

trafficking of Vietnamese women through international marriage. The government distributed leaflets aimed at both foreign and domestic tourists to combat child sex tourism. Authorities did not report any other efforts to reduce the demand for commercial sex or forced labor. During the year, the government signed memoranda of understanding to cooperate on human trafficking with China and Laos. In July 2010, MOLISA promulgated an optional code of conduct for labor export companies, developed with the assistance of an international organization, and reported that 96 of 171 licensed labor recruiting companies have signed the agreement. During the year, authorities worked to evacuate over 10,000 Vietnamese workers, some of whom may have been trafficking victims, displaced by the conflict in Libya. Each returnee was provided with safe passage home and \$95 towards short-term resettlement expenses, and the government is working to connect returnees with new employment opportunities in Vietnam and abroad. Nevertheless, the government has yet to reach adequate agreements with all destination governments on safeguards against forced labor. Vietnam is not a party to the 2000 UN TIP Protocol.

## YEMEN (Tier 3)

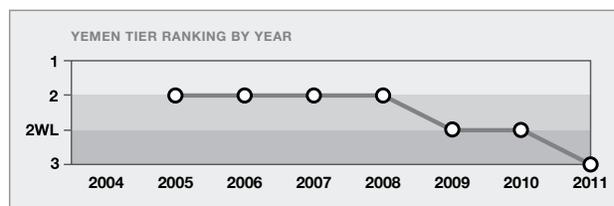
Yemen is a country of origin and, to a much lesser extent, a transit and destination country for men, women and children subjected to forced labor and sex trafficking. Yemeni children, mostly boys, migrate to the Yemeni cities of Aden and Sana'a or travel across the northern border with Saudi Arabia or, to a lesser extent, to Oman and are forced to work in domestic service, small shops, or as beggars. Some of these children are subjected to prostitution by traffickers, border patrols, other security officials, and their employers in transit or once they arrive in Saudi Arabia. The government and local NGOs estimate there are hundreds of thousands of children in forced labor in Yemen. An unconfirmed government report indicates that fewer Yemeni children may have been forced to work in Saudi Arabia in the reporting period due to a combination of awareness campaigns, collaboration between Yemeni and Saudi authorities, and the outbreak of civil war in northern Yemen. Some parents may have refrained from sending their children to Saudi Arabia for fear of them encountering violence in northern Yemen, while other Yemeni children attempting to reach Saudi Arabia were abducted by rebel groups to serve as combatants. In addition, some sources report that the practice of chattel slavery still exists in Yemen; although no official statistics exist detailing this practice, sources report that there could be 300 to 500 men, women, and children sold or inherited as slaves in Yemen, including in the Al-Zohrah district of Al-Hudaydah Governorate, west of Sana'a, and the Kuaidinah and Khairan Al-Muharraq districts of the Hajjah Governorate, north of the capital.

To a lesser extent, Yemen is also a source country for girls subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15 are exploited for commercial sex in hotels and clubs in the governorates of Sana'a, Aden, and Taiz. The majority of child sex tourists in Yemen originate from Saudi Arabia, with a smaller

number possibly coming from other Gulf nations. Yemeni girls who marry Saudi tourists often do not realize the temporary and exploitative nature of these agreements and some are subjected to sex trafficking or abandoned on the streets after reaching Saudi Arabia. Yemen is a transit and destination country for women and children from the Horn of Africa; Ethiopian and Somali women and children travel voluntarily to Yemen with the hope of working in other Gulf countries, but once they reach Yemen, they are subject to sex trafficking or domestic servitude. Others migrate voluntarily based on false promises of comfortable employment as domestic servants in Yemen, but upon arrival are subject to sex trafficking or domestic servitude. Female Somali refugees are forced into prostitution in Aden and Lahj governorates and Yemeni and Saudi gangs traffic African children to Saudi Arabia. Somali pirates capitalize on the instability in the Horn of Africa to subject Africans to forced labor and prostitution in Yemen, in addition to their piracy and human smuggling crimes.

Despite a 1991 law that stipulates that recruits to the armed forces must be at least 18 years of age, and assertions by the government that the military is in compliance with these laws, credible reports exist that children have been conscripted into official government armed forces – as well as into government-allied tribal militias and militias of the Houthi rebels – since the sixth round of the intermittent war in Sa'ada began in August 2009. A local NGO estimated that children under the age of 18 may make up more than half of some tribes' armed forces, both those fighting with the government and those allied with the Houthi rebels.

The Government of Yemen does not fully comply with the minimum standards for the elimination of trafficking, and has been placed on Tier 2 Watch List for a third consecutive year. Pursuant to Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, therefore, Yemen is deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3. Due to political unrest, the Government of Yemen was unable to provide data to contribute to this report. In November 2010, the Yemeni cabinet approved the country's accession to the 2000 UN TIP Protocol. In addition, the government reportedly prosecuted and convicted traffickers during the reporting period. Despite these efforts, the Yemeni government did not take steps to address trafficking for commercial sexual exploitation or to institute formal procedures to identify and protect victims of trafficking.



**Recommendations for Yemen:** Increase law enforcement efforts against trafficking in persons, including trafficking of women, men, and children for sex trafficking and forced labor; take measures to investigate and eradicate the practice of chattel slavery in Yemen, including by enforcing the prohibition against slavery against slave "owners;"

expand victim protection services to rehabilitate victims of forced prostitution; make greater efforts to stop the forcible recruitment of child soldiers and provide protection services to demobilized children; institute a formal victim identification mechanism to identify and refer trafficking victims to protection services; expand educational campaigns on trafficking to include information on the sex trafficking of children and adults; and adopt and dedicate resources to a national plan of action to combat trafficking.

### Prosecution

The Government of Yemen made some progress in enforcing laws against trafficking during the reporting period. Article 248 of the penal code prescribes up to 10 years' imprisonment for anyone who "buys, sells, or gives as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him." Although the prescribed penalty under this provision is commensurate with that prescribed for other serious crimes, such as rape, this transaction- and movement-based statute does not prohibit debt bondage or many forms of forced labor and forced prostitution. Article 161 of the Child Rights Law specifically criminalizes the prostitution of children. The government did not report official statistics on its efforts to arrest, prosecute, convict, or sentence trafficking offenders. Media reports, however, indicate the government prosecuted five trafficking cases, resulting in the conviction of at least three defendants who received sentences ranging from six to 10 years' imprisonment and fines. It is unclear whether these trafficking cases involved forced prostitution or forced labor. In addition, the Ministry of Interior continues to operate women's and children's units that could be used to investigate trafficking offenses; it is unclear, however, whether these units investigated trafficking cases during the reporting period. The government made no known efforts to investigate or punish the practice of chattel slavery, and in one case, a judge in Hajja sanctioned the transfer of the title deed of a slave from one master to another. There was no evidence of prosecutions or punishments of government officials for complicity in trafficking during the reporting period.

### Protection

The government made no progress in protecting victims during the reporting period. The government continues to lack formal victim identification procedures to proactively identify and assist victims of trafficking among vulnerable groups, such as women arrested for prostitution or those detained for illegal immigration. As a result, Yemen did not ensure that victims of trafficking are not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked. Although the government, in partnership with UNICEF and NGOs, continued operation of two reception centers in Sana'a and Harath to rehabilitate child labor trafficking victims and maintained contact with the Government of Saudi Arabia on cross-border trafficking issues, it did not report how many children were assisted in these centers. In addition, the government did not expand these reception centers to protect child victims of sex trafficking. The government does not provide protection services to

adult victims of either forced prostitution or forced labor. The government did not encourage victims to assist in investigations or prosecutions of their traffickers. The government did not provide assistance to its nationals who are repatriated as victims of trafficking, although NGOs provided limited assistance and helped reunite some victims with their families. There were no legal alternatives to the removal of foreign trafficking victims to countries in which they may face hardship or retribution.

### Prevention

The Yemeni government made limited efforts to prevent trafficking during the reporting period. The government maintained an inter-ministerial committee to coordinate anti-trafficking initiatives among relevant agencies; it is unclear, however, whether this committee met during the reporting period. The government reportedly expanded public awareness campaigns to include information on trafficking for commercial sexual exploitation. In 2010, the Ministry of Social Affairs and Labor hosted a workshop attended by Ministry of Education and local NGO representatives to discuss combating the prostitution of children. Nonetheless, the government did not take any significant measures during the reporting period to reduce the demand for commercial sex acts, address the problem of child sex tourism, or ensure its nationals deployed to international peacekeeping missions do not facilitate or engage in human trafficking. The government did not make efforts to prevent sex trafficking of children or adults and remained reticent about addressing these issues. The government has not yet developed a universal birth registration system and many children, especially in rural areas, were never registered or registered only after several years, depriving them of a key identity document and therefore increasing their vulnerability to trafficking. It is unclear whether the government enforced its 2009 decree aimed at reducing trafficking via "temporary marriages." Yemen is not yet a party to the 2000 UN TIP Protocol.