

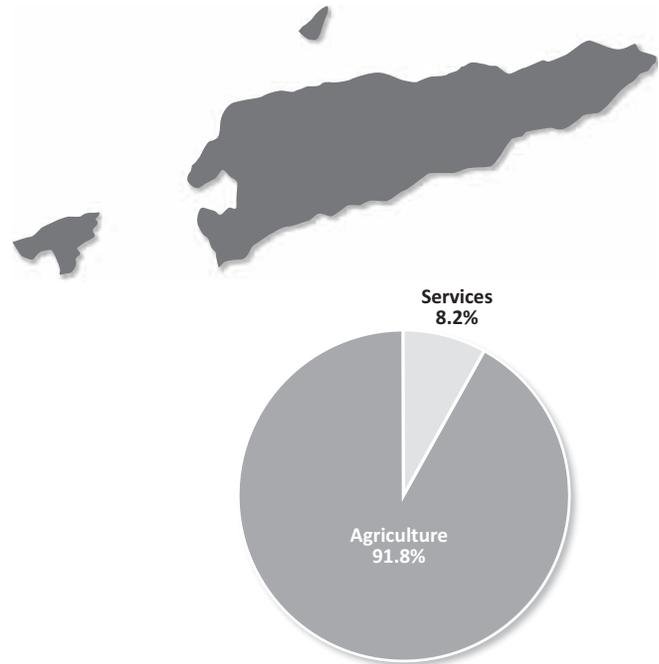
# Timor-Leste

*The Government of Timor-Leste ratified ILO Convention 182 and established a Child Labor Commission.*

*Children continue to perform exploitive work in agriculture, primarily cultivating and processing coffee. There is little evidence of inspection or enforcement activity against the worst forms of child labor.*

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	10-14 yrs.	85.2%
Attending School	10-14 yrs.	86.3%
Combining Work and School	7-14 yrs.	5.4%



## Prevalence and Distribution of the Worst Forms of Child Labor

Children in Timor-Leste are exploited in the worst forms of child labor,<sup>4908</sup> many of them in agriculture.<sup>4909</sup> Within agriculture, children primarily work cultivating and processing coffee.<sup>4910</sup> Children working in agriculture may be exposed to hazards while using potentially dangerous machinery and tools, carrying of heavy loads, and applying harmful pesticides. Additionally, children work in fishing where they may be at risk of drowning and exposure to the elements.<sup>4911</sup>

Children are found working in the streets where they participate in a variety of activities such as selling fruit, vegetables, fuel, newspapers, mobile phone cards, and DVDs.<sup>4912</sup> Children working as street vendors may be exposed to severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements. Children are also engaged in domestic work, primarily working for their immediate and extended families and adoptive families. However, a small percentage works for third parties where they may be exposed to long hours of work and to physical and sexual exploitation.<sup>4913</sup> Children also work in construction.<sup>4914</sup>

In a few cases, particularly in rural areas, families are forced to have their children work as indentured servants in order to settle outstanding debts.<sup>4915</sup>

Finally, there is limited evidence documenting trafficking of children for sexual purposes, particularly prostitution.<sup>4916</sup> In these cases, children are often lured to Dili from rural areas.<sup>4917</sup>

## Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for employment at 15, although children working in family-owned businesses or vocational schools are exempt.<sup>4918</sup> It is illegal for any children between the ages of 15 and 18 to perform work that jeopardizes their health, safety, or morals. Sections 2 and 11 of the Labor Code specify the ages and scope of work which is permissible for minors.<sup>4919</sup> However, the absence of a compulsory education age may place children at risk of involvement in the worst forms of child labor.

The law forbids compulsory labor at any age.<sup>4920</sup> Trafficking in persons is prohibited, and the law provides for specific penalties for those who traffic minors.<sup>4921</sup>

The minimum age for compulsory and voluntary recruitment into military service is 18.<sup>4922</sup>

During the reporting period in June 2009, Timor-Leste ratified ILO Convention 182.<sup>4923</sup>

	C138, Minimum Age	No
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	None
	Free Public Education	Yes

### Institutional Mechanisms for Coordination and Enforcement

In Timor-Leste, the Ministry of Labor and Community Reinsertion, and specifically the National Division of Social Services within this Ministry, is responsible for national coordination on worst forms of child labor issues.<sup>4924</sup>

The government's anti-trafficking efforts are coordinated by an inter-agency Trafficking Working Group which is chaired by the Ministry of Foreign Affairs and includes the Ministries of Justice, Labor, Social Solidarity, the Victims Protection Unit of the National Police, and the Office for the Promotion of Gender Equality.<sup>4925</sup>

The Secretary of State for Vocational Training and Employment, the National Police of Timor-Leste, and the Ministry for Social Solidarity are the agencies responsible for enforcing child labor laws.<sup>4926</sup> There are eight labor inspectors; none specifically dedicated to child labor.<sup>4927</sup> There is no mechanism for filing complaints about child labor violations.<sup>4928</sup> During the reporting period, there were no child labor prosecutions or convictions in the country.<sup>4929</sup>

The Ministry of Defense and Security oversees the Immigration Police, Border Police, and the National Police Force, all of which work to enforce laws against trafficking. During the reporting period, IOM confirmed seven cases of trafficking, although it is unclear whether these cases were adults or children.<sup>4930</sup>

### Government Policies on the Worst Forms of Child Labor

Research found no evidence of any policies to address child labor.<sup>4931</sup> During the reporting period, the Government established a Child Labor Commission with support from the ILO and the Government of Brazil that aims to design and develop policies on child labor.<sup>4932</sup>

### Social Programs to Eliminate the Worst Forms of Child Labor

The Government has participated in international and local NGO programs to assist street children.<sup>4933</sup> However, the Government's limited programs have not been sufficient to address the scope and magnitude of child labor in the country, in particular in agriculture where child labor is most prevalent.

## Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Timor-Leste:

### IN THE AREA OF LAWS AND REGULATIONS:

- Review exemptions in labor legislation to ensure adequate protections for all children involved in family owned businesses and vocational education.
- Establish a compulsory age for schooling that is equivalent to or greater than the minimum age for work.

### IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Create a mechanism to file child labor complaints.
- Ensure that resources and staffing support inspection and enforcement activities, and track such activity

### IN THE AREA OF POLICIES:

- Support the newly created Child Labor Commission as it develops plans to combat the worst forms of child labor.

### IN THE AREA OF PROGRAMS:

- Assess the effectiveness of programs to assist street children and consider establishing programs to combat other worst forms of child labor, particularly in agriculture.

<sup>4908</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2010. Data provided are from 2001. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

<sup>4909</sup> ILO, *Rapid Assessment on Child Labor in Timor Leste*, Jakarta, December 2007, 10. See also U.S. Embassy- Dili, *reporting*, February 4, 2010. See also U.S. Embassy- Dili, *reporting*, February 12, 2008, para 19.

<sup>4910</sup> U.S. Embassy- Dili, *reporting*, February 12, 2008.

<sup>4911</sup> *Ibid.*, para 2. See also ILO, *Rapid Assessment on Child Labor in Timor Leste*, 10.

<sup>4912</sup> U.S. Embassy- Dili, *reporting*, February 12, 2008, para 16.

<sup>4913</sup> ILO, *Rapid Assessment on Child Labor in Timor Leste*.

<sup>4914</sup> U.S. Embassy- Dili, *reporting*, February 12, 2008. See also ILO, *Rapid Assessment on Child Labor in Timor Leste*.

<sup>4915</sup> U.S. Department of State, "Timor-Leste," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eap/136011.htm>.

<sup>4916</sup> U.S. Department of State, "Timor-Leste (Tier 2)," in *Trafficking in Persons Report- 2009*, Washington, DC, June 2009; available from <http://www.state.gov/g/tip/rls/tiprpt/2009/123139.htm>. See also ILO, *Rapid Assessment on Child Labor in Timor Leste*. See also U.S. Department of State, "Timor-Leste," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2009; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eap/136011.htm>.

<sup>4917</sup> U.S. Department of State, "Trafficking in Persons Report- 2009: Timor-Leste."

<sup>4918</sup> U.S. Department of State, "Country Reports- 2009: Timor-Leste." See also Government of East Timor, *Labour Code*, (May 1, 2002), section 11.

<sup>4919</sup> Government of East Timor, *Labour Code*. See also ILO, *Rapid Assessment on Child Labor in Timor Leste*, 23.

<sup>4920</sup> Government of East Timor, *Constitution of the Democratic Republic of East Timor*, (2002), section 50. See also Government of East Timor, *Labour Code*.

<sup>4921</sup> Government of East Timor, *Immigration and Asylum Act*, No. 9, (2003), article 81. See also U.S. Department of State, "Timor-Leste (Tier 2)," in *Trafficking in Persons Report- 2010*, Washington, DC, June 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/142761.htm>.

<sup>4922</sup> Coalition to Stop the Use of Child Soldiers, “Timor-Leste,” in *Child Soldiers Global Report 2008*, London, 2008. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by State Parties*, February 14, 2008.

<sup>4923</sup> U.S. Embassy- Dili, *reporting, February 4, 2010*. See also ILO, *Ratifications by Country*, accessed September 20, 2010; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.

<sup>4924</sup> ILO, *Rapid Assessment on Child Labor in Timor Leste*, 23.

<sup>4925</sup> U.S. Embassy- Dili, *reporting, February 13, 2009*.

<sup>4926</sup> U.S. Embassy- Dili, *reporting, February 4, 2010*, para 2C.

<sup>4927</sup> Ibid. See also ILO, *Rapid Assessment on Child Labor in Timor Leste*.

<sup>4928</sup> U.S. Embassy- Dili, *reporting, February 4, 2010*, para 2C.

<sup>4929</sup> Ibid.

<sup>4930</sup> U.S. Embassy- Dili, *reporting, February 13, 2009*.

<sup>4931</sup> U.S. Embassy- Dili, *reporting, February 4, 2010*, para 2E.

<sup>4932</sup> Ibid., para 2H and 2F. See also ILO-IPEC official, E-mail communication to USDOL official, July 17, 2010.

<sup>4933</sup> ILO, *Rapid Assessment on Child Labor in Timor Leste*, 55.