laws to it, as well as the capacities of the present administrative systems for implementing these laws, we observe the following :

1- There has not been a careful study of the laws from the political economic social and administrative points of view before formulation. This has created a serious gap between the laws and their implementation which has led to difficulties in this direction. This is clear in the inability of the govt. to implement " The National Population Strategy Up to the year 2000 " which the National Population Council formulated.

2- A big gap between the laws and the administrative systems and the cadres serving in them. This is due to the fact that there has been no attempt to review the framework of the administrative system, to redevelop it from the organizational and administrative point of view and to reshape the human resource since the passing of the laws concerning them. This has led to the inability of the executive systems to implement these laws, particularly in the ministries of Security, Social Affairs, Labour, Health, Education, Justice, Planning, Interior Affairs and Mass Media.

3- The Absence of Monitoring and follow-up of the implementation of these laws, in addition to the administrative corruption which predominates over the administrative systems and the absence of the principle of reward & punishment in this area.

4- Low level of awareness of general legislation and laws amongst the general public. This is due to the high rate of illiteracy in the Yemeni society, in addition to the inefficiency of the mass media in creating awareness of these laws to the various social strata in ways appropriate to them. Whenever there is a new law, an announcement is made in the news bulletin in the official newspaper, the radio and the television. The shortcomings of the media shows itself in terms of creating awareness on the convention on the Child's Rights and as a matter of fact 99% of the people do not know anything about the convention despite the frank assertions of article 4 of the convention.

5- Lack of systematic delineation of the laws for Implementing agencies has resulted in personal interpretation and delay in decision - making regarding children.

Following are examples of inefficiency in applying the laws

1. The lack of specially established courts for juvenile delinquents although this law was issued four years ago. Article 49 of this law stressed that these courts be established. The need for these courts was also stated in Article 15 of Juvenile Guidance law , never the less, the Juveniles are still brought to the same courts as adults.

2. Laws have clearly stated that Juveniles should be kept under custody only in special places during the period of investigation. The Juveniles, however, still continue to be arrested in the same prisons as adults. They are badly treated when arrested and interrogated.

3. The low has also stipulated that reformatories be established for juvenile prisoners. As a matter of fact, some of these reformatories were constructed for male children in the major cities. However, these places do not have basic facilities, like health and nutrition, guardianship, social services and counselling. Moreover, there are some boys who go to the Central Prison. As for girls, they go to the prison meant for older professional women.

4. There are some problems in the procedural aspects as well. A special decree was issued for forming the Yemeni Council for Care of Mothers and Children. It is still, however, on paper, up to the write up of this report, despite the fact that this council, is regarded as the organizer and supervisor with regard to the implementation of the convention on the Child's Rights.

5. No commitment has been made till the moment of writing this report to article 44 item
- 6.

DEFINITION OF "CHILD"

Article 1 of the Agreement of the Child's Rights defined the child (as every person under 18 years). According to Yemeni law, a child is every person who does not exceed 15 years. This is what is stated in article 2 of the Law of Juvenile Guidance No. 24, 1992 and article 5 of the Civil Law No. 19,1992.

The Election Law has specified the minimal age of the voter to be 18.

Similarly, the Law of Military Service and the law of Civil Service set the limit of 18. Hence, there is this discrepancy in specifying the age of childhood, in addition to the fact that the Yemeni regulation specified the age in Hijri years, which is (11 days) less than the Christian year. This will lose accuracy in calculation.

GENERAL PRINCIPLES

in this connection there are certain general laws within the constitution and more specific laws pertaining to children. However, there are some areas in the document of the Child's Rights which have not been referred to in our laws. It is hoped that the concerned authorities will not neglect the child when issuing new laws or revising old ones.

RIGHTS AND CIVIL FREEDOM

The Yemeni Legislation has covered civil rights and freedom in the constitution and in the present laws; amongst which are those that directly concern the child's rights.

Child's Rights and freedom are inseparable from the society's rights and freedom ; as article 38 of the Civil law No. 19,1992 stated that the personality of man begins at birth, and ends at death. The same law states in its article No. 50 that every citizen has 2 types of rights, legal rights since birth and civil rights which are acquired later on.

NAME, CITIZENSHIP AND RETENTION OF IDENTITY PRESERVATION:

Man's rights begin at birth. These rights have been referred to in articles 29 and 46 of the Civil law No.39. These two articles coincide with articles 7 and 8 of the convention on the Child's Rights.

If we look at the present situation, however, there are children who do not go to school only because they do not have birth certificates, due to the lengthy procedures for obtaining it, and the fees charged are too high for the lower income levels.

The law of Yemeni Citizenship No. 6,1990 article 3 has stipulated that everyone has the right to citizenship including children. The article did not grant children born of a Yemeni mother who is married to a foreigner the right to get Yemeni citizenship by birth. This may lead to having stateless children if their Yemeni mother gets married to a man who comes from a country whose law demands that a child gets its citizenship only if both parents have the same citizenship.

FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

The constitution of the Republic of Yemen and & its existing laws linked the freedom of thought and conscience to commitment to Islam, as Islam is the religion of the country. The Islamic law is the reference point and basis for all legislation. This is what is stated in articles 2 and 3 of the constitution and in article 4 of the law of Media and publication.

FREEDOM OF COMMUNICATION AND PEACEFUL MEETINGS

Yemen does recognize the right of the child, within the frame of the general rights of the whole

community, to form societies and the freedom to hold peaceful meetings. The constitution of the Republic of Yemen did clearly state this right in article 57, which parallels what is stated in article 14 in the convention in the Child's Rights.

PROTECTION OF PRIVACY

The Constitution of the Republic of Yemen and the relevant laws guarantee the protection of the child from any injustice or illegal acts in his private life, his family's or its correspondence or any harm to his dignity and reputation, within the frame of the citizens' basic rights and obligations. This is stated in articles 47 and 52 of the constitution, which corresponds to what is said in article 14 of the Convention on the Child's Rights.

THE RIGHT NOT TO BE TORTURED OR UNFAIRLY TREATED

The Republic of Yemen guaranteed for the child the right not to be tortured or mistreated, through the law of Juvenile Guidance No.34,1992 and specifically what was said in article 16 of the Agreement on the Child's Rights. The truth, however, is quite different, simply because of the absence of the principle of reward and punishment and of the mechanism for the supervision over the implementation of the agreement.

We do find some groups of children, especially the beggars and the homeless unjustly exposed to psychological and physical torture, particularly the girls, on whom bad conduct may be forced against their will.

REQUIRED STRATEGIES IN THIS SECTION

1. Reviewing the laws and legislation concerning specification of the child's age, and adopting the Christian year in counting the child's age.
2. Quick completion and issuance of the laws that concern childhood and their interpretative supplements, particularly those on children's social security in addition to doing away with the discrepancies and shortcomings of some laws.
3. Comprehensive implementation of laws concerning children, particularly the convention on the Child's rights, on the concerned sectors.
4. Reviewing the administrative systems and organizational structures concerned with childhood, be they legislative, educational, health or social ones.
5. Adopting a programme for creating awareness on the laws and legislation and the Convention on the Child's rights.
6. Training and Developing the human resource for and implementing of laws that concern Childhood.
7. Reactivating the role of the Yemeni Mother and Child Council so that it fulfils its functions.
8. Reviewing the mechanism of civil registration.
9. Formulating a mechanism for monitoring and evaluating the implementation of the Convention and the Principle of reward and punishment for those responsible for pursuing the laws that concern children.

FREEDOM OF EXPRESSION AND THE RIGHT TO OBTAIN THE NECESSARY INFORMATION

The constitution of the Republic of Yemen and the current laws affirmed the rights of every person, adult or child, to express himself and have freedom to learn, to communicate and to access information. Articles 40 and 41 of the constitution and article 3 of the law of media and publication No. 25,1990 have stressed this, which corresponds to articles 12, 13 and 17 of the Agreement on the Child's Rights.

At the practical level, however, the chances of expression are fearfully limited for the child together with the domination of the traditional view that the child is simply a receiver of views, ideas and sermons and creation of artificial boundaries of expression between grown-ups and children.

The level of mass media, moreover, is too low to suit the efforts of awareness, supervision, guidance, supplying the appropriate information on children and entertainment.

The low quality of the mass media and incompetence in accessing children to information from national and international sources, and encouraging dissemination of information which could be useful to the child socially and culturally also exacerbates the problem.

The picture we have drawn here is confirmed by the following facts

(a) Journalism : Some 8 magazines appeared at different times and levels in different forms . Then they all disappeared. The last series was the official one " Wadhah ". It stopped some four years ago. None of these magazines paid attention to the different needs of the child. They did not encourage the child to read them. Moreover, the people in charge of them were not at all interested in children's education and literature.

(b) The Radio: There are various broadcasting stations in the Republic of Yemen: the general programme in Sana'a, the second programme in Aden, and the local stations in Hudeidah, Taiz and Hadramaut. However, what the radio introduces to the children does not exceed 165 minutes a week out of a total of broadcasting time which is 6825 minutes a week - this means that the children's programme runs for 5460 hours a year out of the total broadcasting time of 112,680 hours a year. The quality of this programme is too low in its presentation and preparation.

(c) Television : The Republic of Yemen has 3 channels in Sana'a, in Aden and in Hadramout. The children's programmes are very short compared to the total duration : the percentage is 6.4% only. These programmes show translated cartoon films, various series, Arabic songs and local activities which are poor in their presentation and which are shown during the weekends and feasts.

(d) Children's Books : The first half of the eighties witnessed the appearance of about 29 books. This has almost halted since the second half of the eighties, except for some personal efforts : a story for children and a number of translated stories poorly presented.

There are some other cultural activities like shows, parties and plays which are held seasonally and sporadically by the concerned official authorities. Some of these activities are organised by the non-governmental organizations which are modestly interested in childhood.

The government report has confused between cause and effect in offering the reasons for the gap in children's education; ignoring the fact that the state did not pay enough attention to children's education . This area needless to say, requires qualified personnel and money.

As far as international cooperation for producing, exchanging and spreading information and materials that are socially and culturally useful to the child is concerned, there is in fact some cooperation between Yemen and other countries and some international organizations that are interested in children's affairs. This cooperation, however, was not properly utilized, so this is an added factor for the low quality.

As far as the guiding principles for safeguarding the child from harmful information and materials are concerned; we do realize that in spite of the modest steps which the state has taken in this direction , it is impossible to control some of the harmful programmes which are transmitted via satellite. Moreover, the state did not pay attention to the issue of educating the families and their children on the dangers of such programmes. A lot of families, in fact, underestimate the effects of these programmes on their children and do not try to control their children's viewing.

Required Recommendations

1. Training the personnel working in the mass media and members of NGOs on children's programmes with respect to preparation and direction.
2. Adopting the programmes that explain the Convention and the laws that concern families and children.
3. Increasing children's programmes in the mass media.
4. Introducing the programmes that suit the child's age.
5. adjusting the programmes to the child's imagination and needs.
6. Introducing the programmes at a time when both the child and the parents are watching it, so that there may be a better dialogue.
7. Strengthening the role of the mass media in educating the family.
8. Running a special channel for children.

Physical well being - and Health education

A- Survival, Development and Health .

What was said in the official report is true. It is true that there is some negligence of remote areas. However, the report did not mention the percentage of what has been achieved in the breast-feeding programme, the programme for monitoring the child's development and the programme of maternal health-care. Moreover, the report did not clarify the solutions which may be adopted as strategies for the coming years.

The survival and development of the child are dependent upon the total social and health services offered to the family and the child. This service is in fact very limited in Yemen. Besides, Yemen suffers from the predominance of bad health habits like qat-chewing by pregnant mothers, and other factors are illiteracy among parents, low incomes among a lot of families, and the discrimination by most families against their daughters, which will negatively affect the future of the family when the daughter is a mother. No field visits are undertaken by health workers: families are never visited for consultation.

As for emergency cases in Al-Jumhuri Hospital, there are usually some 30 to 40 accidents daily involving children, mainly car accidents or playing with weapons.

Required Recommendations

1. Issuing the law of Maternal and child care.
2. Forming a private establishment for maternal and child care. The present governmental administration belongs to the ministry and therefore suffers from the administrative bureaucracy.
3. Adopting the programme of comprehensive health insurance for mothers and children against the six childhood diseases through spreading the centres of maternal and child care particularly in the rural areas and the coastal areas, which the official report neglected in its future plan as well as including the popular associations in the campaign.
4. Reviewing the mechanism of the the centres of maternal and child care so that they may be more active.
5. Unifying the efforts among the ministries of security, health, mass media, agriculture and fisheries for the sake of arriving at a comprehensive plan.
6. Paying more attention to health and reviewing the mechanism for pursuing this as well as including the child in the process.
7. Encouraging the family to have less children .
8. Adopting a health security programme through the participation of the private sector.
9. Constructing entertainment places and parks for children.
10. Issuing a law for disarming every person.
11. Supplying clean pure water for every Yemeni family.
12. Supplying the injections at proper times, particularly in the countryside.

B- Handicapped Children (Article 24)

The official report has overlooked the sufferings of handicapped people although their percentage comes to 12% out of the total population according to the statistics of international organizations working in Yemen. The percentage is now higher after the 1994 war.

Despite the presidential decree No. 13 on safeguarding the handicapped, it is not effective yet in any way because of the absence of the mechanism for executing it and the high amount of money needed for the reorientation programmes.

As a matter of fact, the issue of social integration of the handicapped child has not been seriously considered by the government. We will illustrate the difficulties of the handicapped here

i Blind Children :

1. In the schools, these children are deprived of a curriculum that is suitable for their capacities. Although Saudi Arabia covered the expenses of such a curriculum in 1980,

no book has so far appeared in Braille, simply because there is no Braille printing machine in Yemen.

2. In Yemen, there are only 3 institutes for the blind. They are in Sana'a, Aden and Hadramout. These three institutes are in a bad state because of their limited facilities.
3. Lack of qualified personnel specializing in serving blind children.
4. Lack of coordination between the government and the private sector for care of the blind.
5. The social security does not cover all the blind, considering that this covers 250 Yemeni Riyals annually that is around 20 Riyal a month, which is not enough for the needs of the blind children.
6. There are no libraries for the blind children.
7. Lack of teaching aids specially designed for blind children.
8. No training institutes that develop certain skills among blind children that will enable them to become self-reliant.
9. No institutes for blind girls.

-ii- The Physically Handicapped Child By this is meant

- 1- Partial Paralysis.
- 2- Amputation of arms and legs.
- 3- Bowed backbone.
- 4- Physical Stunt.
- 5- Quadri Paralysis.
- 6- Infections.

Physically Handicapped children suffer from the following:

1. The design of school buildings are not suitable for handicapped children which results in depriving this child from school and integrating him into the society.
2. Scarcity of mobile chairs because of their high cost.
3. Absence of institutes of vocational training for handicapped children.
4. Social security for handicapped children is only 500 Riyals a month, which is about 3 dollars.
5. The difficulty the handicapped child finds in walking on the pavement, simply because the design of the pavement does not take their difficulties into consideration.
6. Lack of coordination among the institutions of education, security and health for early intervention to prevent accidents and to lessen their dangers.
7. Absence of institutes of health education outside the capital, where there is one institute only.
8. Handicapped girls are completely deprived of all facilities. The family prefers to keep it as a secret partly because of the lack of awareness and partly because there are no special institutes for girls.

-iii- The Deaf and Dumb Child

This section suffers from real negligence. A case study in Taiz showed that there are 78 deaf and dumb children in every 3000 children. There is one official institute for them and two other non-governmental ones.

These children have got no educational facilities, particularly the girls, as there are no institutes for them.

-iv- The Mentally Retarded Child

This section is completely neglected both by the family and the state . There are 2 projects for early intervention one in Sana'a which includes 70 children with 154 others in the waiting list. The other is in Jahaata.

Required Recommendations

1. The buildings of schools in Yemen should take into account the handicapped children, in order to realize social integration.
2. Aiming for qualified personnel to cater to different disabilities particularly women for handicapped girls.
3. Establishing special training institutes for income generation for the handicapped.
4. Importing special printing presses for the blind.
5. Adopting more programmes for early intervention for the handicapped.
6. Reorientating town - planning that takes the capacities of the handicapped into consideration.
7. Building special institutes for handicapped girls.
8. Exempting the handicapped instruments and tools from import.
9. Providing teaching aids for the handicapped.
10. Raising the amount of social security.
11. Preparing programmes to increase the income of the parents of the handicapped child through a flexible mechanism that allows them to have small projects through special loans.
12. Unifying the efforts of the ministries of mass media, health, security and education to adopt a programme that lessens the percentage of handicapped children.
13. Adopting psychological counselling programmes for handicapped children.

C- Social Security and Facilities for Children Guidance (26,18 Article 3

The Republic of Yemen issued the law of Security and Salary Scales for the governmental section, No.26 & the law of Social Security for the private sector, No.27 & the law of Social Security.

It is worth observing here that law No.26 covers all the personnel in the governmental sector, while law No.27 covers only limited sections of the personnel in the private sector. The mismanagement in the security showed itself through the return of the gulf-settlers because of the gulf crisis. They did not find any income for their subsistence.

As for the law of Social Security, it offered only 500 Riyals (about 4 dollars) a month.

There is no social security for children; so, the children who lost one or both of their parents represent 90% of the young beggars. This is what urged some societies to apply a system of orphan security.

There does exist a good system of applying health security to the personnel of the government sector. A special amount is regularly deducted from their salaries ; yet, so far nothing practical has taken place.

Required Recommendations

1. Adopting a programme of social security for children, particularly the handicapped, the orphans & the homeless.
2. Applying the law of social security to Returnees.

D- Standard Of Living

About 70% of the children in Yemen are poor.

The official report claims that the average annual income is 550 dollars per person. This is not true. It is between 4000 and 5000 Riyals only. The average number of persons in a family is 6.7. A dollar is 134 Riyals in the black market. This means that the average income per person is 40 dollars a month. We deal here with the value in the black market because the Central Bank does not easily sell dollars. The value of the dollar in the black market badly affects the prices in the market. These prices are increasing very rapidly. A tin of milk for example is now 1200 Riyals . The average house rent is 4000 Riyals a month. this lowering of the standard of life and economic difficulties of yemeni families has led to a high school drop-out rate amongst young girls because of the high educational expenditures forcing them to turn illiteracy eradication centres.

From these simple numbers, we can see to what extent this economic situation affects children. It directly affects them because it leads to an increase in family friction. Moreover, it also magnifies the widely spread phenomenon of child beggars. In the capital Sana'a, for example, there are about 7000 begging children. With begging there are other negative effects like crime among children, especially robbery.

Required Recommendations

1. Reviewing the mechanism of the Centres of productive families as they have proven to be useless.
2. Adopting programmes of increasing income among children in a way that does not affect their education and health.
3. Reviewing the strategy of vocational training and establishing institutes of vocational training so that it may go with the requirements of the market, and establishing institutes of vocational training for women specifically. Women in the northern provinces cannot join the existing institutes now. In the southern provinces there is the need to review the policy of vocational education for women so that a woman may get a job that suits her.

Education, Entertainment and Cultural Activities

The Constitution of the Republic of Yemen affirmed in its articles 32 and 53 the right of every citizen to learn at the various levels of education: the basic, the elementary, the vocational the technical and illiteracy eradication programme. This right was asserted in the Unified law of Education, 1993 and in article 28 of the Agreement on the Child's Rights. At the practical level, however, there is a regression in the percentage of those who join school inspite of the slight increase among girls. The official report says that the number of those boys & girls who went to school for the academic year 91-92 was 2,272,578 : 1,697,147 boys and 575,431 girls. According to the statistics of the Ministry of Education for the year 94-95 the total number was 2,216,348 : 1,532,895 boys and 683,353 girls. As for the students whose ages are between 6 and 15, the book of statistics for the year 1993 gives the following percentages

- 1- Urban areas
learners of both sexes 82.3%
male learners 86.6%
female learners 77.7%
- 2- Rural areas
learners of both sexes 52%
male learners 77.9%
female learners 24.2%

A- Education, Including Vocational Training and Career Guidance

The official report did not tackle the problem of education in the Republic of Yemen. But it did not clarify the pedagogic frame work of all the provinces and how education should be dealt within the context of the current demographic disparities. We will shed light upon some of the educational problems :

1- School Buildings

A serious problem in Yemen is the scarcity of school buildings in the cities . In the rural areas most schools lack sound planning and a basic support system that are important to the educational process, like labs, libraries, cafeterias and water closets.

The number of pupils in a class may exceed 120 children. This phenomenon is clearer in the city. A lot of school buildings are tens of years old, and so, they are in dire need of maintenance. The present number of schools in Yemen cannot receive the rapidly increasing number of pupils. Considering future prospects the situation is worse for girls : there are no schools for them in the countryside. This is what hindered most of the girls from continuing their education. As a matter of fact, a lot of the school buildings are built by individuals.

2- School chairs and Desks

Most schools, particularly in the countryside, are in need of chairs and desks. The percentage of chairs to pupils is 10%. This is why most of the pupils sit on the floor, which is not good for the learning process in addition to its effect on the teacher which will reflect on his evaluation of the pupils' educational outcomes.

3- The Textbook and Teaching Aids

Most schools, particularly in the countryside, suffer from shortage of textbooks and delay in distributing them in the beginning of every academic year. The problem is related to the capacity of the state in printing textbooks and distributing them : Besides, many schools suffer from shortage of teaching aids, labs and equipment that help the learner.

4- Orienting and Upgrading the Teachers

There is a serious problem in finding Yemeni teachers, particularly female teachers in the countryside, where the drop out rate is high amongst girls. The main reason is that there are no safe residence for teachers there.

Moreover, the Yemeni teacher badly needs training and upgrading because the low quality affects the teaching process which the convention demands.

5- Free Education

Although the Unified law of Education in 1993 states that the state guarantees free education, the real situation is quite different. A lot of parents hesitate to send their children, particularly girls, to schools because of the heavy financial requirements of schools, especially after the gulf war and the deterioration of the economic situation in the country.

As a matter of fact, the Yemeni family has to bear a heavy financial burden in order to send their children to school. It is worse in the countryside with respect to the registration fees, the cost of the textbook, the exam fees, the price of the certificate and support to the budget of the parents council.

Moreover, considering the high rate of inflation, the school notebook and uniform places a severe burden on the shoulders of the father. This may force the family to withdraw the children from the school and push them to the employment market so that they may help the father financially.

6- The Principle of Compulsory Education

The state lacks the proper mechanism through which it can apply the principle of compulsory education. Statistics show that the percentage of registration in the stage of compulsory education, that is, ages 6 to 15, was 57.5% in the whole country in the last academic year. This simply means that 42.5% of the children within the school age at the basic level were still outside school.

As for the claim which the official report makes in Item 3 page 11 and which says the Akhdam * refuse to send their children to school, it is by no means true. There are NGOs that help these people, and a lot of their children did go to school. It is, in fact, the state which did not create a suitable environment for them that enables them to send their children to school on a larger scale.

7- The Principle of Equal Opportunity

The Unified law of Education, 1993, stated that the state tries its best to establish the principle of equal opportunities for everybody. This is what did not take place, unfortunately. Schools are spread according to whimsical criteria which are unjust and not the result of proper planning.

In Ibb province, for example, where the population is 1,959,313 according to 1994 census there are 1049 boys' schools and 19 girls' schools.

Schools in general are relatively abundant in the main cities and are scarce in smaller ones. They usually disappear in villages, especially girls' schools. The absence of girls' schools has seriously affected the education of girls. This can be concluded from the fact that the children who joined school in the countryside were 52% : 79.4% of them were boys and 33.9% were girls.

The reason is that families refrain from sending their girls to distant schools which are also mixed schools.

8- The Infrastructure (Kindergarten)

Within the supervision of the general administration of the preschool education there are 87

government kindergartens and 37 private ones, they include 10412 children according to the summary of the education plan for 1994. This number is small compared to the total number of the children who are in the preschool range age which is 2,399,550.

A very poor social section in Yemen. They are originally Ethiopians.

The official report has mentioned these preschools, their aims and the ways in which they achieve these aims. But the fact is that they lack proper educational techniques. There is no teacher who is specifically prepared for these preschools as there are no special training institutes for preschool education. The fees are too high as most of the owners are commercially oriented. The scarcity of the Kindergartens in Yemen has contributed to preventing women mothers from participating in the national developmental process.

9- Vocational Training

The inadequacies of the vocational training facilities, are quite obvious. The state is not serious about devising suitable vocational training in accordance with the requirements of the employment market.

This makes the whole enterprise of vocational training schools that take the environments of the different provinces into consideration. The training equipment is usually so expensive that the existing institutes are becoming inactive. Moreover, the present personnel responsible for training is not well qualified. The curriculum has not changed since 1980. As for women, there are no vocational training institutes for them. The result is that there are now no Yemeni women specializing in this field, consequently no training hours in the timetables of the girls' schools.

B- Educational Aims (Article 29)

Article 53 of the Constitution says:

"The state is particularly interested in safeguarding the new generation and protecting it from deviance. The state provides it with all the facilities for religious, mental and physical education. It aims at providing a congenial atmosphere for developing their abilities at all levels." This article corresponds to article 29 of the Agreement on the Child's Rights.

In reality, however, the school timetable usually witnesses the cancellation of certain activities like drawing and music from the school curriculum. Physical education is often looked down upon. The child does not acquire manual or mental - skills because there is no physical education. Children are not exposed to democratic dialogue because of the lack of facilities and well trained teachers in this aspect, in addition to the density of the classrooms which may come to 160 pupils. This overcrowding certainly affects performance as the quantitative increase is usually followed by a decrease in quality.

In addition to that teachers do not apply sound educational methodology in the classroom. They frequently practice all sorts of physical and psychological punishment.

Required Recommendations

1. Teacher Training Institutes for females. Increasing the number of specializations to include kindergarten, household arts, decor, manual skills (the art of textile design & children's toys), musical education & physical education.
2. Adding to the teachers ' training Institutes for males new specializations like decor, musical and physical education and simple manual training.
3. finding a new mechanism for implementing compulsory education through realising the principle of free education and equal opportunity.
4. Organizing refresher courses for teachers of both sexes.
5. Maintenance of the existing schools and adjusting them to suit the needs of handicapped children so that social integration may become possible.
6. Creating common programmes between the Ministry of Education and NGOs in the area of education.
7. Extending the " Child to Child " programme to cover more areas.
8. Reviewing the Institutes of vocational training through adjusting their programmes and plans in order to suit the requirements of the employment market as well as upgrading the skills of the existing personnel.
9. Encouraging the private sector in the production of special teaching aids for children,

and with more commercial facilities.

10. Adopting more modern structures in school buildings particularly in the countryside , in a way that ensures the social integration of the handicapped children.

11. Adopting a programme of distance learning through the visual mass media, e.g., through the television channel or video cassettes .

12. Compel the ministries of security and social affairs and the private sector in large factories to open kindergartens for the children of women working with them.

13. Preventing physical and psychological abuse at schools.

C- Leisure, Entertainment and Academic Activities (Article 31)

The official report ignored the child's right to enjoy his leisure time and to develop his talents. It did not refer to any information or statistics concerning this. There are some places where the child can spend his leisure time but these are not satisfactory or adequate.

There are some special clubs for the boys but there are no clubs for the girls. Moreover, the handicapped children have no opportunity to enjoy their leisure time nor for developing their talents. This is due to the following reasons:-

1. Scarcity of qualified personnel in childrens' education and literature.

2. Lack of supporting techniques for adapting the written material to suit the child's cognitive age.

3. Lack of space for play and entertainment for the child and lack of play grounds in many places, particularly in densely-populated areas.

4. Scarcity of opportunity for children to participate in the cultural and artistic life, develop their talents as well as to express their views.

5. The bad financial status of the families forces them to push their children to work during their spare time.

6. The wrong attitudes to the cultural and sport activities in clubs where attention is paid exclusively to football. All other sports, particularly those which suit children are neglected.

7. Lack of facilities required for forming art and science teams, centres and children's libraries.

8. Absence of a children's theatre and the role it may play in raising their awareness level.

9. The negative social attitudes towards girls and the handicapped child.

10. Absence of the role of mass media in publicizing children's activities.

11. Low level of participation of NGOs in the state's plans. The private sector is not encouraged to produce children's programmes.

Required Recommendations

1. Raising the level of the family awareness of the importance of the cultural and artistic needs of the children.

2. Providing more opportunities for participation of children in national and international activities through arranging festivals and regular activities.

3. Enlightening the child on humanitarian values, fostering the development of his personality and capacities and preparing him to face life.

4. Arranging tourist excursions and travel programmes for children.

5. Training the personnel who are specialized in children's literature and education (magazine, stories, theatre and cinema) and enabling competent people to play positive roles.

6. Enabling competent personnel to play a positive role in the area of childrens' education and inventiveness.

7. Supporting the establishment of model centers for children's activities (drawing, libraries, athletic activities, theatre and saving)

8. Establishing special clubs for girls .

9. Encouraging societies that have educational and literary programmes to participate in developing childrens' education.

10. Activating the educational programmes at school.
11. Constructing special parks for children.
12. Encouraging the private sector to work in the area of childrens' cinema and theatre.
13. Realising social integration, through reviewing the structures of the existing clubs and their programmes so as to suit handicapped children.

(A) PROCEDURES FOR SAFE GUARDING CHILDREN UNDER EMERGENCY CIRCUMSTANCES.

1 Refugee Children (Article 22)

The official report did not give attention to this point although the Republic Of Yemen has had thousands of Somali refugees who fled the Somali Civil war to the Republic of Yemen. Through cooperation with international organizations here, the Republic of Yemen erected camps for them first in Al-Sha'b City, then in Abyan Province. After the sad events which the Republic of Yemen underwent throughout May-July 1994, their area Al-Kod was one of the battle fields. So, they moved to Al-Jaheen Lodar area (Abyan province) . A number of refugees fled to Al-Basaateen area (Aden Province) and the result was many orphans who lost their families during the war.

As for the educational situation, three schools were opened for the refugees through the cooperation with the Swedish Organization' Save the Children and as follows :

- Jaheen Lodar School (Abyen Province it includes 450 pupils and 17 teachers. 13 subjects are taught. Somali is the language of instruction.
- Al-Basaateen school (In Shaykh Uthman) : it has 70 refugee pupils. A committee of the Ministry of Education supervises it. Arabic is the language of instruction. It applies the official curriculum.
- School of Somali Community in Mualla (Aden Province): there are 40 children. It applies the official curriculum.

Besides, a number of refugees in (Hadramout province) have been homed in Al-Saqr Rest House in Mukalla which belongs to the army, and permanent houses have been built for more than 100 families in Jol Al-Rimaaya District (Fuh).

As for the health situation of the refugee children, they suffer from a number of problems, including :

1. Malnutrition because of the nutritive imbalance.
2. Inconvenient. housing and cold weather, which led to bronchopneumonia, diarrhoea and skin deformation.
3. Because of the sad war in Yemen some refugee children have been physically affected by the war fragments and psychologically affected because of facing a second war immediately after the war in their homeland.

Required Recommendations

1. Increasing the quantity of the monthly distribution of food.
2. Improving living circumstances and providing blankets and clothes.
3. Special care for orphaned children.
4. Following up with the children who were affected by the Yemeni war.
5. Adopting a programme for repatriation.

A-2 Children in Armed Conflict (Article 38)

With respect to executing our country's commitments in this area the official report, did not say anything. It is important, however, to realize that the constitution of the Republic of Yemen stressed in part one, article 5 that Yemen is bound by the United Nations Charter, the International Proclamation of Human Rights and the Arab League. The Law of Compulsory

Service No.67,1991, concerning service in the armed forces, the law of Compulsory National Defence No.22,1990 and the law of Military Resource No. 23,1990, all confirmed the following points:

1. The national military service is compulsory for every male Yemeni who is 18 years old.
2. All male citizens from 18 to 50 are part of the general human resource.
3. Every man who is over 18 should join the armed forces.

however, there are in fact some gaps in carrying out the items of the constitution and the current laws. This was very clear during the wars which Yemen underwent, that is, the events of January 1986 and April 1994.

Their results were painful. They affected the country directly and indirectly.

The children were seriously affected: they faced death, homelessness and various handicaps. The direct effects of these wars on the children were as follows :

1. Killing the children and killing their parents and families in front of them.
2. Seriously wounding the children in different ways.
3. Participation of the children in fighting either directly or indirectly
4. Some children were recruited in the armed forces, some voluntarily enlisted, Some compulsorily (conscription).
5. Capturing children between 11 and 15.
6. emigration of children with their families to neighbouring areas
7. Recruitment of children who lost their families , to the armed forces for survival.
8. Spread of psychological and nervous diseases among children, particularly those who were in the areas of the battlefield and those who were exposed to scud missiles.
9. Physical damage resulting in disabilities like.blindness and other physical disabilities.
10. The children going away from their families and into the streets. Some of them entered the employment market and are thus added to the list of child workers.
11. Lack of children's homes for sheltering the homeless ones, in addition to the weakness of the housing structure.
12. Shortage of water, which led to catching some infections, particularly diarrhoea.
13. Some health centres for children were shelled by gunfire or scud missiles, like Al-Jumhuri Hospital and Friendship Hospital.
14. Affecting the children during and after the war with explosives in the form of toys and with the remains of the military equipment (mines) that were left in some parts.
15. Random shelling of educational centres which led to financial loss and physical damage and prevented them from beginning the school year. Consequently, the learners joined late.
16. With respect to the children who participated in the armed conflict in 1994, whether enlisted or as volunteers or even civilians and who happened to be near the battlefields, they were treated well. They were released as soon as the war ended and allowed to go back to their families.
17. As the conflict came to an end, a training course was arranged, through the cooperation of the Ministry of Education with UNICEF and the SWEDISH SAVE THE CHILDREN by the specialists in psychology and sociology in schools in how to treat children after the war.
18. The personnel of international organizations dealing with the children were evacuated during the war.

Required Recommendations

1. Urging all NGOs. to consider democratic dialogue and peaceful means for solving all conflicts, and to avoid resorting to war conflicts.
2. Urging the state to find safe places for the people & to protect them through building underground shelters and furnishing them so as to have it ready for use during armed conflicts.

3. Adopting a programme of rehabilitation for the children affected by the war, It may aim at treating wounded children, training the handicapped children and rehabilitating the children who are psychologically affected because of the war.
4. Demobilizing children below 18 from compulsory military service and the volunteers from the military service and listing their names in the social security.
5. Organizing workshops for training people from private organizations of both sexes on civil defense and first aid, subjoining the children to them so that they may take part in cases of emergency, God forbid.
6. Adopting a strategy for disarmament of civilians.

(B) CHILDREN IN CASES OF LEGAL CONFLICTS

B-1 Administration of Juvenile Court (Article 40)

The state proclaims this article by issuing Law No. 24,1992 concerning juvenile guidance. A juvenile is defined as every person who did not exceed 15 at the time of committing the crime. The law does not allow reservations on the juvenile who does not exceed 12. The erecting of juvenile courts was stated in the law of Legislative Authority, Article 49. However, no administration of juvenile justice has been formed. Similarly, there are no reform schools till now which aim at rehabilitating juveniles and integrating them within the society. What happens is that children are detained in the offices of the police, Investigation Bureau. The detainee may stay for two or three months until they are brought to justice. They may be severely ill-treated.

Moreover, there are no lawyers who defend them. Sentence may come to six or seven years. They will go to the juvenile section in the central prison. As for girls, they go to the Women's Prison together with old professional criminals. The situation is worse in the juvenile guidance: there are no programmes of guidance and rehabilitation. A lot of youngsters has got no ways of contacting their families to tell them about their whereabouts, especially those coming from villages. The child may have the warrant in hand, but as there is nobody to process it, he may have to wait for 2 or 3 years, until he finds someone to do it. As for girls, they are in a tragic situation : the family may desert their girl, which represents the biggest obstacle for their release, as the law of juvenile delinquency says that the man in charge of the juveniles should sign for receiving them as soon as the term ends. Because of this, the fact that there is no substitute for housing girls, after the period terminates, many girls have to remain in the prison. To give one example, there are now 60 boys and 13 girls in Sana'a Central Prison. They live in very bad circumstances. This is due to the following reasons:

1. Lack of administration structure for handling juvenile cases.
2. Lack of juvenile courts.
3. Lack of reformatories.
4. Lack of coordination among the ministries of Justice, Internal Affairs and Security.
5. Nonexecution of laws concerning the juveniles.
6. Absence of a mechanism of supervision for ensuring the good treatment of children.
7. Lack of confidence by the family and its ignorance in how to shoulder its responsibility toward the child.
8. Indifference of mass media in directing the family and in shedding light upon the juvenile affairs.
9. Lack of awareness among children on the law of juveniles.
10. Inadequacy of International organizations in playing their roles in the proper way.

Required Recommendations

1. Forming an administrative system of juvenile justice.
2. Forming juvenile courts.
3. Building reform schools for both sexes ; they may be run according to Article 40, Item 4 of the Agreement on the Child's Rights.
4. Applying the juvenile law and the principle of reward and punishment to be enforced

on all.

5. Developing and training women to supervise over juveniles.
6. Finding a mechanism for monitoring over the execution of the law of juveniles.
7. Sensitizing the personnel of the Ministries of Justice and Interior Affairs with the content of the Convention on the Child's Rights.
8. Activating the role of the organizations of human rights.

B-2 Children deprived of Freedom, Including all Sorts of Detainees, Imprisonment or house arrests (Article 37.b,c,d.)

This article has not been adhered to.

B-3 Sentencing The Juvenile, Particularly Execution and Life Imprisonment (Article 37)

The state has been committed to this article in the law of juvenile guidance, Article 37.

B-4 Physical and Psychological Treatment and Social Rehabilitation.

This is not carried out. There is no mechanism responsible for pursuing it.

(C) Economically Exploited Children, Including Physical and Psychological Treatment and Social Reorientation (Article 39)

This article has not been dealt with by the state, as there are a lot of children especially beggars and the homeless - besides those exposed to personal exploitation, particularly the girls, for whose treatment no programme exist .

C-1 Economic Exploitation Including Child Labour (Article 32)

Because of the special economic circumstances which the Republic of Yemen undergoes and because of the absence of social security for children, some families push their children to begging. And because there is no law which prohibits begging, the phenomenon of begging is spreading.

Moreover, a child may bear heavy responsibilities at a very early age, particularly the children coming from remote rural areas and the returnee children who returned home because of the gulf crisis. Thus, according to 1993 statistics, there are 79085 workers whose ages are from 10 to 14. This simply shows that the Ministry of Labour has not paid attention to this.

C-2 Misuse of Drugs

The Republic of Yemen is committed to this point through issuing the law of Drug Prohibition. There are no reports from the nongovernmental organizations concerning this point.

C-3 Sexual abuse and Ill-treatment (Article 34)

The phenomenon of sexual abuse exists among children from both sexes, particularly the beggars, the homeless and the children of social guidance centres.

C-4 Selling, Smuggling and Kidnapping Children

No place for this phenomenon in our country.

(D) Children who Belong To A certain Minority or to a Local Ethnic Group (Article 30)

In the Republic Of Yemen, there are some children whose religion is Judaism. They live in Sada and Raema. In addition to their human rights, they have their full religious freedom. No reports were introduced by them through their nongovernmental organizations.

Besides, there are some marginal minorities, like El-Akhdaam, who are very poor and who are concentrated in the areas of Tihaama, Beni Sari, Mehweet and Raema. The state has got no programmes for integrating them into the society.

Required Recommendations

1. Reviewing the framework of the Ministries of Security and Social Affairs and

developing their personnel.

2. Adopting a programme for preventing begging and the phenomenon of child labour.

3. Activating the role of the mass media for educational purposes.

4. Applying the principle of reward to those who safeguard childhood and the principle of punishment to whoever tries to exploit the child in any way.

[Home](#)

The NGO Reports Database on Children's Rights includes all existing and public reports submitted to the Committee on the Convention of the Rights of the Child by NGOs and NGO Coalitions. The copyright of the reports are retained by the authors and use thereof must be duly acknowledged.

The database is the property of the Liaison Unit of the NGO Group for the Convention on the Rights of the Child and is managed by that unit. For further information or other enquiries please contact the Liaison Unit at dci-ngo.group@pingnet.ch.
