



**Save the Children Sweden**

المنظمة السويدية لرعاية الأطفال

## PHYSICAL AND HUMILIATING PUNISHMENT OF CHILDREN IN YEMEN

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*Save the children fights for children's rights  
We deliver immediate and lasting improvements  
for children's lives world wide*

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# I Objective of the study

## A. Objective and methodology of the study

This study forms part of the contribution of Save the Children Sweden to the United Nations Secretary General's Study on Violence against Children. The objective of the present study is to provide an overview of the extent of the use of physical and humiliating punishment against children in Yemen. The study aims to explore the extent of the problem and to highlight some of the dimensions and underlying causes in order to provide a greater understanding and awareness of this issue. The study concludes with recommendations for strategies and policies to reduce and prevent physical and humiliating punishment.

Various sources of information, data and studies have been used. The three main studies that form the basis of this report are<sup>1</sup>:

1. Alyaheri, Abdullah (2004). Mental health, education and corporal punishment among Yemeni school-aged children. London: King's College, Institute of Psychiatry.
2. Dhubhani, Nasser (2004). Violence against children in Yemen.
3. Kamel, Haniya (2004). Violence against Children in Yemen. Internal Mission Report, Save the Children Sweden.
4. The Social Workers' Association (2004). Children's Right in Protection and Security. No discrimination ...No punishment. Alhota, Lahij Governorate, Yemen: Department of Education.

Research studies consulted for the present study have used both quantitative and qualitative methods of research.

Quantitative data has been collected through questionnaires that were filled in by children, parents and caretakers. Questions related to indicators of the socio-economic situation of children and their families, forms and frequency of punishment of children. In addition, researchers have used the *Strengths and Difficulties Questionnaire* (SDQ), which is a questionnaire that measures the level of psychopathology among children. The questionnaire includes information on school achievement as well as extensive socio-demographic data compiled through questions on the socio-economic conditions of children and their families. The questionnaire also addresses forms and frequency of punishment of children.

For children who have been identified as having possible and probable psychiatric disorders a more detailed assessment was used through the *Development and Well-being Assessment Questionnaire* (DAWBA). Both the SDQ and the DAWBA were filled in by parents and teachers for all selected children. A Self-reporting Questionnaire (SRQ) was used to assess mother's mental health.

Qualitative data was gathered through focus groups consisting of parents, children in schools, children in families, children in alternative care institutions and homes for orphans, street children, counselors, social workers in juvenile delinquency institutions, caretakers and teachers. In addition, individual interviews were conducted with children,

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<sup>1</sup>For a complete list of material and studies see Annex I.

local community leaders, children, parents, teachers, and staff of juvenile care centers. Qualitative data also consisted of drawings and writings of children.

Examples of variables and indicators used are the socio-economic status of families (assessed through ownership of durable goods), school performance of children (measured through school marks),<sup>2</sup> different types of physical and humiliating punishment, age, gender, parents' level of education, number of children in the family and level of mother's mental health.

Data in the research was analyzed through frequency distribution of all variables, cross-tabulations and correlations. Some studies applied linear regression to investigate the impact of physical and humiliating punishment and other variables (mothers' educational level, mothers' mental health, socio-economic status and gender) on educational achievement and mental health of the child. Multiple logistic regression analysis was used to identify variables that could act as a predictor of physical and humiliating punishment.

The present study consists of a synthesis of major findings. It concludes with recommendations for the prevention and elimination of physical and humiliating punishment of children.

## **B. Definitions**

The definition of violence used throughout this study is based on that agreed upon by the Committee on the UNCRC, NGOs and the General Assembly in outlining the scope of the present study. It is based on the definition presented in the World Report on Violence and Health of the World Health Organization (WHO) which views violence as "the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development or deprivation."<sup>3</sup>

The Save the Children Alliance further elaborates and defines corporal/ physical as the "use of physical force intended to cause some degree of pain or discomfort for discipline, correction, control, changing behavior or in the belief of educating/bringing up the child." It also establishes the link between corporal/physical and the psychological effects: "Corporal/physical punishment can be also psychologically damaging (e.g. causing low self esteem, sadness, shame, depression, etc.). Psychological violence, including humiliating or degrading treatment and threats, can be equally or more harmful to the child."<sup>4</sup>

Corporal/physical, according to the SCS, can take a number of forms, "including hitting the child with the hand or with an object (such as a cane, belt, whip, shoe, etc), kicking, shaking, or throwing the child, pinching or pulling their hair; forcing a child to stay in an uncomfortable or undignified position, or to take excessive physical exercise; burning or

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<sup>2</sup>This is the case for the study on urban and rural areas (al-Mukalla and Tuban districts in Yemen). Alyaheri January 2004. Abdullah. Mental Health, Education and Corporal Punishment among Yemeni school-aged children. London: Kings College.

<sup>3</sup>World Health Organization, World Report on Violence and Health, 2000 (quoted in Kamel, Haniya (2004): Violence against Children. Internal mission report. Yemen: Save the Children – Sweden, p. 6)

<sup>4</sup>Save the Children (April 2003). Save the Children Alliance Position on Corporal Punishment. Stockholm Sweden.

scarring the child.”<sup>5</sup> Humiliating or degrading punishment takes various forms such as psychological punishment, verbal abuse, ridicule, isolation, or ignoring the child.

The WHO also provides definitions for other forms of abuse, such as sexual abuse. According to the WHO, "child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of society.”<sup>6</sup>

Several treaties and instruments exist that aim at protecting children from violence. The protection of the child is expressed in the United Nations Convention on the Rights of the Child (UNCRC). The Convention explicitly protects children from all forms of physical violence (Article 19) and from inhuman and degrading treatment or punishment (Article 37). According to the Convention member states should take all legislative, administrative, social and educational measures to protect children against all forms of violence, harm, abuse (physical, mental, carelessness as well as any treatment that includes irresponsible negligence, maltreatment or manipulation) (Article 19). Article 37 requires states to ensure that "no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment..." Under article 40, all children involved with juvenile justice systems "have the right to be treated in a manner consistent with the promotion of the child's sense of dignity and worth..."

The Convention requires school discipline to be “consistent with the child's human dignity and in conformity with the present Convention” (Article 28.2). In view of the damage that physical punishment can do to children's attendance and learning experience, it can also breach Article 28, which stipulates children's right to receive primary education (Article 28.1.a) and requires states to ‘take measures to encourage regular attendance at schools and the reduction of drop-out rates (Article 28.1.e).

Other human rights treaties and instruments also deal with the issue of violence against children. The Committee on the Rights of the Child is the highest international authority for the interpretation of the Convention and is now leading the challenge to end physical and humiliating punishment of children. It monitors the implementation of the Convention on the Rights of the Child and has consistently stated that legal and social acceptance of physical punishment of children, in the home and in institutions, is not compatible with the Convention. The Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee against Torture - have also condemned physical punishment of children in various contexts, but not yet as comprehensively.

There have been various landmark judgments, quoting human rights principles and condemning physical punishment of children. Some relate only to physical punishment in the penal system or in schools. Others condemn physical punishment by parents.

An example of another important initiative is the Global Initiative to End All Corporal Punishment of Children. It was launched during the meeting of the Commission of Human Rights in Geneva in 2001 and forms an alliance of human rights agencies,

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<sup>5</sup>Save the Children Alliance (2004). Ending Corporal/physical Punishment and Other Forms of Humiliating or Degrading Punishment of Children. Stockholm: Save the Children Alliance.

<sup>6</sup>Kamel, Haniya (2004): Violence against Children. Internal mission report. Yemen: Save the Children – Sweden, p. 8.

individuals and NGOs against corporal punishment. The Save the Children Alliance is a partner in the Global Initiative to End All Corporal Punishment of Children. The Initiative aims at ensuring that the recommendations of the Committee on the Rights of the Child and other human rights bodies are accepted and that governments implement legal reform and public education programs.

### **C. Sample**

The studies conducted in Yemen have focused on exploring and comparing children's and parents' views on discipline and punishment and on means used to discipline and punish children. Samples used in the studies have been randomly selected, their size ranging from 33 to over 1300 respondents. All samples include rural and urban areas. Children's samples include children aged 6-15 years. Gender balance among children was respected.

Samples also included teachers, parents, caretakers, and local community leaders. However, the majority of the interviewed parents were mothers. Settings in which violence may occur have been chosen as follows: the family, school, the street as well as alternative care institutions.

### **D. Data limitations**

There are some limitations that have affected the results of the studies used in this report. In one study<sup>7</sup>, a comparison of mothers and fathers was not possible within the sample, due to an error of coding at the data gathering stage. Errors were made in entering the name of the respondent rather than the name of the head of household. Hence, there appears to be more males than females in the family questionnaires.

Other data limitations relate to the socio-economic status of families and the age of children in one study. Most of the sample was based on the views of 12-15 year old children making a comparison of views and experiences of younger children with those of older ones impossible. Another limitation consists of self-censored and stereo-typical replies in some of the focus groups.

Some weaknesses are the result of the questionnaire design. In some questionnaires for instance replies to the category 'other' was quite substantial.<sup>8</sup> Given the fact that no further details were given under this category suggests that future questionnaires have to be more elaborated.

Other questions, in particular related to harassment, which includes all forms of abuse as well as sexual harassment, have resulted in some cases in unclear replies. This is particularly related to sexual harassment and abuse, which, due to social taboos, proved difficult to deal with in the surveys. Similarly, replies related to child labor have not reflected the reality in Yemen, as many activities children are engaged in, such as household chores, are by the standards of the respondents not considered as work.

Finally, in relation to the questionnaire data, it would have been useful to compare parental responses and perceptions of violence to those of their own children to identify diverging perceptions between children and their caretakers.

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<sup>7</sup> Dhubhani, Nasser (2004). Violence against Children in Yemen.

<sup>8</sup> This category was used for all cases that could not be included under the more detailed and precise questions of the questionnaire.

## 2. Introduction

### A. Background

Yemen is a primarily rural society, with more than three quarters of its population living in small villages. It is characterized by high rates of poverty and by one of the lowest human development perspectives in the world. This is reflected in the indicators of health, education, gender, unemployment and poverty. The high level of poverty with 42 percent of the population living under the poverty line is exacerbated by a rate of high population growth, a fact which has not been adequately addressed by government policies. High birth rates have resulted in a large percentage of young people. 47% of the Yemeni population is under 15 years and 18% under the age of five years.

The Yemeni government is structurally weak and under-resourced and as a result unable to meet the growing needs of the population. Further challenges for the government are the effects of the 1990 Gulf War and the return of one million refugees in its wake as well as the Yemeni civil war of 1994. Both had an impact on living conditions of the population and the increase of poverty. Furthermore, the adoption of structural adjustment policies had a negative impact on the poor parts of society.

The result is substandard living conditions for a substantial proportion of society, characterized by poor shelter, lack of electricity and clean water. High population density is also a characteristic of marginalized and poor communities as well as overcrowded living conditions. Shelters of two rooms usually house families of 12 to 20 members.

In an effort to combat growing poverty and to alleviate the effect of structural adjustment policies the government launched a national strategy in 2002. The effectiveness of this strategy, however, was undermined by corruption and misallocation of available funds.

The current socio-economic and political situation reflects negatively on children who are, in addition to women, the primary victims of poverty. Poverty has severely limited the opportunities for children to develop their skills and capacities. More than 700,000 Yemeni children are forced to work on the streets to contribute to the family income.<sup>9</sup> Figures of working children are even higher, if agricultural work and domestic labor are taken into account. The socio-economic situation has also affected school enrolment rates and dropout rates as many children had to leave school for work in order to supplement family income. Poverty has been the context in which a substantial number of children live. Deprived of basic needs children have also often found themselves exposed to violence exercised against them with no legal protection or safeguard. While poverty as such is not the sole factor contributing to violence, it does create the environment conducive for the development of violence. Most importantly, the scarce resources available lead to conflict within the family and within groups of the community.

The prevalence of violence is difficult to assess as many cases are not reported. This is particularly the case for violence against very young children and babies. Both statistical and anecdotal evidence<sup>10</sup> show that physical and humiliating punishment is practiced in

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<sup>9</sup>Unicef Situation Analysis Report quoted in Kamel, Haniya (2004). Violence against Children, p.11.

<sup>10</sup>See statistics and consultations in different countries in Save the Children Alliance (2000) Ending Corporal/Physical punishment.

almost every society and that across the world millions of children<sup>11</sup> are being physically and emotionally punished by those who are charged with their care. Only ten countries so far have banned all forms of physical punishment of children. In many states physical punishment is seen as an essential tool for school discipline. Where physical and humiliating punishment has been abolished, specifically in schools, monitoring and enforcement of the law is often ineffective. Traditional and cultural values also help to perpetuate the use of violence against children.

## **B. Yemeni legal context**

Yemen signed the Convention on the Rights of the Child (CRC) in 1991 and has committed to translating the provisions set forth into new laws and to modifying existing laws that contradict the CRC. Yemen has embarked on creating the necessary institutions to implement the laws and has developed programs, strategies and policies at a national level to improve the situation of children by creating the necessary environment to protect children from violence.

The legal framework in Yemen<sup>12</sup> consists of the following: the Constitution (1991); Civil Code (1992); Personal Status Act (1992); Juveniles Act (1992); Penal Code (1994); Juvenile Guidance No.34 (1992); Agreement on Child's Rights and the UN Convention on the Rights of the Child.<sup>13</sup>

### ***1. Constitution***<sup>14</sup>

The Constitution includes several provisions which constitute the foundation for the fulfillment of child rights and the protection of children: the equality among citizens in terms of rights and obligations (Article 45), the guarantee of practicing their political, economic, social and cultural rights (Article 41), the right to social and health services as well as other services necessary for the development of society (Article 53). The Constitution also gives special attention to women and children in Article 35 in which the state is stated as responsible for the protection of motherhood and the bringing up of children and youth as well as the provision of educational and health services (Article 32).

### ***2. Laws***

Several provisions related to child rights have been incorporated in laws that deal with the social, economic and civic law aspects, such as the Civic Law, the Law on Civil Service, Labor Law, Criminal Law, Social Care Law and the Law on Protection of Juveniles. In 2002 these provisions were integrated into one legal body, the Law on Child Rights.

Both the Article 19 of the Civil Law of 1992 and the Law on Protection of Juveniles of 1992 have set the full legal age at 15 years. The Law on Civil Service of 1999 in contrast has included a modification of the legal age and had provided a list of professions, which cannot be exercised by persons under the age of 18 years.

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<sup>11</sup>Defined as every person under the age of 18.

<sup>12</sup>CRC concluding observations 1999 CRC/C/15/Add.102. CRC summary records 1999 CRC/C/SR523 and CRC/C/SR524. CRC state party report 1998 CRC/C/70/Add.1. Alternative report by NGOs, 1996. Amnesty International. Global Initiative in-house report.

<sup>13</sup>Information held by the Global Initiative to End all Corporal Punishment of Children concerning the legal status of corporal punishment in countries of the Arab League of Nations (30 January 2004).

<sup>14</sup> United Nations Study on Violence against Children, Response to questionnaire received from the Government of Yemen, 2004 (in Arabic).

The Labor Law of 1995 has established the equality of men and women at work and prohibited overtime for juveniles. According to Article 45 of the Labor Law work hours of children must not exceed seven hours per day and 42 hours per week. Furthermore, children are not allowed to work for more than consecutive four hours.

Social care and alternative care are also regulated by law. The law emphasizes the need to ensure that all needs of a child are met within the family and outside the family. In addition, the law highlights the responsibility of the state to provide institutions for those who do not have carers, such as juveniles, orphans, and to provide rehabilitation of street children, disabled children and other vulnerable groups.

The Penal Code of 1994 addresses issues related to children and violence. According to the Penal Code the age of criminal responsibility is 7 years. Between the ages of 7 and 15 a judge can impose only the measures provided for in the Juveniles Act (1992), and for children aged between 15 and 18 reduced sentences of the Penal Code (1994) are foreseen. The Juvenile Guidance No. 34 of 1992 and the Agreement on Child's Rights state that the child has the right not to be tortured or mistreated. It is however unclear whether this includes physical punishment – the Penal Code provides for the application of *hadd* penalties<sup>15</sup> for certain crimes, although these may be uncommon in practice.<sup>16</sup>

According to the 1999 government delegation to the Committee on the Rights of the Child, Article 14 of the Juveniles Act allows a child in detention centers (or his/her guardian or Attorney General) to complain of any physical punishment that is used, and such a complaint may lead to prosecution and punishment of the perpetrator, but as in the case above it is not clear whether this covers all forms of physical punishment.<sup>17</sup>

### ***3. Law on Child Rights of 2002***

The Law on Child Rights of 2002 is the first and most comprehensive set of laws on children and is based on the Convention on the Rights of the Child. This law focuses on the concept of the legal protection of the child, the guarantee of fulfilling child rights in accordance with existing and Islamic laws and the protection of the child from all forms of abuse. The Law identifies those institutions that are in charge of monitoring the respect of child rights. The Law also emphasizes the need to provide for alternative care for children who are deprived of care by families, which could be provided by either institutions of social care or by institutions of social welfare. In this context the Law ensures that those who are in institutions and prisons receive a monthly allowance. Special focus is put on the rehabilitation of juveniles.

In relation to protection of children who live in difficult circumstances, such as street children, children who are victims of natural and man-made disasters, those children subject to abuse or exploitation by society, the Law foresees to undertake the necessary measures to meet their needs. The state provides for the protection and care of orphans and children from disintegrated families, care and protection for those who do not have the care and protection and for those who live from begging. Furthermore, it is the

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15 Hadd comprises punishments that are prescribed and defined in the Quran and the Hadith, including stoning to death for adultery, 100 lashes for fornication, 80 lashes for falsely accusing a woman of adultery, death for apostatizing from Islam, 80 lashes for drinking alcohol, amputating the right hand for theft, amputating feet and hands for highway robbery, and death by sword or crucifixion for highway robbery accompanied by murder.

16 Abdullahi A. An-Na'im, ed. (2002), *Islamic Family Law in a Changing World: A Global Resource Book* (London: Zed Books), p.145.

17 CRC/C/SR524, para.19.

responsibility of the state to combat begging of children and to provide the appropriate care institutions for these children.

In order to prevent the exploitation of children, the Law emphasizes the role of the state in protecting the child from all forms of sexual and economic abuse and exploitation and to undertake the necessary measures to protect children from prostitution and from child trafficking.

Several laws have not been abolished that stand in contradiction to the CRC of 1989: the age of marriage of female children and the contradiction between the full legal age (15 years) and the definition of the child's age (18 years).

Legal protection also exists in school. However, although physical punishment at school is prohibited,<sup>18</sup> teachers frequently use physical and psychological punishment. A study conducted in 2004<sup>19</sup> provides an overview of the school punishment regulations.

According to Article 64 of the regulation, punishment applied at schools aims at disciplining students and should be in accordance with his or her behavior. The regulation distinguishes between light and severe forms of punishment and gives a detailed outline of the measures to be undertaken.

In cases of light punishment students are warned by the teacher, counselor or director. The purpose is to make the child aware of the misdemeanor or the disrespect of school regulations. Light punishment is applied in cases of disturbing the teacher and class, disrespecting the school schedule, showing carelessness towards homework, practical work and school performance, not wearing the official school uniform or in cases in which the student damages school textbooks. In cases of light punishment the parents are contacted and made aware of their child's behavior. A written warning is issued by the school administration and addressed to both student and parents.

Severe punishment, according to the regulation, includes the temporary suspension of the student for a period of time ranging from 1 to 3 days, depending on the decision of the school director.

The suspension can be extended to one week if the School Council decides so. Other forms of punishment include the transfer of the student to another school following the approval of the District Department of Education. In cases of dismissal, the District Department of Education is informed of the reasons of dismissal.

Article 68 regulates the use of violence and asserts that physical punishment and means of degradation and abuse should not be used. According to this article, punishment should be adequate and take the kind of misdemeanor as well as the psychological state of the student into account. The student should be informed of the reasons for the punishment measures. Furthermore, according to the Regulation, punishment should not lead the student to hate school. The Regulation prohibits the downgrading of marks, the exclusion of students from certain activities, or the isolation of students in a place for a certain time. It recommends that school children, who have not done their homework, for example, be sent to the library to complete the homework.

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<sup>18</sup> Government delegation to the Committee on the Rights of the Child in 1999 (CRC/C/SR523).

<sup>19</sup> Social Workers' Association (2004). Children's Right in Protection and Security. No Discrimination....No Punishment. Alhota, Lahij Governorate: department of Education, p. 12.

Similarly, although physical punishment at home is prohibited by law it is socially and legally accepted. Comments and recommendations regarding physical punishment in Yemen made by the Committee on the Rights of the Child state the following: "Although the Committee is aware that ill-treatment of children is prohibited by law, it remains concerned that the use of physical punishment by parents is widely regarded to be acceptable. The Committee recommends that the State party reinforce measures to raise awareness on the negative effects of physical punishment and ensure that discipline in schools, families and all institutions is administered in a manner consistent with the child's dignity, in the light of articles 3, 12, 19 and 28 of the Convention. The Committee further suggests that the State party ensure that alternative disciplinary measures are developed within the family and in schools and other institutions".<sup>20</sup>

#### ***4. Programs at a national level***

Attention to child rights in Yemen began in the 1990s. Initially, programs focusing on children have been included in larger programs and strategies that deal with motherhood, women and youth. Examples for these are the national strategies on housing for 1991-2000 and 2001-2005 and strategies to eliminate illiteracy, strategies on motherhood and childhood, on childhood and youth, on alleviating poverty and on the social and economic development plans of 1996-2000 and 2001-2005 as well as programs for the education of girls. Strategies specifically tailored to the needs of children were subsequently developed. These included the National Strategy to Combat Child Labor of 2001 and the National Strategy to Protect Children in Difficult Circumstances of 2001. Currently, the government is planning a national action plan for childhood and youth covering a period of 10 years.

In an effort to meet the needs of particularly vulnerable children the government has spent efforts on expanding services and alternative care and rehabilitation institutions for orphans and street children. Juvenile care institutions and rehabilitation homes for street children were established in this context. Currently, there are seven care institutions in six governorates for juveniles, one of them for female juveniles. The government plans to establish additional centers for female juveniles in Aden and Ta'izz.

Equally, the government has established juvenile courts in several governorates and plans to provide those courts with social experts to train police officers of the juvenile police and to prepare a training manual for dealing with the care of juveniles. The government also intends to create six police departments for juveniles.

Orphans are housed in eight institutions, two of which are for females. Furthermore, two centers are available for the rehabilitation of street children. These two institutions provide support, health and educational services for the children, services to their families and offer economic incentives that allow children to leave their current work.

#### ***5. Institutions***

Several government institutions agencies were created and existing ones improved. The most important institution is the Higher Council for Motherhood and Childhood, which was established in 1999 as a supervising body. Its role is that of monitoring, designing and coordinating policies related to motherhood and childhood, the assessing of progress in the implementation of the Convention on the Rights of the Child and the regular submission of reports to the Committee on the Rights of the Child, based in Geneva.

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<sup>20</sup> 10 May 1999, CRC/C/15/Add.102, Para. 21

The effectiveness of the Higher Council for Motherhood and Childhood, however, is linked to the commitment of the relevant institutions to implementing the Convention on the Rights of the Child.

Another important institution is the National Higher Committee for Human Rights created in 2001 as well as the establishment of several ministerial departments dealing with issues related to women and children.<sup>21</sup>

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<sup>21</sup> Dhubhani, Nasser (2004). Violence against Children in Yemen.

### 3. Study results

#### A. Introduction

Several studies were conducted to shed light on the situation of children and the use of physical and humiliating punishment against them in various settings, such as schools and homes as well as on the street and in the local community. Separate samples were chosen for particularly vulnerable groups of children, ranging from orphans and street children to juvenile delinquents.

The subsequent sections provide an overview of the results of these studies. A separate chapter on vulnerable children is included.

#### ***1. Physical and humiliating punishment of children***

Despite the prohibition by law, physical and humiliating punishment of children remains a widespread phenomenon in Yemen. Methods of punishment cover a wide range, from beating with the hand to beating with a stick or belt, shoes, wire or other objects, tying feet, and other forms, such as pinching and biting, pulling hair or ear, hitting on the head or standing under the midday sun.

Other forms of punishment in particular in schools include verbal abuse, signing a written commitment, partial or full dismissal from school, throwing pieces of chalk at children, burning and cauterizing, putting a ruler between the child's fingers and pressing the fingers against it.<sup>22</sup>

Brutal forms of punishment are reflected in two quotes from children:<sup>23</sup>

*"They have been hitting me since I was 7. My dad cauterized (burned) me. I don't like to be burned and I don't like to be punished in this way. He better beat me"*

and

*"My brothers beat me with a stick at home. My father beats me and jails me in a hot pepper store (hot red chilly store). He also hits me with a rope and leaves me in the hot sun for 15 minutes. My brothers, too, agree with my father and tell him that I misbehave and I have to be disciplined. My family treats me in this way for the first time and they'll do it with those who come after me."*

#### ***2. Social background of the children***

The vast majority of children live with their parents. In cases where children do not live with them, few have been living alone. Reasons given by children for leaving home is in the majority of the cases the death of the father. This is especially true for boys. For girls, it was the divorce of parents that led them to leave home. Divorce is in particular more prevalent in cities, where weakened family ties have allowed girls to leave their home.

Different reasons for family break-ups can be distinguished in rural and urban areas. While divorce was the main reason for family separation and break-ups in urban areas, the death of the father was the most common reason in rural areas.<sup>24</sup>

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<sup>22</sup> Social Workers' Association (2004). Children's Right in Protection and Security, p. 7

<sup>23</sup> Social Workers' Association (2004). Children's Right in Protection and Security, p. 10.

<sup>24</sup> Dhubhani, Nasser (2004). Violence against Children in Yemen.

Family separation and break-up is one of the reasons for children transferred to a correction center. In general, family break-ups have a negative affect on children in that the level of violence used against them increases. Results from focus group revealed that there is a close link between family break-ups and extreme levels of abuse, and neglect and negligent treatment. This was especially pronounced by juvenile delinquent children, but is also true for children from regular households.

In their reply to the UN Study on Violence against Children questionnaire, children have confirmed that family separation and break-up is one problem that forces them to leave their homes and exposes them to gangs, without them having any protection.<sup>25</sup>

A study revealed that more than four fifths of the children are enrolled in school, with slightly higher rates of school enrolment in urban areas. In contrast school dropout and cases of non-enrolment are more prevalent in rural areas. Dropout rates are not distributed equally among the various age groups. Most dropouts have been reported for those between 12 and 15 years.

Study results suggest that there is a positive correlation between the size of the family and the extent of the use of violence. Results, however, need to be considered with some caution as the sample includes a bias towards larger families.

In another study results revealed that the socio-economic status of the family is positively correlated to the use of violence<sup>26</sup>. This was confirmed in questionnaires and focus groups, which revealed that poverty and the problems associated with it, contribute to the use of violence. Study results also suggest that early marriage contributes to poverty, which in turn is associated with the use of violence. This study shows that the majority of wives (51.6%) had been married at the youngest ages of 10-16 years.

The studies have also assessed the extent of children's involvement in child labor. A surprising three quarters of the children reported that they do not work. According to study findings, 38% in rural and only 14% of children in urban areas work. Compared to girls, boys are much more involved in the labor market. Typical work done by children is the picking or selling of qat, selling tickets on a bus, working in a slaughter house or as fishermen.

These low figures are misleading and the reply of children suggests that their perception of work includes only work outside the home. Thus, when taking into account household chores and work in the family business or farm, the number of working children is considerably higher.

The main reason accounting for child labor is the financial support of the family and the supplement of family income. This becomes more important after the death of the father. This finding was confirmed in focus groups, in which children highlighted the extreme poor situation they live in.

## **B. Physical and humiliating punishment in various settings**

### ***1. Physical and humiliating punishment in the family***

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25 Minutes of Children's Voices from the NGOs Alternative Report (2004). Yemen National NGOs Coalition.

26 Alyaheri, Abdullah (2004). Mental Health, Education and Corporal Punishment in Yemeni School-aged Children. London: King's College, Institute of Psychiatry.

Physical and humiliating punishment in the family is prevalent. In a study almost 90% of children reported that this remains the main method of disciplining them.<sup>27</sup>

The most common methods of punishment at home is 'beating' followed by 'verbal abuse'. Less severe methods of punishment, such as deprivation of pocket money or restrictions of movement, are limited. These less severe methods are applied mostly to girls and in urban areas.

There is a clear distinction between punishment and its forms between boys and girls. Girls are more exposed to physical punishment than boys, particularly girls from rural areas. Boys, however, are exposed to more severe physical punishment, such as hitting with a stick. This is specifically the case for boys in urban areas. Girls in both urban and rural areas tend to be more exposed to verbal abuse than boys.

Children in rural and urban areas face different kinds of punishment. In general, children in rural areas are more exposed to being hit than those in urban areas. The most vulnerable group exposed to hitting are girls from rural areas. As to the use of physical and humiliating punishment the frequency is higher for rural areas.<sup>28</sup>

In addition, different methods of punishment prevail in urban and rural areas. Focus groups of both children and parents reveal that in cases of large families living in substandard conditions and in cases of separated families levels of violence were higher and more extreme.

In most cases the father and the mother are the person who punish, followed by the elder brothers.

Findings suggest that there is a distribution of roles between mothers and fathers as to who is in charge of female and male children. Girls were more likely to report punishment by mothers than boys while boys reported punishment by fathers more commonly than girls. Information gathered in focus groups with children revealed that fathers were consistently reported by respondents; especially those from rural areas, as being the most violent, followed by the eldest brothers.

The main reason for punishing children is not obeying parents' orders, followed by not doing homework and coming back home late. For girls, specifically from rural areas, not obeying orders is the main reason for being punished. For boys a more important reason for being punished is not doing homework or keeping up with household chores. This finding suggests that the family plays an important role in the socialization of children into traditional male and female roles.

## ***2. Physical and humiliating punishment at school***

The use of punishment at school is even higher than in the family. More than 90% of children reported that the most commonly used method of discipline is punishment, whereby figures are higher for urban areas than for rural ones.

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<sup>27</sup> Dhubhani, Nasser (2004). Violence against Children in Yemen. Social Workers' Association (2004). Children's Right in Protection and Security. Kamel, Haniya (2004). Violence against Children, p.11.

<sup>28</sup> Alyaheri, Abdullah (2004). Mental Health, Education and Corporal Punishment in Yemeni School-aged Children. London: King's College, Institute of Psychiatry

In contrast to occurrence of punishment in the family, no differences were found between rural and urban areas. Focus groups with teachers contradict this finding. In urban Hodeida, for example, teachers reported not to hit girls, but only to advise them.

Methods of punishment at schools appear more severe than punishment at home. More than half of the interviewed children reported to have been hit with a stick. As in the case of violence against children at home, more boys are exposed to severe forms of hitting. Focus groups revealed that other means of punishment by teachers consists of the downgrading of marks.

Teachers are the main group responsible for punishing children at school. Other groups include classroom assistants and the school director. In contrast to children in alternative care institutions, children at regular schools are much less exposed to abuse by classmates.

The main reason for being punished is not doing school homework, followed by misbehaving in class and not obeying orders of teachers or school staff. Boys are more exposed to punishment than girls for not doing their homework and for disturbing the class. More girls from rural areas are punished for not doing their homework compared to girls from urban areas. This reflects the girls' involvement in household chores and agricultural work in rural areas.

### ***3. Physical and humiliating punishment in the street***

In the local community, leaders take the role of mediating leaving it to the family to punish the child in cases of small problems. In some of the more severe cases, such as destruction of public property (school windows and electricity poles), stealing of qat and hitting children, children are sent to the relevant corrective institutions or the police station.

Community leaders in rural areas appear to be partially responsible for referring children into police custody as a final solution when all other means fail.

### **C. Other forms of abuse at home, school and in the local community**

Studies have also assessed the occurrence of other forms of abuse and harassment of children. In the studies, children were asked whether they had faced some form of harassment or abuse. This also included sexual harassment and abuse. Given the delicate nature of the subject it was not possible to verify to what extent sexual harassment existed. Neither was it possible to establish more distinct categories of forms of harassment. Moreover, focus groups and case studies clearly revealed that rural children were reluctant to discuss sexual abuse.

Replies by children revealed that one third of the children were exposed to some form of harassment, whereby more boys than girls were exposed. From the responses of children it was not possible to determine what types of harassment the children are referring to. Responses suggest that they may have referred to general nagging rather than to more serious forms of harassment such as sexual or physical. Further research is needed to examine this in more detail. The same applies to children's responses to perpetrators of harassment in schools and in the community.

Children experienced harassment in all settings, at home and school as well as in the local community. By far the most common type of harassment in all categories is that of verbal abuse. The majority of children who have faced verbal abuse reported that they

were exposed to this type of verbal abuse at home, followed by the local community and at school. Those who harass children most are brothers. Half of the children reported that they have been harassed by their brothers followed by teachers, school mates and neighbors and bus drivers.

Focus group interviews with children, particularly in urban centers, revealed a significant number of children, both boys and girls, were solicited by strangers on the street. In urban Sana'a, girls were careful to go out in groups for fear of this. In Hodeida, motor cyclists most commonly solicited and harassed children.

Sexual abuse is most commonly reported to happen at school, followed by within the family. Sexual abuse is more prevalent in rural than urban areas and more among boys than among girls. Sexual abuse in families is more prevalent among boys than girls and more in urban areas than in rural ones. At schools girls are more exposed to sexual harassment than boys, in particular in urban areas.

#### **D. Physical and humiliating punishment against vulnerable groups of children**

##### ***1. Juvenile delinquents and street children***

In the studies, a small sample of 33 juvenile delinquents from social care institutions in the cities of Sana'a and al-Hodeida was selected. The vast majority of the sample is male and under the age of 15.

Before joining the corrective institutions more than half of the children were living outside their homes. The remaining children lived either with their grandmother, grandfather, with one of their parents or with a married sibling.

Family separation and break-up account for the main reason of why children have left home, whereby break-ups are due to either the death of the father, divorce of the parents or the death of the mother. A minority responded that they had left home due to neglect or negligence by the family. Divorce of the parents has also an affect on children in that they would be discriminated against by the step-parent.

Almost three quarters of the children had experienced high levels of violence within their families and almost half of the children reported that they have been beaten by their fathers or forced to leave home. In a focus group, children, especially those from rural areas, added that their parents forced them to beg.

Compared to the regular sample of children in families, juvenile delinquents were exposed to harsh living conditions at home. This is expressed in the perception of both groups about the conditions of their families. A much larger number of delinquents are not satisfied with the situation and condition of their family. They can neither find comfort at home nor are their basic needs met. In focus groups children stated that they are often subjected to extremely violent abuse and mistreatment by their fathers and step-mothers, in particular, and often witness preferential treatment of their half-brothers and sisters.

Living conditions of juvenile delinquents was confirmed by the focus group with the institution's caretakers. The caretakers reported that a large number of children were exposed to violence, sexual harassment and to rape in the case of girls. The majority of the children came from broken homes and many had lived on the streets.

The difficult circumstances, under which children have been living before joining the corrective institutions, is also reflected in the fact that half of the children had been working. This is almost double as high as in the case of regular children. They have also started to work at an earlier age than children from the regular sample and the kind of work they were engaged in was harder and more difficult.

A further characteristic of this group of children is the high percentage among them who had never attended school. Of those children who are at school more than half faced difficulties at school and an equal number was exposed to beating by teachers. This has contributed to school dropout.

In one third of the cases children were most commonly referred to the institutions by their families and in another third of the cases by the legal system, court or police. According to the survey questionnaire a significant number was referred to by others. No further information is available on this category.

The reasons for joining the institutions are various, ranging from the death of one or both parents to other reasons, which have not been clarified further. Another significant finding was the high rate of children entering institutions as a result of being sexually victimized. Furthermore, study results reveal that orphans are also put into corrective institutions. Only one tenth of the sample is in the center for the correct reasons, namely for theft. These findings suggest that children are admitted in corrective centers mainly due to family tragedies rather than as a result of any wrong-doing. The current regulations at alternative care institutions allow the admission of these children. It is also likely that parents send their children in order to free themselves of their responsibilities towards their children.

Treatment of the children in the institutions is more than inadequate. One third of the children reported that they have experienced severe treatment and another third reported that they have experienced moderate treatment. In cases of wrong-doing, children have reported being beaten, whereby the most common method of punishment is hitting with a stick.

In addition to physical punishment, other forms of psychological punishment have been used. In one focus group the caretakers stated that a method of punishing girls is to prevent them from contacting the family or others in the institution, giving them cleaning chores and forcing them to repeat homework. Despite the harsh conditions, female juvenile prisoners expressed their wish not to return to their families, because they are not welcome there.

Juveniles are also exposed to harassment. The number of responses juvenile delinquents have given to the question related to exposure to harassment was considerably higher than those given by family children. More than half of the children reported being exposed to sexual and other forms of harassment, such as hitting and verbal abuse.

Responses to 'who was responsible for the harassment' also indicate that children face violence not only from those in a position of power or authority, but also from their own peers. The largest number of response to this question relates to harassment by peers, followed by teachers, workers, guards and even by social counselors.

Conditions in juvenile prisons are substandard as revealed through a delegation's visit to the Central Prison in Sana'a in February 2004. The aim of this visit was to assess the prison's condition and to verify rumors that girls below the age of 15 are kept there. The visit revealed the existence of a high number of male prisoners who have committed murder. In addition, it showed that there are approximately ten children who live with their imprisoned mother. While the delegation found that services provided in the women's prison have improved, extreme conditions and overcrowding with 40 beds in one room characterized the prison for juveniles. Extreme conditions were also reported for prison kitchens.

The harsh conditions were also confirmed at the Aden Juvenile Center Workshop to which children were invited. According to the children they were beaten, tortured, threatened, sexually abused and kept up to two weeks in detention centers. The workshop also revealed that juvenile cases were not dealt with quickly in courts due to the lack of defense lawyers. Three of the seven children who were present were kept at the Aden Juvenile Center for eleven months waiting for their case in court, when after this period they were proven innocent.

A similarly vulnerable group are street children. A visit conducted to the Children's Home outside of Sana'a confirmed the harsh living conditions these children were living under before being admitted to the Children's Home. Violence at home, especially from fathers, brothers and uncles, forces children to run away from their home cities. The reasons of punishment were, according to the children, their refusal to work, beg or their coming back home late. Economic reasons forced children to work whereby work typically consisted of collecting fees on a bus, selling on the street or selling qat.

The means used to punish them range from verbal abuse, hitting, threatening with pistols or burning with hot water. The visit to the Children's Home also revealed that children were exposed to sexual abuse before joining the institutions.

## ***2. Orphans***

In addition to juvenile delinquents and street children orphans constitute a vulnerable group. In a study two separate samples of male and female orphans were identified to assess the conditions of these groups. According to the results of the study, male orphans were exposed to harsh treatment at home, abuse and hitting and were forced to leave home. Male orphans reported that the reasons for their punishment were either failure at school, running away from home or their refusal to work in the market or guard the sheep. They also reported that they have been exposed to sexual abuse either from older class mates or from someone in the street. This traumatizing experience is reflected in the fact that they leave the light on during sleep at night.

Conditions for female orphans are equally harsh as reflected in their account on their treatment by the husbands of their mothers, the wives of their fathers, brothers or uncles. Punishment they have been subjected to included abuse, hitting and depriving them from food by the husbands of their mothers. In those cases female orphans either ran away from home or succumbed by hiding behind their mothers.

## 4. Views and attitudes of parents

The following section reflects the views and attitudes of parents towards their children, methods of their upbringing and means of punishments.

### A. Social and educational background of parents

The vast majority of parents of the samples are married whereby more than half the wives were married at the young age of 10-16 years. Early marriage means that fertility rates contribute to larger families and as a result to increased fights between parents and children. While results on the correlation between family size and the occurrence of violence are not definitive and need to be treated with caution a trend could be established indicating that larger family size does contribute to higher levels of violence against children.

Study results showed that there is a significant correlation between low educational level of parents and their use of violence against children.<sup>29</sup> In the survey educational levels of parents are generally very low with high illiteracy rates prevalent among women, in particularly among those from rural areas. The low level of education among mothers has a negative affect on their dealing with children. Studies conducted world-wide have indicated that low levels of education make the prevalence of violence more probable.

Mothers with lower levels of education are more likely to use physical punishment. In an analysis of the most likely predictors of the use of violence a study found that a strong predictor in the use of violence is the mother's belief that physical punishment is the appropriate way to change children's behavior. The study also revealed that mothers in rural areas are more likely to use physical punishment. In analyzing, however, the causes that result in the belief of mothers that physical punishment is the most appropriate way, the study found that level of education and mental health of the mother contribute significantly to the way they think about physical punishment. No correlation could be established between the type of punishment practiced against children and the level of education of parents.

In contrast study results established a strong correlation between the mother's employment or work and the use and type of physical punishment: Teachers are more likely to explain wrongdoings to their children than to punish them, while farmers are more likely to punish their children. This is true for rural areas where the majority of mothers work as farmers.

As to the socio-economic status of families, focus groups revealed the impact of poverty, especially in rural areas, which prevents families from meeting the most basic needs. A large proportion of the participants linked violence and family quarrels to poor standards of living and the inability to meet basic needs.

### B. Parents' reactions to children's complaints about harassment outside of the home

Half of the parents stated that their children have reported of some type of harassment they have been exposed to. The majority of parents said that their children have complained of physical abuse. A more detailed account was given in the children's focus

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<sup>29</sup> Alyaheri, Abdullah (2004). *Mental Health, Education and Corporal Punishment in Yemeni School-aged Children*. London: King's College, Institute of Psychiatry

groups where children stated that they have been exposed to harassment from persons and strangers in the street, especially in urban areas. Girls from Sana'a, for example, reported that they do not dare to leave the house alone of fear from harassment. In urban al-Hodeida girls reported that they have been exposed to harassment by motorcycle drivers. Generally, according to parents, children were most exposed to harassment on the street and less at school. In urban areas more children complained of harassment on the bus and in rural areas of harassment from neighbors and relatives. This finding suggests that the living conditions in rural and urban areas create different vulnerabilities for children.

Sexual harassment appears to be more prevalent in urban than in rural areas. The prevalence of sexual abuse reported by parents corresponds to the statement of children.

In cases of abuse and harassment support of children by their parents appear limited in both rural and urban areas. One third of the parents does not take any action and accept the situation. This exposes the child to more violence as the perpetrator is not punished. Lack of support is revealed in the blame of daughters by their parents in case of harassment. The focus groups showed that in cases where parents blame their children for being harassed female children are treated with more harshness than boys. This complies with the traditional understanding that females are the bearers of family honor.

### **C. Methods and reasons of punishment used by parents**

Both parents and children focus groups confirmed that the most prevalent method of discipline was beating the child whereby there is a clear difference between rural and urban areas. In rural areas parents are more inclined to use punishment than in urban areas while in urban areas they are more likely to explain errors to their children.

In relation to the reasons of punishing the child, parents' responses were largely consistent with those of children. The most important reason for punishment is not obeying orders and not doing homework (or housework in the case of rural areas).

### **D. Child's age at first punishment and gender disparities**

According to parents, the age of the child at which they are first punished generally ranges between 5 and 7 years. In rural areas, however, children as young as 1-3 are punished. There was agreement among parents as to when punishing ends, namely approximately at adolescence, that is 15 years and above.<sup>30</sup>

A comparison of boys and girls reveals that boys are more exposed to physical punishment than girls. This finding corresponds to the responses given by children in both questionnaires and focus groups.

There is a difference in the type of punishment with more girls in rural than in urban areas physically punished. In contrast, more girls in urban than in rural areas are verbally cautioned.

There is also difference among boys and girls in relation to the frequency of punishment. In both rural and urban areas more boys than girls are exposed to frequent punishment.

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<sup>30</sup>Alyaheri, Abdullah (2004). *Mental Health, Education and Corporal Punishment in Yemeni School-aged Children*. London: King's College, Institute of Psychiatry

### **E. Punishment by parents and protection from punishment**

According to parents, the person who punishes children most is the father, particularly in rural areas. A comparison between urban and rural mothers reveals that mothers in urban areas punish their children more than those in rural areas.

In both rural and urban areas mother play a crucial role in protecting their children from punishment, whereby this is more frequent in rural areas than in urban ones. Grandparents are sought second after mothers for protection, particularly in rural areas. A substantial difference was also found in the role of the eldest brothers who appear to be much more protective in urban compared to rural areas.

### **F. Children's reactions**

Parents were asked about their children's reaction during and after punishment, and about their views on punishment, which consist predominantly of beating and verbal abuse.

More than one third of the sample of parents responded that during punishment the child accepts the punishment. One explanation of this behavior of children was expressed in the children's focus groups. According to the children responding back to their elders is considered a sign of disrespect. The reaction of children in both rural and urban areas to their punishment generally consists of complaining to another person or of withdrawing. This reaction of the child indicates that it has lost trust in the family and that its withdrawal may lead to emotional and mental difficulties in the future. The vast majority of parents view the punishment as effective since, according to them, the child corrects its behavior. Only approximately one third of the parents reported that the punishment does not have an effect at all and that the child becomes more obstinate and difficult.

Parents were also asked whether punishment is the appropriate method of disciplining. A significant number of parents, regardless of occupation or educational level, viewed their methods of disciplining as appropriate. In contrast, however, when asked about the ideal methods of bringing up children half of the parents believed in cooperation, encouragement and in explaining errors and their consequences. Only one fifth believed that physical punishment is the appropriate method. The above findings apply to both urban and rural areas. This contradiction between the parents' applied methods of punishment and the ideal methods of bringing up children reflects the reality in which parents live.

Parents' views on punishment at school are similar. Significantly, however, twice as many parents from rural compared to urban areas believe in the appropriateness of physical punishment in schools.

The following reflects some of the parents' views:<sup>31</sup>

- *“Yes, it's necessary to hit the child so that he can learn how to pray”.*
- *“In case he repeats the fault after he had been advised”.*
- *“In case he doesn't do his homework and school duties”.*
- *“Something requires gentle hitting so that the child is not spoiled by carelessness or negligence and in order not to make him aggressive, feeling inferior and failure and gradually grumble”.*

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<sup>31</sup> Social Workers' Association (2004). Children's Right in Protection and Security, p.11.

## 5. Views of children and coping strategies

In several studies children were asked about their views on the use of violence and the ideal methods of upbringing.

Within the context of the UN Study on Violence against Children, children confirmed the widespread use of violence against them. Children highlighted the absence of a person to whom they could turn to and the lack of support in general. Their replies also confirmed the discrimination against girls.<sup>32</sup>

Children's views on violence include the following:<sup>33</sup>

- *“They must talk to us, with the tongue. God gave us the tongue to use it for talking. They have to discuss with us and teach us, because teaching during childhood is like engraving on a stone.”*
- *“Hitting must be preceded by a quiet talk with the child, because he's small and needs explanations of what's right and what's wrong so that he can understand.”*
- *“Hitting is a backward means in the society. It's used by parents and teachers in a very brutal manner. This is not an educational means that cannot be understood by the mind of the child. Hitting is, therefore, not a good way for education.”*
- *“Hitting is an unhealthy way for children. It results in isolating the children and they go to the streets which is not a good way. A good way is when parents sit and talk to their children. Talking not hitting as a means for punishment.”*
- *“I felt that my parents hit me and I feel depressed and sad when someone hits me. I don't say why they hit me like this? Why? They don't have ways other than hitting? Why don't they deal with us by talking? Why don't they express their anger by talking? Why they've hitting only?”*
- *“They treat the children of the teachers and the brilliant ones in a better way, better than us, and when we put our hands up and give a wrong answer they blame and mock us, they don't give us another chance.”*
- *“I don't like to be put in a critical position by talking and be criticized and blamed publicly.”*
- *“Raising children's awareness, because the child's mind is little and he cannot understand everything. There're things he understands only after growing up.”*
- *“Awareness raising and consideration show him the right and the wrong. They give him confidence. When he wants to do something he'll say my mum trusts me. He won't be able to do it, but when he's hit he won't care.”*

Depending on the setting in which physical and humiliating punishment occurs children have developed different coping strategies. When faced harassment at home, children often sought help from their grandparents. This is the case for rural areas in particular. Far fewer responded that they sought assistance from their fathers. There were no substantial differences between girls and boys in the person they sought assistance from.

Coping strategies of more girls than boys consist of submission. In addition survey results suggest that more girls than boys seem to run away from home as a coping strategy. Patterns of coping strategy appear to be the same for both rural and urban areas.

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<sup>32</sup> Minutes of Children's Voices from the NGOs Alternative Report (2004). Yemen National NGOs Coalition.

<sup>33</sup> Social Workers' Association (2004). Children's Right in Protection and Security, p. 9.

The picture at school appears different. Almost three quarters of the children have reported that they submit when harassed at school. When they do seek assistance it is primarily from the class teacher and to a lesser extent by the counselor. There is neither a difference between boys and girls nor between urban and rural areas.

In almost half of the cases children responded that they turned to family members when faced with harassment on the street or asked for assistance from passers-by. More girls than boys responded that they would seek assistance from passers-by. This means that girls are exposed to harassment in the streets and in the neighborhood. There were no differences between urban and rural areas. Interviews with community leaders did not suggest that the children could seek protection from them. Their responses suggested that they were used as the first stage in resolving misdemeanors of children. Community leaders consistently reported that the punishment of the child was left up to the family. In some cases, community leaders themselves beat the child, stating that they were like the child's family.

Various reasons cause children to run away from home and school.<sup>34</sup> These include problems and disputes between the father and the mother, family disintegration, poverty and forced marriage of the daughter. The main reason resulting in running away from school is being hit by the teacher.

A particularly vulnerable group is juvenile delinquents. When subjected to punishment, the most frequently reported strategy is submission. In cases where children do complain they either go to the director of the institution or to the social counselor. Most children reported that they would only complain if the punishment is too harsh or repeated. Those who do not complain say that complaining is ineffective, because they either do not dare to complain, or do not know anyone who would be fair with them. Children also reported that they do not complain about their punishment because they are used to this treatment.

Other coping strategies used by juvenile delinquents consist of trying to escape from the institution, being aggressive towards their peers, insulting the teachers and supervisors, or repeating the behavior for which they had been punished. Only a very small number of children said they would return to the parents.

The impact of the use of violence against children is well documented.<sup>35</sup> Children who have experienced violence suffer from both physical and psychological damage. The use of violence has also social consequences. Exposing children to violence teaches them that the use of force is an acceptable means of behavior. The strongest, usually unintended, message that physical punishment sends to the mind of a child is that it is all right for a stronger person to use force to coerce a weaker one. This helps to perpetuate a cycle of violence in the family and in society. Physical punishment of children may also result in injuries that need medical attention, leave permanent damage or even cause death.

Psychological effects are also well documented. Research findings point to a correlation between physical punishment and depression, to low self-esteem, negative psychological adjustment and poor relationships with parents and those in authority. Childhood

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<sup>34</sup> Social Workers' Association (2004). *Children's Right in Protection and Security*, p. 11.

<sup>35</sup> Save the Children Alliance Position on Corporal Punishment. 12 April 2003. Minutes of Children's Voices from the NGOs Alternative Report (2004). Yemen National NGOs Coalition.

victimization of boys and girls is predictive of later antisocial personality disorder, criminality and violence.

In the studies used for the present report more than half of the children exposed to violence at home express that they feel anger and to a lesser extent frustration. While there is no difference between urban and rural areas, there is a disparity between girls and boys. Among girls there is desire to withdraw at home or run away to a relative. Children exposed to physical punishment at school feel frustration, and to a lesser extent sadness and anger. Frustration is more prevalent among girls.

A significant number of children reported depression. Far fewer reported anger although a significant number of children reported the desire for revenge, hinting that physical punishment may increase the likelihood of children misbehaving in school rather than solving problems.

Although children appear to be highly sensitive to the effects of violence and abuse, they believe that punishment is normal treatment. All children responded to the question of whether they believe that they deserve punishment that they believed they did. Of those who thought that they did not deserve it, it was because they felt it was too severe and violent. These questions which were the result of the questionnaires are in stark contrast to what has been said in the focus groups. There the majority said that they do not deserve the punishment.

When children were asked about the appropriate way of dealing with them at home and at school more than half have expressed the wish to be understood and supported. In the case of schools children explicitly stated that they want teachers to respect students. Regional disparities are apparent with more rural than urban children responding to the need for compassion and understanding, both at home and at school. This is particularly true for girls.

Juveniles' reactions to the use of physical punishment are significant. Half of the children felt that they did not deserve to be punished, because the punishment, according to children either did not fit the misdemeanor, was the appropriate method of punishment or because the punishment was thought to be too severe.

The high prevalence of frustration and anger among juveniles indicates that the long-term effects of violence are likely to lead to more violence and aggression in the future. Among this group of vulnerable children the high rates of depression are considerable and in focus groups children reported they feel suicidal and wish they could die.

Study results reveal the link between physical and humiliating punishment of children and their mental health and school achievement. Moreover, educational achievement is a major determinant of health status and health-related behaviors.<sup>36</sup> Studies revealed that there is a strong association between child's mental health and the use of physical punishment. Three quarters of the children who were subjected to physical punishment had a probability to develop a psychiatric disorder. The increased use of physical punishment decreases educational performance. Harsh physical punishment in the form

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<sup>36</sup> Social Workers' Association (2004). Children's Right in Protection and Security, p. 16.

of hitting by stick or belt contributes significantly to low levels of educational performance of the child.<sup>37</sup>

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<sup>37</sup> Alyaheri, Abdullah (2004). *Mental Health, Education and Corporal Punishment in Yemeni School-aged Children*. London: King's College, Institute of Psychiatry

## 6. Best practice – actions undertaken to reduce and prevent violence against children

The above compiled data and information will form the basis for Save the Children – Sweden's (SCS) continued effort to reduce and prevent physical and other forms of humiliating punishment of children. In its programs, both SCS and its partners have pursued best practices.

To this end SCS has designed a multi-year program aiming at eliminating violence and abuse of children, ranging from corporal/physical punishment and other humiliating and degrading treatment as well as Female Genital Mutilation (FGM). Partners in this project are numerous and include the Ministry of Education and Social Affairs, UNICEF, WHO, OHCHR and other international organisations, Higher Council for Motherhood and Childhood<sup>38</sup>, Juvenile Justice Authorities and other national organisations. The main focal point in this project is the Higher Council for Motherhood and Childhood in collaboration with the ministries of Education, Social Affairs and Labor.

Key target groups in this program are children and teachers in public, private, semi-private and UNRWA schools, law enforcement officials, parents, social workers, staff of the ministries of Education, Justice, Labor, Human Rights and Social Affairs, religious and community leaders, medical professionals, parliament, UN staff, decision-makers and the media. The main issues to be addressed in this project are legal reform and the enforcement of laws prohibiting violence and abuse of children, training, education and awareness-raising, advocacy and the promotion of children's participation.

Another important initiative of SCS is the project *Violence against Children* which is being implemented together with the Higher Council for Motherhood and Childhood. One of its objectives is to conduct research on violence against children in homes, schools and social institutions. In this context two awareness raising workshops on violence against children were held in May and June 2004 in Sana'a. Furthermore, the Higher Council for Motherhood and Childhood conducted lobbying meetings targeting key personalities in governments' ministries to stop violence against children and facilitated the filling of questionnaire of the UN Study on Violence against Children. Governmental and nongovernmental organizations and children contributed to this process.

UNICEF supported a survey conducted by the Yemen Mental Health Association on students' behavioural problems as a result of their exposure to violence. In this context, three workshops for teachers, social workers and child right NGOs took place. The SCS Regional Advisor attended one workshop in Lahij, held in June 2004.

The main objective of this project is to give psychosocial support to students, to improve the students' situation in school and at home and to establish data for future follow up. A major component of the project consisted of the establishment of four behavioral assistance units in four schools in four districts in Aden, each of which has two psychologists.

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<sup>38</sup> The Higher Council for Motherhood and Childhood (HCMC) is a governmental body working on the implementation and advocacy of child rights and social development programs. The HCMC is cooperating with a number of NGOs and governmental organizations in Yemen in order to consolidate the work for children at different levels. The objectives of the HCMC are to eradicate violence and abuse of children. Its target groups are children aged 7-18, parents, teachers, head teachers, social workers, community leaders, law enforcement officials at social care centers, policemen and decision makers.

In another project SCS has supported a helpline with the objective to follow up on violence and sexual abuse cases and to provide psycho-social support to children. This project was implemented by Oxfam in partnership with the Yemen Mental Health Association.

SCS has also supported the implementation of the project *Corporal Punishment and its Effect on Children in Schools*. The project aims to examine types of physical punishment at schools and its effect on school performance. This project will be followed up by training of students and teachers in behavioural approaches and management to conduct PPP in schools.

Together with the Social Workers Association SCS has compiled in the project *Highlighting Children Voices on Corporal Punishment in Schools and Homes* children's voices and discussed them in a workshop. The project includes programs on raising awareness of parents and teachers. The main objective is to improve children's participation and promote their expressing of views about violence against children.

Other initiatives include a workshop by the Aden Juvenile Center<sup>39</sup>, in which institutions such as security departments, police stations; the Juvenile Justice, Juvenile Prosecutors, the Child Defense Department, Ministry of Education, the Psychological Health Association, Aden University, Media (newspapers, TV and Radio), the Central Prison and interested NGOs participated. Topics discussed were the role of juvenile centers, violence within the family, the follow-up and integration of released juveniles and juvenile delinquents and their treatment at police stations. The workshop concluded with recommendations such as the need for an effective implementation of the Juvenile Act, advocacy for positive amendments in order to ensure that children in conflict with the law are treated according to the principle of their best interest and the need for training of policemen in dealing with juvenile cases at police stations. Recommendations also addressed the need for female juveniles to be moved from the central prison to a juvenile center for girls. Children participated in this workshop and expressed their experience in detention centers.<sup>40</sup> In September 2004 a follow-up workshop was held by the Aden Juvenile Court and the Aden Juvenile Center. This workshop introduced police training on child rights and monitoring. An important observation expressed at this workshop was the fact that violence against juvenile offenders in police detention centers has decreased and that detected cases of violence were referred to prosecution.

SCS has also promoted together with its partners the participation of children. This was reflected in participation of more than 50 children in the open discussion organized by the NGO Coordinating Committee for Child Rights.<sup>41</sup> During this discussion children expressed their vision on the government's reply to the UN Study on Violence against Children.

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39 The Juvenile Center in Aden is a governmental body operating under the Ministry of Insurance and Social Affairs (MOISA). It was formed after the establishment of Juvenile Justice in line with the 1992 Juvenile Care Law. The center receives juvenile offenders transferred by police stations, juvenile justice courts and juvenile prosecution. Its activities, which include educational, psychosocial activities and vocational training, are implemented by NGOs, juvenile justice staff and trainers from the Aden Vocational Institute. Center staff is involved in lobbying for the protection of those children as well as other children in conflict with the law.

40 Report on Aden Juvenile Center Workshop held for mobilization of related institutions to ensure protection of children rights, their rehabilitation and integration in the community. 15-17 December 2003.

41 Minutes of Children's Voices from the NGOs Alternative Report (2004). Yemen National NGOs Coalition.

Children's participation is also reflected in the creation of a children's parliament, which the Higher Council for Motherhood and Childhood has consulted when mapping the extent and forms of violence in Yemen.

Furthermore, several of SCS's partner organizations deal with violence against children: The National Network for the Care and Protection of Juveniles was created in November 2004 to improve the situation of children who are in conflict with the law, to monitor related activities and to raise awareness of child rights among the Yemeni community. The Network's members consist of several ministries, NGOs and donor agencies. Its plan for 2005 includes the publication of a training manual for those active in the Juvenile Delinquency court, to support delinquent children and to provide legal protection for children who are in conflict with the law. An important step is also the research on juveniles' living conditions and the provision of rehabilitation programs and vocational training opportunities in the centers.<sup>42</sup>

The SCS has been supporting the Social Workers' Association in its role to improve the capacities of social workers in primary schools. In 2003 and 2004 the Social Workers Association conducted a study on children's voices about violence that investigated the exposure of children to corporal/physical punishment in schools and within the family.

The Yemen Psychological Association was established in 1990 as an NGO of psychology professionals. It aims at raising public awareness of the field of psychology, to build the capacity of psychologists through training, to conduct research, to organize meetings and conferences on psychological, behavioral and mental health problems of the population, to develop a code of ethics for psychologists and to promote communication with regional, international counterpart and human rights organizations. It has worked on issues related to child rights, rights and justice and the psycho-social aspects of juvenile delinquents in Yemen. It has also been involved in the Alternative report of the National NGO Coalition and was the founder of the Yemeni National NGO Coalition. It has also addressed sexual exploitation, violence against children in schools and child participation.<sup>43</sup>

In February 2004 SCS supported a workshop held in the parliament and attended by members of the parliament, NGOs and governmental institutions. Violence against children in prison, juvenile centers was discussed and a committee formed to work on legal reforms.

In September 2004, the SCS in cooperation with the Thamar Workers' Union held a workshop to combat child trafficking to neighboring countries. Twenty eight participants representing unionists, religious leaders, journalists, teachers, parents and local council members attended this workshop on the social and psychological implications on children. The workshop participants called on the concerned sides in the government to take active measures against this child trafficking.

In July 2004 SCS had a joint program with the Ministry of Human Rights on issues related to the violation of juveniles' rights. The program established that several measures need to be taken to activate juvenile legislations, especially those dealing with juvenile

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<sup>42</sup> Terms of reference of the National Network for the Care and Protection of delinquent children

<sup>43</sup> Brief presentation of Yemen Psychological Association Activities on child Rights by Khan, Hassan Kassim, (1990-2004), Aden, Yemen, 2004. The president of the Association is an active member of the NGOs and Panel for the UN Study on Violence against children (2003-2006).

protection and girls. The Ministry of Human Rights with the support of the SCS held a seminar in March 2005 which included all relevant ministries and agencies, in particular the Higher Council for Motherhood and Childhood, the Ministry of Social Affairs and the Ministry of Education, Interior and Juvenile Center, juvenile courts, volunteer lawyers and the media. Several recommendations were agreed upon which will be followed up by a national task force.

In the last several years various studies have been conducted on issues related to violence against children. These include a study on female genital mutilation, teen aged girls, early marriage, the legal situation of women and children, violence at schools, the kidnapping of children, violence against children in Yemen and violence against children with behavioral problems in primary schools.

In May and June 2004, a national steering committee in Sana'a and a regional one in Aden were formed with the objective to combat violence and the abuse of children on a national level. The committees consist of ministries, the Higher Council for Motherhood and Childhood, international and local NGOs and professionals. These committees will consult and advocate for national programs on violence and abuse of children and coordinate the implementation of such projects.

Other SCS partners include the Association for Rehabilitation and Protection of Working Children. This association is a governmental body operating under the Ministry of Social Affairs and Labor. It is a grassroots association that addresses the issue of child labor. The association advocates for the right of working children to education and rehabilitation and protection from violence and abuse by raising awareness among children, parents and the community.

## 7. Conclusion

Attention to issues related to child rights began in the 1990s. Several regulations and laws were introduced, institutions created and necessary adjustments to existing institutions implemented and national programs and strategies introduced to address the improvement of child rights.

Despite the legal and institutional improvements and developments, physical and humiliating punishment of children remains a wide-spread phenomenon in Yemen. Poverty, low standards of living, poor educational standards and family disintegration provide the context in which most of the children in the surveys live. Particular conditions which appear to result in high levels of violence against children are divorce and to a lesser extent the migration of fathers or death of one or both parents.

Forms of punishment are various and range from verbal abuse to brutal forms of punishment. Gender disparities are also apparent in the study results. While boys are exposed to more brutal forms of punishment, such as hitting with a stick, girls have generally been exposed more frequently to punishment. Furthermore, there is a clear division of roles between parents, whereby mothers assume the responsibility for the upbringing of the daughters and fathers that of the sons.

The study showed that protection measures for children are limited. This is reflected in the coping strategies of children and also in the lack of protection of children when exposed to harassment or abuse outside their home. Study results also suggest that further research is needed to investigate harassment of children and other forms of abuse, in particular sexual abuse.

The most vulnerable groups among children are juvenile delinquents, orphans and street children. Compared with regular children these most vulnerable groups have limited if any protection in care institutions. They often suffer from depression and are suicidal. Survey results reveal that a large number of children in juvenile correction centers have lived under difficult circumstances before joining the center. Further comprehensive research is required to investigate the causes that lead to the admission of these children in the juvenile centers.

## 8. Recommendations

The following recommendations cover policies at national level as well as strategies and programs to be implemented on both national and local levels.

*A. Law reform to prohibit all physical and humiliating punishment or treatment together with appropriate and affective enforcement*

### *1. Legal modifications and introduction of policies*

- Modification of existing laws, in particular labor law
- Introduction of a law regulating the minimum age of marriage for males and females
- Implementing laws that protect children from exploitation and physical and psychological damage
- Modification of the penal code in accordance with child rights and juvenile protection law
- Introduction of laws that protect children with special needs
- Inclusion of child rights into the curriculum of schools and universities
- Introduction of a law on the protection of juveniles
- Ensuring effective legal protection of children
- Inclusion of prevention of physical punishment in health programs
- Dissemination of concepts of positive discipline through health promotion, education and early childhood development programs
- Inclusion of the Ministries of Education and Health in programs aimed at combating violence against children
- Introduction of mechanisms and institutions to protect and support victims of violence
- Ensuring the accountability of those who have committed the abuse against children
- Developing programs for the reintegration of juvenile delinquents into society, in particular for females

### *On an organizational and institutional level*

- Support of the Higher Council for Motherhood and Childhood and the improvement of its technical and financial capacities
- Establishment of a center for children who have been victims of violence
- Establishment of a hotline for children which aims at giving support and assistance
- The establishment of a police force with special training in dealing with juveniles
- Training of staff of juvenile courts in dealing with juveniles
- Enhancement of the role of NGOs role in monitoring, evaluation, support, observation of abuse

### *Alternative care institutions*

- Review of requirements for admitting children in alternative care institutions
- Establishment of special institutions for children who were exposed to abuse
- Establishment of institutions for the delinquents

- Ensuring protection for juveniles in institutions from violence through training of staff
- Improvement of vocational training and rehabilitation in alternative care institutions in coordination with the Ministry of Technical Education and Vocational Training and NGOs, in particular with the National Network for the Care and Protection of Juveniles<sup>44</sup>
- Creation of structures for monitoring special care institutions by for example including some of the educational, mental and health departments of the university in the monitoring so that the institutions become institutions of guidance, care and rehabilitation
- Enforcing the role of NGOs in monitoring the reintegration of juvenile delinquents into society
- Development of a manual for the training of staff in juvenile delinquency
- Provision of legal protection for children who have committed a crime
- Improvement of regular monitoring of prisons, for example by the Network for the Care and Protection of delinquents

*B. Awareness-raising on children's rights to protection and promotion of positive, non-violence forms of child-rearing and education*

*Parents, teachers and the local community*

- Raising awareness of parents of ways of supporting children who have been victims of abuse and violence outside the homes
- Raising awareness through the media of the specificities of these groups and the appropriate ways of dealing with them
- Raising awareness among school staff of how to deal with children and the appropriate ways of alternative education
- Raising awareness of parents and the community of the situation and rights of juvenile delinquents
- Building the capacity of local councils in dealing with cases of violence and the identification of appropriate solutions
- Establishment of illiteracy courses for grown ups as a means to increase awareness among mothers and fathers
- Ensuring that advice and support is available for parents
- Ensuring the availability of support for teachers to build a relationship of respect and trust with children, enabling children to question, challenge, analyze and learn for themselves and encourage equal respect for each other
- Providing training in positive practices for teachers

*Children*

- Develop awareness programs for children on the dangers of violence, harassment and sexual abuse
- Education of children on how to deal with harassment and abuse
- Improvement of the capacity of social workers in protecting children, in particular girls
- Creation of mechanisms that allow children to express themselves and establish trust

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<sup>44</sup> Minutes of a meeting of the National Network for the Care and protection of delinquent children. 6 February 2005.

- Provide children with access to confidential advice and counseling
- Establish effective and appropriate forms of protection for particularly vulnerable children (for example disabled children)
- Promotion of children's participation in the family, school, and the community
- Education of children about positive and non-violent relationships and conflict resolution
- Increasing presence of social workers at schools
- Initiation of joint programs between schools and rehabilitation centers
- Provision of support programs for children with learning difficulties
- Development of clear rules for behavior at schools, including the introduction of educational measures for cases where children fail to obey the rules

*Awareness raising and educational measures*

- Publications of material on child rights and child protection from violence, exploitation and neglect and their dissemination in schools, local councils, health centers and NGOs
- Establishment of a culture of dialogue in the community, school and at home
- Raising awareness of parents, teachers and the general public of the negative side effects of physical punishment and its ineffectiveness as a disciplinary tool
- Raising awareness of parents, teachers and the general public of effective alternatives to physical punishment
- Awareness-raising of children's human rights, including the right to respect human dignity and physical integrity
- Teaching of non-violent strategies and techniques in all teachers/parents/carers training courses
- Involvement of NGOs in raising awareness
- Raising awareness through media and other means such as theaters
- Awareness raising campaigns on violence in schools
- Increase of the visibility of physical punishment with the aim to show that this is a violation of child rights
- Offering of awareness training to juvenile delinquency centers by the Child Department in the Ministry of Human Rights to.<sup>45</sup>
- Targeting rural areas in the awareness raising campaigns
- Inclusion of protection programs against physical punishment in NGO programs dealing with violence against vulnerable groups of children
- Inclusion of measures to address physical punishment in education and protection programs
- Alerting media to NGO activities dealing with violence against children
- Abolishing discrimination against females in the traditional up-brining by including equality in the school curriculum, media and in the debate addressed to the community
- Raising awareness of harmful traditional practices (FGM), in particular in the coastal areas of Yemen

*C. Research involving children, parents and other carers to establish as accurately as possible the true scale of violent victimization of children, and to enable states to measure progress towards reducing and eliminating violence*

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<sup>45</sup> See National Network for Care and Protection of Children.

- Improvement of monitoring through regular research into children's experiences of violence and of parents' experiences of and attitudes to violence against children
- Conducting in-depth research on vulnerable groups
- Promote the inclusion of children in research on violence<sup>46</sup>
- Conducting more research on violence against children by increasing the number of samples
- Inclusion of separate indicators measuring violence against children in all official research and surveys
- Analyzing and examining strategies that have been successful in improving the situation of children
- Conducting in-depth studies on the causes leading to the perpetuation of different types of violence
- Establishment of research centers dealing with child rights
- Conducting in-depth studies on the situation of violence in alternative care institutions

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<sup>46</sup> Save the Children – Sweden (2004). So you want to Involve Children in Research? A toolkit supporting children's meaningful; and ethical participation in research relating to violence against children. Stockholm, Sweden.

## Annex I Documents provided by the Save the Children Sweden

### *Studies*

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2. Barry, Maan A., Hassan Kassim Khan and Sherazad Hemashary (2004). *Study on violence in school and behavioral disorders*. Aden: YMHA – UNICEF.
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### *Meetings, conferences and workshops*

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2. Minutes of a Meeting of the National Network for the Care and Protection of Delinquent Children, 6 February 2005. Yemen.
3. Minutes of Children's Voices from the NGOs Alternative Report (2004). Yemen National NGOs Coalition.
4. Report on Aden Juvenile Center Workshop held for mobilization of related institutions to ensure protection of children rights, their rehabilitation and integration in the community. 15-17 December 2003.

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1. Save the Children (2004). *Child Sexual Abuse and Exploitation. Framework for Country/Regional Data Collection*.
2. Save the Children (2004). *Ending corporal/Physical Punishment and other forms of Humiliating or Degrading Punishment of children*. Stockholm, Sweden.
3. Save the Children Alliance (12 April 2003). *Save the Children Alliance Position on Corporal Punishment*. Stockholm, Sweden.
4. Save the Children – Sweden (2004). *So you want to Involve Children in Research? A toolkit supporting children's meaningful; and ethical participation in research relating to violence against children*. Stockholm, Sweden.

### *Save the Children and its partners - internal documents*

1. Arab-Islamic Constructive Discipline Practices: To eliminate Corporal Punishments (A contribution prepared for a UNESCO Study on Corporal Punishment and Constructive Discipline – forthcoming 2005).
2. Brief presentation of Yemen Psychological Association Activities on Child Rights (1990 – 2004) by Khan, Hassan Kassim. Aden, Yemen 2004.
3. Child Sexual Abuse and Exploitation: Framework for Country/Regional Data Collection.
4. Criteria for the selection of examples of “good practice” projects/programmes for submission to the UN Study/Regional consultations and beyond.

5. General framework of the National Network for the Care and Protection of delinquent children for the year 2005.
6. Guidelines for Save the Children's Regional Inputs to the Global Submission on Physical and Humiliating Punishment.
7. Information held by the Global Initiative to End All Corporal Punishment of Children concerning the legal status of corporal punishment in countries of the Arab League of Nations (30 January 2004).
8. Mapping of field research on violence against children in Yemen (part of the UN study).
9. Project Memo – Yemen Country Office, Programme Department.
10. Regional inputs on Thematic Issues.
11. Report on the Visit to Sanaa's Central Prison by the National Network for the Care and Protection of Delinquent children. 7 February 2005.
12. Terms of Reference of the National Network for the Care and Protection of Delinquent Children.

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