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Yemen (ratification: 2000)

Worst Forms of Child Labour Convention, 1999 (No. 182)

Discussion by the Committee

Interpretation from Arabic: Government representative – We would like to emphasize that the Government of Yemen has provided information about the efforts it is undertaking to address the issue of child labour. We have done a number of things in recent years.

Firstly, we have implemented an action plan to put an end to child labour. This has involved cooperation with the ILO and with employers' and workers' organizations. We have implemented a number of programmes intended to withdraw children from the labour market. We have done that by seeking to encourage schools, to have children attend schools rather than work, and we have also trained inspectors to ensure that they are aware of our policies and that they too are seeking to put an end to child labour.

Then we have the 2002 Act No. 45 on child labour and we also have a Ministerial Decree that prohibits the employment of children under the age of 18. Information is provided to inspectors, to civil servants and to imams in mosques to ensure that this information reaches as many people as possible. In addition to that, we have organized workshops, a kind of children's parliament, and we have got local authorities fully on board with this policy.

Another thing that we have done is to implement a programme for street children, to get them into schools, and we are analysing the data and the information that we have about street children. We recognize this as something that has worsened in recent years because the economic situation in our country has become more difficult and there is more poverty.

We have also conducted a number of studies and surveys to get information about human trafficking and to address that issue. Furthermore, we have done more to train inspectors so that they are more aware of all of the issues in this area and so that society as a whole becomes more conscious of the dangers of child labour, and we are trying to mobilize people to combat it in all parts of the country. In addition to that, the Ministry of Labour and Social Affairs is taking measures to mainstream this issue in most of the policies promulgated.

However, we are still facing a number of challenges. One of the challenges is that we see a lot of children being abandoned. There is also an increase in begging, in children using

narcotics and we observe that civil society is weaker and weaker in our country. For that reason, we have adopted an Action Plan for 2019–26 which aims to bring an end to child labour, especially focusing on the worst forms of child labour, by 2026, the purpose being to protect children and their families. We have set ourselves eight goals: (1) to prevent child labour and to protect children; (2) to ensure social protection for children who end up in the labour market; (3) to ensure that our monitoring bodies are better able to intervene in cases of child labour; (4) to take further measures to put an end to the recruitment of children into the armed forces; (5) to increase vocational training; (6) to provide information about child labour; (7) to undertake a number of studies on the phenomenon in our country so that we have accurate information; and (8) to adopt a national policy programme to combat this scourge. A copy of this programme was sent to the ILO yesterday, and let me emphasize that we really look forward to the ILO helping us in implementing this Plan so that we can achieve all of the goals previously enumerated.

Membres travailleurs – Notre commission avait en 2014 déjà traité le cas du Yémen quant à la conformité de sa situation au regard de la convention. Les discussions que nous avons menées cette année-là témoignaient de la gravité de la situation sur place pour les enfants. Cinq ans plus tard, nous revenons devant notre commission pour aborder la situation au Yémen, situation qui est loin de s'être améliorée.

Comment ne pas faire le parallèle entre le cas du Yémen et le cas que nous avons abordé hier. Nous sommes en effet confrontés à des manquements similaires. Nous le voyons, et c'est une constante, les enfants sont des victimes extrêmement vulnérables en temps de conflit. La mise en œuvre de mesures visant à exécuter les obligations contenues dans la convention pourrait améliorer de manière significative le sort des enfants au cours de ce conflit. Nous comprenons le contexte difficile que traverse actuellement le Yémen. Le gouvernement yéménite ne peut néanmoins pas renoncer à observer ses obligations au titre de cette convention.

La commission d'experts a soulevé dans son rapport des difficultés de trois ordres:

- 1) le recrutement obligatoire d'enfants en vue de leur utilisation dans des conflits armés;
- 2) l'absence d'accès à une éducation de base gratuite; et
- 3) la réadaptation et l'intégration sociale des enfants soldats et des enfants occupés à des travaux dangereux.

Je commencerai par le recrutement obligatoire dans le cadre des conflits armés. Comme le prévoit l'article 3 *a*) de la convention, il s'agit de l'une des pires formes du travail des enfants. Un rapport de l'UNICEF de 2017 indique que plus de 1 500 enfants étaient enrôlés dans le cadre du conflit. Ce rapport dénombrait également plus de 1 500 enfants tués et plus de 2 400 blessés. D'autres rapports font état d'une augmentation substantielle de ce nombre suite à la persistance et à l'intensification du conflit. On parle d'une multiplication par 10 du nombre d'enfants enrôlés dans le conflit portant ainsi leur nombre à plus de 15 000. Cette augmentation est à attribuer aux milices houthistes.

Bien que ces milices ne soient pas des milices gouvernementales, les contraventions à la convention qui leur sont attribuées doivent être prises en compte par notre commission pour évaluer la conformité de la situation au Yémen avec la convention. Il est inquiétant de constater que ces enfants sont amenés à participer activement au conflit. Ils sont en effet formés au maniement d'armes lourdes, à la pose de mines terrestres et d'explosifs. Il est par ailleurs profondément choquant de devoir constater que ces enfants font véritablement office de chair à canon en étant envoyés en première ligne et en étant utilisés comme boucliers humains. Pour ce faire, ces enfants sont bien souvent contraints de prendre des stupéfiants et d'autres drogues, nous faisant craindre de graves séquelles à long terme pour ces enfants.

Lors de la session de notre commission en 2014, le gouvernement indiquait l'élaboration d'un plan d'action en collaboration avec la Représentante spéciale du Secrétaire général de l'ONU sur les enfants et les conflits armés. Ce plan d'action visait à mettre un terme à la pratique d'enrôlement d'enfants dans les forces armées. Il apparaît aujourd'hui du rapport de la commission d'experts que la mise en œuvre de ce plan a été retardée par l'intensification du conflit en 2015. C'est regrettable. Ce plan contenait en effet un certain nombre de mesures concrètes à même de lutter contre les pires formes de travail des enfants. Nous reprendrons d'ailleurs certaines de ces mesures dans les recommandations que nous adresserons au gouvernement lors de nos remarques conclusives. Le rapport indique l'adoption en 2012 d'un décret présidentiel interdisant l'enrôlement d'enfants dans les forces armées. Force est de constater que ce décret ne trouve aucune application effective en pratique. En effet, l'utilisation d'enfants dans le conflit armé au Yémen persiste et est particulièrement alarmante.

Au même titre que la commission d'experts, nous déplorons les manquements graves à l'article 3 a) de la convention. Comme prescrit par l'article 1 de la convention, le Yémen doit prendre des mesures immédiates et efficaces pour assurer l'interdiction et l'élimination des pires formes de travail des enfants, et ce de toute urgence. Il est essentiel de ne pas laisser impunis ceux qui auront enrôlé des enfants de moins de 18 ans aux fins de leur utilisation dans le conflit armé. Le gouvernement ne peut laisser croire à ceux qui se sont rendus coupables de tels agissements qu'ils bénéficient d'un blanc-seing. Le gouvernement se doit de leur envoyer un signal très clair. Conformément à l'article 7 de la convention, le gouvernement veillera à prendre toutes les mesures nécessaires pour assurer la mise en œuvre effective et le respect des dispositions donnant effet à la présente convention, y compris l'établissement et l'application de sanctions, pénales ou autres.

La seconde difficulté soulevée par la commission d'experts est celle de l'accès à une éducation de base gratuite. Nous l'avons déjà entendu à plusieurs reprises au cours de nos débats dans d'autres cas: l'accès à l'éducation est certainement le moyen le plus efficace pour préserver les enfants des pires formes de travail. C'est bien pour cela que l'article 7, paragraphe 2 c), de la convention impose aux Etats Membres d'assurer, entre autres, l'accès à l'éducation de base gratuite.

Il ressort du rapport que, selon des statistiques de l'UNESCO datant de 2011, le taux net de scolarisation dans l'éducation primaire était de 76 pour cent et dans l'éducation secondaire de 40 pour cent. Ces taux de scolarisation devraient être améliorés: 24 pour cent des enfants en âge d'aller à l'école primaire, soit près de un sur cinq, n'ont pas accès à l'éducation; ce pourcentage monte à 60 pour l'enseignement secondaire. Trois enfants sur cinq ne suivent pas l'enseignement secondaire. Un certain nombre d'entre eux n'ont probablement pas encore atteint l'âge d'admission au travail. Au-delà de l'augmentation du taux de scolarisation dans l'enseignement primaire, il est essentiel de travailler à augmenter le taux de scolarisation dans l'enseignement secondaire.

Il apparaît par ailleurs que le taux de scolarisation des filles est beaucoup moins élevé que celui des garçons: alors qu'il est de 82 pour cent dans l'enseignement primaire pour les garçons, il n'est que de 69 pour cent pour les filles. Dans l'enseignement secondaire, le taux de scolarisation est de 48 pour cent pour les garçons et de 31 pour cent pour les filles. Des statistiques de 2013 de l'UNICEF portant sur un gouvernorat du Yémen indiquent que l'abandon scolaire touche principalement les filles à concurrence de 78 pour cent des abandons scolaires.

On le voit, l'écart entre taux de scolarisation des garçons et des filles est énorme. Cet écart s'explique par les idées reçues bien ancrées au sein de la population, particulièrement en milieu rural, selon lesquelles les filles ne doivent pas être instruites. Il est fondamental que le gouvernement mette en place une politique d'égalité d'accès à l'éducation pour les filles qui ne peuvent se voir privées de ce droit humain de base qu'est le droit à l'éducation.

La troisième difficulté épinglée dans le rapport de la commission d'experts est celle de la réadaptation et de l'intégration sociale des enfants soldats et des enfants occupés à des activités dangereuses.

A ce propos, le rapport fait état d'initiatives positives prises par le gouvernement. Ces initiatives consistent en ateliers et en campagnes consacrés à la réadaptation des enfants soldats à l'attention de la société civile. Des centres de réadaptation ont également été ouverts pour les enfants soustraits au conflit armé. Une assistance médicale a été fournie à des centaines d'enfants soldats libérés des milices.

Le gouvernement du Yémen a par ailleurs assuré la prise en charge de 89 enfants qui avaient participé au conflit armé, et 39 d'entre eux ont bénéficié d'une réadaptation et ont pu retourner dans leur famille. Ces initiatives sont très positives. Les informations statistiques quant au nombre d'enfants ayant bénéficié de telles mesures indiquent que de nombreux enfants enrôlés dans le conflit armé ne peuvent malheureusement pas encore bénéficier de ces initiatives. La communication écrite par le gouvernement d'informations statistiques plus détaillées pourrait davantage éclairer notre commission. Si les statistiques qui apparaissent dans le rapport sont exactes, c'est le signe que beaucoup reste à faire sur le terrain. Il y a encore trop d'enfants qui ne peuvent bénéficier de ces mesures de réadaptation dont ils ont urgemment besoin.

Je signalais au début de mon intervention que nous avons déjà abordé le cas du Yémen en 2014. Cinq années se sont écoulées depuis. Cinq ans dans la vie d'un enfant, c'est le tiers de son enfance. Il y a de fortes chances que des enfants déjà enrôlés dans le conflit en 2014 n'en sont toujours pas sortis aujourd'hui. La communauté internationale ne peut faire un tel aveu d'impuissance face à cette situation révoltante. En 2014 déjà, notre commission avait lancé un appel à la communauté internationale pour venir en aide au Yémen. Si l'examen du cas du Yémen devant notre commission nous amènera à adresser des recommandations au gouvernement yéménite, nous ne pouvons pas perdre de vue que l'amélioration du sort tragique des enfants au Yémen dépendra également, et en grande partie, de l'attitude de l'ensemble des Etats impliqués de près ou de loin dans le conflit au Yémen.

Employer members – We would like to thank the representatives of the Yemeni Government for their presence and for their representations. As you are aware, this case relates to Convention No. 182, which is a fundamental Convention intended to protect children from the worst forms of labour. Yemen ratified this Convention in 2000 and is bound by its provisions. This case was first discussed before this Committee in 2014 and further observations were made by the Committee of Experts in 2018. The main issues are related to Yemen's failure to observe and implement its obligations under the Convention. In their previous observations, the Committee of Experts had raised the following issues in respect of the matter set out below: failure to prevent compulsory recruitment of children for armed conflict, as set out in Article 3(a); failure to implement time-bound measures to provide access to free basic education, Article 7(2)(c); failure to prevent engagement of children from the worst forms of child labour, as well as removing them from such work and ensuring their rehabilitation and social integration, in terms of Article 7(2)(a) and (b).

As for children involved in armed conflict in Yemen, in 2014 this Committee noted that by the admission of the Government's representatives themselves, there was a serious situation for children in their country, due to the involvement and recruitment of children for armed conflict. In 2012, a Presidential Decree prohibiting the recruitment of children into armed conflict was adopted, but as to whether this has been actioned appropriately has not been reported. There is also no indication as to whether the social partners, the workers and employers, had been consulted as per Article 5 of this Convention. The Government stated at that time that it had signed an action plan in 2014 with the Special Representative of the United Nations Secretary-General for Children and Armed Conflict to end and prevent the recruitment of children by armed forces. Importantly, the plan had set out concrete steps to

release all children associated with the government security forces, reintegrate them into communities and prevent further recruitment. As to whether this has been actioned has not been reported either.

The Committee had further noted in the Government's report that the Chief of Staff of the armed forces and the Prime Minister themselves had made a commitment to implement measures agreed upon in this action plan to end the illegal recruitment of children by the armed forces. However, according to a report of the United Nations Secretary-General to the Security Council in May 2014, the UN documented the recruitment of 106 boys between the ages of 6 and 7 years of age, the killing of 36 children and the maiming of 154 children. The Committee had noted the Government's statement that the action plan to put an end to the recruitment and use of children by armed forces was concluded in 2014. However, there was also no indication as to whether that action plan had been formulated in consultation with the stakeholders – that is the employers and the workers. What is known is that there has been a worsening of the armed conflict since 2015.

The UNICEF report titled: *Falling through the cracks – The children of Yemen*, published in March 2015, reported that at least 1,572 boys were recruited and used in the conflict, 1,546 children had been killed and 2,458 children had been maimed. These are staggering numbers. A report attributed to the Ministry of Human Rights in 2018 specified the increasing number of conscripted children by Houthi militia and their methods of mobilizing those children to fight in the frontlines. According to the report, the percentage of children recruited by the militia had increased tenfold since 2016. The number of child soldiers among this group had reached more than 15,000 which is alarming to say the least. The report further indicates that children recruited by this group were forced to use, as my colleague from the Workers also mentioned earlier, psychotropic substances and drugs and had been used to penetrate the Saudi borders. They had also been used as human shields and trained to lay mines and explosives.

The Committee on the Rights of the Child (CRC), in its concluding observations on the report submitted by the Government of Yemen under the Optional Protocol to the Convention of the Rights of the Child on the involvement of children in armed conflict in 2014, expressed serious concern about the presence of children within the armed forces and about the recruitment of children, including girls, by the pro-Government tribal militias and the continuous recruitment and use of children in hostilities by the non-state armed groups.

A lack of more recent information means that it is hard to evaluate as to whether any progress has been made since 2015. The Employers' group urges the Government to take urgent and transparent steps to expedite the implementation of its obligations under the Convention. While we do acknowledge the complexity of the situation prevailing on the ground and the presence of armed groups and armed conflict in the country, nonetheless we echo the call of this Committee and strongly urge the Government to take measures using all available means to ensure the full and immediate demobilization of all children and to put a stop in practice to forced or voluntary recruitment of children under the age of 18 into armed groups and using them in conflict.

We also echo the call of this Committee to urge the Government to take immediate and effective measures to ensure that a thorough investigation and prosecution of all persons who forcibly recruit children under the age of 18 for use in armed conflict are carried out, and sufficiently effective and dissuasive penalties are imposed in practice as a prohibitive measure. Similarly, we echo the call of this Committee to call on the Government to provide information on the number of investigations conducted, prosecutions brought and convictions handed down against such persons.

In respect of education-related issues, the issues relating to education are also a matter of serious concern. Widespread conflict and the risk of attacks on schools, as well as the

recruitment or abduction of children for combat purposes all play a significant part in separating children from their right to a basic education free from interference or harm. The Government's Fourth Periodic report to the CRC in 2012 did provide information on some policies and implementation of actions to be taken to reduce the gender gap. However, according to a UNESCO Institute for Statistics report, the enrolment rates were low at 76 per cent in primary education and 40 per cent in secondary education, thus creating doubts as regards the effective implementation of this programme.

Considering that education is key in preventing children from being engaged in the worst forms of labour, the Employers' group echoes the call of this Committee for the Government to intensify its efforts to improve the functioning of the education system in the country and to facilitate access to free basic education for all children, especially girls. This should be done by increasing the school enrolment rates at primary and secondary levels and by decreasing their drop-out rates.

The Employers' group also echoes the call of the Committee of Experts and requests the Government to provide information on the measures that have been taken and results issued in terms of Articles 7(2), clause (a) and (b), in order to prevent the engagement of children in the worst forms of child labour by removing them from such work and ensuring their rehabilitation and social integration.

With regard to reintegration, the Committee of Experts had noted from the report of the Ministry of Human Rights in 2018 that workshops and civil society campaigns on the rehabilitation of child soldiers are being carried out and rehabilitation centres were open for children withdrawn from armed conflict. Hundreds of child soldiers recruited by the militia have been released and provided with medical care.

This report further indicates that the Government of Yemen, in cooperation with the Arab Coalition and the Internal Committee of the Red Cross and UNICEF, received 89 child soldiers who were recruited by the Houthis militia and deployed along the borders, out of which 39 children had been rehabilitated and returned to their families. The Employers' group is of the view that this is a step in the right direction and must be encouraged.

Equally important would be to report on these developments to the Committee of Experts. However, the failure to report has been observed by the Committee of Experts again in 2018, and it noted the continuing lack of information from the Government on this matter. While empathizing with the Yemeni Government, considering the present situation of the country, the Employers' group echoes the call of the Committee of Experts for action, and the requested measures should not be limited to those under 18 years of age, as sexual exploitation and abuse is not only in breach of the Convention, but also numerous other fundamental labour and human rights standards.

Therefore, once again the Employers' group calls upon the Government to provide accurate information to the Committee of Experts for assessment.

Interpretation from Arabic: Observer, Public Services International (PSI) – Yemen is not complying with the Convention. When we read the report we see a list of violations of that Convention and we see that women and children in Yemen are victims of those violations. We also see that for the last five years the Workers' delegation of Yemen has been absent from ILO activities. Indeed, that has been the case since the current Government took power.

We therefore would like to address the ILO and the UN here in Geneva and we would like to draw the attention to the need to deal with the issue of the crisis of wages in Yemen. In fact, there are people who have not been paid for more than three years. How can we talk about the right to collective bargaining at a time when we see that the offices of the workers'

organizations of Yemen have been occupied by the Houthi who are putting pressure on trade unionists and preventing them from enjoying freedom of association. We also see that women and children in Yemen are victims of similar oppression. We therefore appeal on behalf of the children of Yemen whose life is in danger and physical integrity is threatened. They are killed, they are humiliated, they are drawn into military conflict.

More than 5,000 children have been recruited into the armed forces. Girls are married off very young, and these are forced marriages in many cases. More than 1 million children in Yemen today are malnourished. One child dies every ten minutes and they die for reasons that could be prevented. We therefore believe that assistance programmes need to be intensified. More needs to be done and these programmes need to be spread out fairly throughout the country because, at present, only some regions are able to benefit from this and that is to the Houthi-controlled regions.

Worker member, Sweden – I am speaking on behalf of the Nordic unions from Sweden, Finland, Norway, Denmark and Iceland. Yemen is a country in which society is being torn apart by an armed conflict. The first casualty of any armed conflict is always the children and their right to a childhood. But even in times of war, the Convention must be applied. In Yemen this is not the case. Children on both sides of the conflict are being recruited as soldiers. The children are given military training and serve as soldiers. These are children who should be in school learning the alphabet, not firing a machine gun.

According to Article 7 of the Convention, the Yemeni Government must take measures to prevent children from being recruited as soldiers. The Yemeni Government has failed miserably to do so thus abandoning its most vulnerable citizens. A UNICEF report from 2017 says that at least 1,572 boys were recruited and used as soldiers. The Nordic unions call upon the Yemeni Government to make the abolishment of child soldiers one of its priorities and to prosecute any adults who recruit children as soldiers.

According to Article 7, the Yemeni Government must also remove the children already recruited as soldiers from military life and reintegrate them into society. A community-based approach to reintegration in cooperation with the family of the child ex-soldier can also prevent remobilization, as well as initial mobilization of other children. Another key role in the reintegration of former child soldiers is education. Article 7 also states that free basic education shall be provided for all. Yemen has low enrolment rates, especially for girls. Education in itself can prevent both initial mobilization and remobilization. The Nordic unions urge the Yemeni Government to improve its educational system and to facilitate access to education, especially for girls. I do not need to remind the Committee that education for girls also prevents child marriages and child pregnancies.

I would like to end by emphasizing that the Nordic unions do not take sides in the ongoing conflict in Yemen. We take the side of the Yemeni children who all deserve a childhood.

Membre gouvernemental, Suisse – La Suisse regrette le fait que nous devons à nouveau discuter du respect de cette convention, une convention fondamentale pour le Yémen. L'implication des enfants dans les conflits armés est un phénomène très préoccupant, et la Suisse est inquiète de voir la pratique du recrutement d'enfants perdurer au sein des forces armées gouvernementales et des groupes armés. Nous regrettons que le plan d'action visant à mettre un terme à la pratique d'enrôlement d'enfants dans les forces armées, à rendre la liberté à tous les enfants liés aux forces armées gouvernementales, à les réintégrer à leur milieu et à empêcher tout nouvel enrôlement, a été retardé. Tout en reconnaissant les circonstances complexes, très complexes dans le pays, la Suisse appelle le gouvernement du Yémen à ne plus retarder davantage la mise en place des mesures prévues dans le plan d'action de 2014 afin de tenter de ne pas priver ces enfants d'un avenir meilleur.

Un bon fonctionnement du système éducatif et un accès facilité à l'éducation de base pour tous les enfants, y compris les filles, devraient également faire partie des mesures.

Finalement, des sanctions efficaces et dissuasives doivent être imposées dans la pratique pour punir le fait d'associer des enfants à un conflit. En ce sens, tout en reconnaissant certains développements positifs, tels que mentionnés dans le rapport du ministère des Droits de l'homme de 2018, la Suisse soutient les conclusions et recommandations de la commission d'experts.

Interpretation from Arabic: Worker member, Morocco – I have asked for the floor, first and foremost, to express my solidarity with the people of Yemen, people who are living in tragic circumstances because of the conflict raging in that country.

In such circumstances, the first to fall victim to conflict are children. Today, as an international organization, as the ILO, we have to be very realistic in talking about the suffering of the children of Yemen. We have to condemn all of the inhuman exploitation that children are facing. We see violations of the Convention. These are repeated and flagrant violations.

The Government of Yemen has ratified that Convention but, despite that, these violations continue. This is something that we must condemn. We know about the political situation in Yemen but we condemn all parties to the conflict and all of their internal and external supporters. They must all shoulder their historic responsibility. It is high time to put an end to the crimes perpetrated against innocent children who are recruited for armed forces. The Government must shoulder its responsibility and so must the ILO. The situation is desperate, and we cannot ignore it.

Government representative – I wish to thank the distinguished speakers for their comments and we take due note of such comments. As you may be aware, a state of conflict since 2015 prevails in Yemen, along with a heart-breaking humanitarian situation which has its negative impact on every single aspect in the country, including children.

Since the first year of the conflict, the Government of Yemen called upon the international community along with the related UN agencies to put extra pressure on the militias to stop recruiting children in the current conflict. Such recruitment highly affected the children and placed those children in different kinds of dangers, along with different kind of abuses and human rights violations unfortunately.

To conclude, the current conflict has an impact on the capacities of the governmental institutions. Therefore, we do hope that the ILO, along with the related donor institutions could support the Yemeni Government in its efforts to protect children protection and also support the Yemeni Government to implement the 2019–26 plan regarding child labour.

Employer members – The essence of this case is the procurement and the use of children in combat, which is one of the most dangerous situations a child can be in. Children are the future of any country and protecting them by using whatever resources and giving priority, should be the objective of all governments, including the Government of Yemen, and we urge the Government of Yemen to do so.

There is no doubt that this situation falls well within the ambit of the worst forms of labour as described in Article 3(a). In the circumstances, the Employers' group urges the Government of Yemen to follow the course of action that we are about to recommend:

- Implement the plan of action that was adopted in 2014 which includes aligning domestic legislation with international norms and standards prohibiting the recruitment

and use of children in armed conflict. This process should include all partners including employers and workers.

- Issuing and disseminating military orders prohibiting the recruitment irrespective of if it is voluntary or involuntary in relation to the use of children in armed conflict.
- Investigating all allegations of recruitment of children and the use of children below the age of 18 by the Yemeni government forces or their allies, irrespective of whether it is voluntary or involuntary, must be done immediately.
- Ensuring that those responsible are held accountable is also a matter of urgent requirement as far as the Employers and this Committee is concerned.
- Facilitating the United Nations to monitor progress and compliance with the action plan as well as organizations such as the ILO will also be considered as a priority.
- Ensuring that children unwillingly involved with the armed groups irrespective of affiliation are treated fairly and equitably and to implement a plan of action to ensure that they are reintegrated into society with adequate rehabilitation.

We also expect the Government of Yemen to collate and submit without further delay information and statistics related to the number of children engaged in armed conflict; the number of those liberated and sent for rehabilitation and reintegration. Similarly, information will also have to be provided with regard to investigations and prosecutions of those accountable for committing these grievous offences.

We also urge the Yemeni Government to develop policies and plans of action to ensure equal access to free basic education for all children of school-going age.

Similarly we invite the Government of Yemen to avail itself of technical assistance as a matter of urgency and to ensure compliance of law and practice aligned with the Convention. In this regard, we did hear from the Yemeni Government that they had implemented certain programmes or actions along with the ILO, and we would request the Office to provide to the Committee of Experts information on any such interventions so that we could assess what has been done. We also invite the Government of Yemen to report in full on the measures that have been taken to implement the above recommendations before the next meeting of the Committee of Experts in 2019.

Membres travailleurs – Nous remercions le représentant du gouvernement yéménite pour les informations qu'il a pu fournir au cours de la discussion. Nous remercions également les intervenants pour leurs contributions. La lutte contre l'exploitation économique des enfants est au cœur du mandat de l'OIT. L'élimination effective des pires formes de travail des enfants est une exigence à laquelle la quasi-totalité des Etats Membres de l'OIT a souscrit en ratifiant la convention.

Nous ne sommes plus qu'à une ratification de la ratification universelle de cette convention. C'est un signal fort de la communauté internationale, et cela témoigne du large consensus qui existe autour de l'éradication des pires formes de travail des enfants.

Nous devons malheureusement constater qu'en pratique de nombreux enfants sont encore occupés dans les pires formes de travail des enfants. Et c'est notamment le cas au Yémen.

Comme nous l'avons déjà dit dans les remarques introductives, nous sommes persuadés que l'amélioration du sort tragique des enfants au Yémen dépend de l'ensemble des nations impliquées de près ou de loin dans le conflit armé. Nous les invitons donc à honorer le

consensus international existant autour de l'abolition des pires formes de travail des enfants en œuvrant à une résolution pacifique du conflit au Yémen.

Un certain nombre de recommandations peuvent être adressées au gouvernement en vue d'améliorer le sort des enfants au Yémen et ainsi améliorer la conformité à la convention. Nous insistons pour que le gouvernement prenne les mesures nécessaires pour assurer la démobilisation complète et immédiate de tous les enfants actuellement enrôlés et pour qu'il mette un terme dans la pratique à l'enrôlement forcé des enfants de moins de 18 ans dans les forces armées comme dans les groupes armés non gouvernementaux.

Le représentant du gouvernement a mentionné l'adoption d'un plan d'action 2019-2026. Il aurait été utile de transmettre cette information avant l'examen du cas. Cela nous aurait permis d'en tenir pleinement compte au cours de nos discussions. Nous espérons qu'il ne s'agit pas d'un effet d'annonce et que ce plan sera effectivement mis en œuvre. Nous demandons dès lors au gouvernement de veiller à transmettre ces informations à la commission d'experts et d'effectivement mettre en œuvre les mesures contenues dans ce plan.

A côté de ce nouveau plan, le gouvernement veillera dans le même temps à mettre en œuvre d'urgence les mesures prévues par le plan conclu en 2014 avec la Représentante spéciale du Secrétaire général de l'ONU sur les enfants et conflits armés, à savoir:

- 1) aligner la législation nationale sur les normes et règles internationales qui interdisent le recrutement et l'utilisation d'enfants dans un conflit armé;
- 2) promulguer et diffuser des ordres de l'autorité militaire interdisant tout enrôlement et toute utilisation d'enfants de moins de 18 ans;
- 3) diligenter des enquêtes sur tout fait allégué du recrutement et d'utilisation d'enfants par les forces armées yéménites et faire en sorte que les responsables aient à rendre des comptes.

Nous invitons le gouvernement à fournir toute information sur l'état d'avancement de la mise en œuvre du plan.

Le gouvernement prendra également des mesures immédiates et efficaces tendant à ce que des enquêtes approfondies soient ouvertes et des poursuites engagées à l'égard de tous ceux qui auront enrôlé des enfants de moins de 18 ans aux fins de leur utilisation dans le conflit armé et que des sanctions suffisamment efficaces et dissuasives soient imposées dans la pratique.

A cet effet, le gouvernement veillera à renforcer les capacités des services d'inspection.

L'éducation est essentielle pour préserver les enfants des pires formes du travail. Nous nous joignons à la commission d'experts en priant le gouvernement d'intensifier ses efforts d'amélioration du fonctionnement du système éducatif dans le pays.

Le gouvernement devra veiller à faciliter l'accès à l'éducation de base gratuite pour tous les enfants, notamment pour les filles. Il s'efforcera de parvenir à ce que le taux de scolarisation dans le primaire et le secondaire progresse et à ce que, dans le même temps, le taux d'abandon de la scolarité recule.

Le gouvernement transmettra toute information utile sur les mesures prises à cet égard et sur les résultats obtenus.

Nous l'avons vu, des initiatives ont été prises pour travailler à la réadaptation des enfants enrôlés dans le conflit armé ainsi que pour les enfants occupés à des travaux dangereux. Nous insistons pour que le gouvernement continue à déployer des mesures dans un délai déterminé afin de s'assurer que les enfants enrôlés dans les forces armées et les forces non gouvernementales sont démobilisés et que les enfants occupés à des travaux dangereux cessent de telles activités.

Le gouvernement devra faire en sorte que ces enfants bénéficient d'une assistance adéquate pour leur réadaptation et leur réintégration sociale.

Le gouvernement communiquera toute information sur les mesures prises à cet égard et les résultats obtenus.

Afin de mettre en œuvre l'ensemble de ces recommandations, nous demandons au gouvernement yéménite de solliciter l'assistance technique du BIT.

Conclusions of the Committee

The Committee took note of information provided by the Government representative and the discussion that followed.

The Committee urges the Government to:

- **implement the Plan of Action that was adopted in 2014;**
- **ensure that Government involved with arms groups, irrespective of affiliation, are treated fairly and implement measures to ensure that these children are reintegrated into society with adequate rehabilitation;**
- **prepare a report including information and statistics relating to the number of children engaged in armed conflict, the number of those liberated and sent for rehabilitation and reintegration, as well as the investigation and prosecution of those accountable for recruiting children into armed conflict; and**
- **take all necessary measures to ensure equal access to free basic education for all children of school age.**

The Committee encourages the Government to avail itself of ILO technical assistance to ensure full compliance of law and practice aligned with Convention No. 182. The Committee requests that the Government report regarding the measures taken to implement the above recommendations before the next meeting of the Committee of Experts in 2019.

Government representative – We wish to thank the distinguished Committee. Meanwhile we take note of the Conclusions. We wish to reiterate that Yemen lives in devastating conflict since 2015 which has its impact on every single aspect, including the capacities of the Government institutions. Therefore, we wish the distinguished Committee would take into consideration this aspect in its future report. Meanwhile, we do hope that the ILO, together with the related donor institutions, could support the Yemeni Government in its efforts to protect children and implement its 2019–26 Plan.