

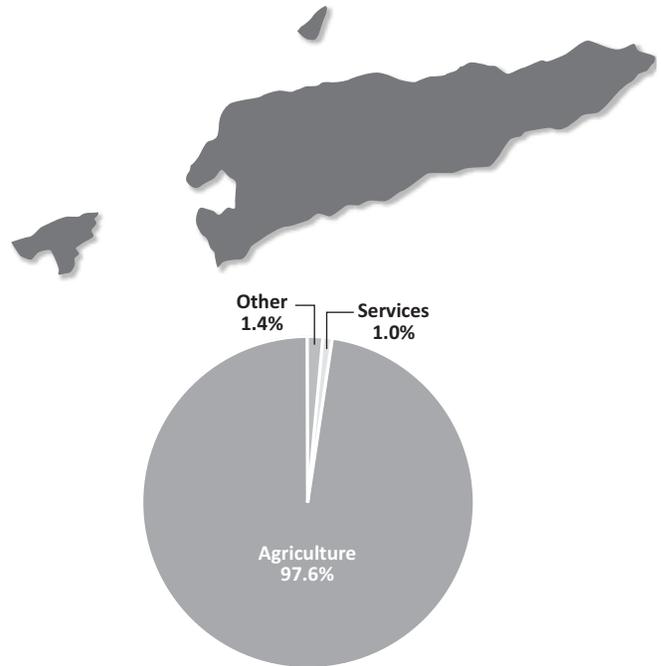
## Timor-Leste

During the reporting period, the Government of Timor-Leste increased the number of labor inspectors it employs to investigate labor conditions. Still, there is little evidence of inspection or enforcement activity. Children continue to be engaged in the worst forms of child labor, many in agriculture.

### Statistics on Working Children and School Attendance

| Children                  | Age        | Percent |
|---------------------------|------------|---------|
| Working                   | 10-14 yrs. | 19.9*   |
| Attending School          | 7-14 yrs.  | 69.7    |
| Combining Work and School | 10-14 yrs. | 12.6    |

\* Population of working children: 26,268



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

Children in Timor-Leste are engaged in the worst forms of child labor, many of them in agriculture.<sup>5659</sup> Within agriculture, many children cultivate and process coffee.<sup>5660</sup> Children working in agriculture may use potentially dangerous machinery and tools, carry heavy loads and apply harmful pesticides. Additionally, children work in fishing where they may be at risk of drowning and exposure to the elements.<sup>5661</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>5662</sup> Children working as street vendors may be exposed to many dangers, including severe weather, vehicle accidents and criminal elements. Children are also engaged in domestic work.<sup>5663</sup> Although many children work for biological and adoptive families, a small percentage of children work for third parties and are vulnerable to long hours of work and to physical and sexual exploitation.<sup>5664</sup> Children also work in construction.<sup>5665</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>5666</sup>

Children are reportedly trafficked for sexual purposes, particularly prostitution.<sup>5667</sup> In these cases, children are often lured to Dili from rural areas.<sup>5668</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>5669</sup> Furthermore, a child between age 12 and 14 can perform “light work”; however, the specific activities deemed “light work” are not clarified within the Labor Code. It is illegal for any children between age 15 and 18 to perform work that jeopardizes their health, safety or morals.<sup>5670</sup> The Labor Code does not explicitly define activities considered hazardous work for children.

The Law of Basic Education provides free and compulsory education for children ages 6-14.<sup>5671</sup>

The law forbids compulsory labor at any age.<sup>5672</sup> Trafficking in persons is prohibited, and the law provides for specific penalties for those who traffic minors.<sup>5673</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   | 14 |
|   | Free Public Education  | No |

The minimum age for compulsory and voluntary recruitment into military service is 18.<sup>5674</sup>

### Institutional Mechanisms for Coordination and Enforcement

The Government of Timor-Leste created a Child Labor Commission to design and develop policies on child labor.<sup>5675</sup> This Commission was created with the financial and technical assistance of ILO and the Government of Brazil.<sup>5676</sup> The commission was not operational during the reporting period. However, the Government of Timor-Leste is currently working with the ILO to finalize the establishment of the commission.<sup>5677</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, Social Solidarity, the Victims Protection

Unit of the National Police and the Office for the Promotion of Gender Equality.<sup>5678</sup>

The National Division of Social Services within the Ministry of Social Solidarity (MSS) enforces child labor laws in conjunction with the National Police of Timor-Leste.<sup>5679</sup> The MSS hired 12 new labor inspectors during the reporting period, for a total of 20, although none is specifically dedicated to child labor.<sup>5680</sup> It is unclear if child labor inspections are incorporated into general labor inspections, and no data are available on the total number of child labor inspections during the reporting period.<sup>5681</sup> The government has no mechanism for filing complaints about child labor violations.<sup>5682</sup> During the reporting period, there were no reported child labor law violations or convictions.<sup>5683</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.<sup>5684</sup> None of these enforcement agencies investigates the other worst forms of child labor.<sup>5685</sup>

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

In collaboration with ILO and worker representatives, the Government developed the Decent Work Country Program (DWCP).<sup>5686</sup> The DWCP contains three main priorities and outcomes, the first being the improvement of youth employment conditions and opportunities.<sup>5687</sup> It does not, however, directly address the worst forms of child labor.

In March 2011, Timor-Leste and other members of the Community of Portuguese-Speaking countries approved four target areas where they will focus efforts to combat child labor. They include the exchange of information and experiences, awareness-raising campaigns, use of statistical methodologies to collect child labor data and technical cooperation and training.<sup>5688</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 and promote youth employment, including literacy programs, scholarship schemes, skills training and media development about children's rights.<sup>5689</sup> During the reporting period, several projects aimed at improving education throughout Timor-Leste continued to receive funding

from the World Bank and other development partners.<sup>5690</sup> The question of whether these programs have an impact on child labor does not appear to have been addressed.

While the Government has implemented programs that target some of the more vulnerable youth populations, research found no evidence that it has carried out programs to specifically address worst forms of child labor.

### 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.
- Define and prohibit hazardous work for children.
- Specify the activities considered "light work" in the Labor Code.
- 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.
- Track and publish the results of enforcement efforts.

#### IN THE AREA OF PROGRAMS:

- Assess the impact that existing programs may have on child labor.
- Institute programs to address the worst forms of child labor, especially in agriculture.

<sup>5659</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, 2005-2011. Data on working children and school attendance are from 2007. Data on children combining working and schooling are from 2007. 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. See U.S. Embassy-Dili, reporting, January 28, 2011. See also ILO-IPEC, 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.

<sup>5660</sup> ILO-IPEC, Rapid Assessment, 10, 26. See also U.S. Embassy- Dili, reporting, February 12, 2008.

<sup>5661</sup> U.S. Embassy- Dili, reporting, February 12, 2008. See also ILO-IPEC, Rapid Assessment.

<sup>5662</sup> U.S. Embassy- Dili, reporting, January 28, 2011. See also U.S. Embassy- Dili, reporting, February 12, 2008. See also ILO-IPEC, Rapid Assessment, 10, 26.

<sup>5663</sup> U.S. Embassy- Dili, reporting, January 28, 2011. See also ILO-IPEC, Rapid Assessment, 10, 25, 27.

- <sup>5664</sup> ILO-IPEC, Rapid Assessment, pg 10, 25, 27.
- <sup>5665</sup> U.S. Embassy- Dili, reporting, February 12, 2008. See also ILO-IPEC, Rapid Assessment.
- <sup>5666</sup> U.S. Department of State, “Timor Leste,” in Country Reports on Human Rights Practices- 2009, Washington, DC, March 11, 2010, section 7; available from <http://www.state.gov/drl/rls/hrrpt/2009/eap/136011.htm>.
- <sup>5667</sup> U.S. Embassy- Dili, reporting, January 28, 2011. See also U.S. Department of State, “Timor Leste (Tier 2),” in Trafficking in Persons Report- 2010, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/142761.htm>. See also U.S. Department of State, “Timor Leste,” in Trafficking in Persons Report- 2009, Washington, DC, June 16, 2009; available from <http://www.state.gov/g/tip/rls/tiprpt/2009/123139.htm>. See also ILO-IPEC, Rapid Assessment, 10. See also U.S. Department of State, “Country Reports- 2009: Timor Leste.”
- <sup>5668</sup> U.S. Department of State, “Trafficking in Persons Report- 2009: Timor Leste.”
- <sup>5669</sup> Government of Timor Leste, Timor Leste Labour Code, (May 1, 2002), section 11. See also U.S. Department of State, “Country Reports- 2009: Timor Leste.”
- <sup>5670</sup> Government of Timor Leste, Labour Code, section 11.
- <sup>5671</sup> U.S. Embassy- Dili Official, email USDOL Official, July 15, 2011.
- <sup>5672</sup> Government of Timor Leste, Constitution of the Democratic Republic of East Timor, (2002), section 50. See also Government of Timor Leste, Labour Code.
- <sup>5673</sup> Government of Timor Leste, Immigration and Asylum Act, No. 9, (2003), article 81. See also U.S. Department of State, “Trafficking in Persons Report- 2010: Timor Leste.”
- <sup>5674</sup> Coalition to Stop the Use of Child Soldiers, “Timor Leste,” in Child Soldiers Global Report 2008, London, 2008.
- <sup>5675</sup> UN Committee on the Rights of the Child, Consideration of Reports Submitted by State Parties, February 14, 2008, paras 5, 12. See also U.S. Embassy- Dili, reporting, January 28, 2011.
- <sup>5676</sup> IPEC, Landmark event: Signing Ceremony in Brazil opens the door to wider South-South cooperation, Newsletter, November 2009.
- <sup>5677</sup> U.S. Embassy- Dili Official, E-mail Communication, July 15, 2011.
- <sup>5678</sup> U.S. Embassy- Dili, reporting, February 13, 2009.
- <sup>5679</sup> ILO-IPEC, Rapid Assessment, 23. See also U.S. Embassy- Dili, reporting, February 4, 2010.
- <sup>5680</sup> U.S. Embassy- Dili, reporting, January 28, 2011. See also ILO-IPEC, Rapid Assessment.
- <sup>5681</sup> U.S. Embassy- Dili, reporting, January 28, 2011.
- <sup>5682</sup> Ibid. See also U.S. Embassy- Dili, reporting, February 4, 2010.
- <sup>5683</sup> U.S. Embassy- Dili, reporting, January 28, 2011. See also U.S. Embassy- Dili, reporting, February 4, 2010.
- <sup>5684</sup> U.S. Embassy- Dili, reporting, February 13, 2009.
- <sup>5685</sup> U.S. Embassy- Dili, reporting, January 28, 2011.
- <sup>5686</sup> Government of Timor Leste, Timor Leste Decent Work Country Programme 2008-2013, June 1, 2009; available from [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/policy/wcms\\_116154.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/policy/wcms_116154.pdf).
- <sup>5687</sup> Ibid.
- <sup>5688</sup> Community of Portuguese-Speaking Countries, II Reunião de pontos focais para área do Trabalho Infantil da CPLP, Maputo, October 28, 2010; available from <http://www.cplp.org/Default.aspx?ID=2281>. See also Community of Portuguese-Speaking Countries, Declaração de Luanda, Ministras e os Ministros do Trabalho e dos Assuntos Sociais dos Países da Comunidade de Língua Portuguesa, Luanda, March 29, 2011; available from <http://www.cplp.org/id-2281.aspx>. See also Community of Portuguese-Speaking Countries, Resolução sobre a Prevenção e a Eliminação da Exploração do Trabalho Infantil na CPLP, Luanda, March 29, 2011; available from <http://www.cplp.org/Default.aspx?ID=2281>.
- <sup>5689</sup> ILO-IPEC, Rapid Assessment.
- <sup>5690</sup> The World Bank, All Projects, [online] 2011 [cited February 17, 2011]; available from <http://web.worldbank.org/external/default/main?menuPK=294056&pagePK=141143&piPK..> See also The World Bank, Assisting Timor Leste’s youth and adults in gaining access to education: Timor-Leste second chance education project, [online] 2011 [cited February 17, 2011]; available from [http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/EASTASIAPACIFICEXT/TIMORLESTEEXTN/0,,contentMDK:22796671~pagePK:1497618~piPK:217854~theSitePK:294022,00.html?cid=3001\\_165](http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/EASTASIAPACIFICEXT/TIMORLESTEEXTN/0,,contentMDK:22796671~pagePK:1497618~piPK:217854~theSitePK:294022,00.html?cid=3001_165). See also The World Bank, Timor Leste: Promoting Youth Empowerment and Inclusion By Expanding Skills and Opportunities for Youth Groups, [online] 2011 [cited February 17, 2011]; available from <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/EASTASIAPACIFICEXT/TIMORLESTEEXTN/0,,contentMDK:22519621~menuPK:294027~pagePK:2865066~piPK:2865079~theSitePK:294022,00.html>. See also U.S. Embassy- Dili Official, E-mail Communication, July 15, 2011.