

MANUAL FOR LABOUR INSPECTORS
PREVENTING AND COMBATING CHILD LABOUR IN TIMOR-LESTE



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INTRODUCTION

Timor-Leste through ratification of relevant international law-in particular ILO Convention No 182 on the worst forms of child labour-has made a commitment to strengthen the capacities of labour inspectors to take action to eliminate the worst forms of child labour in Timor-Leste. Therefore, the development of the training materials for the inspectors is needed.

In addition to the ILO conventions which have been ratified by Timor-Leste, there are several very important ILO conventions relating to child labor and inspections, such as ILO Convention No. 138 on the minimum age, ILO Conventions on Labour Inspection, 1947 (No. 81), and Labour Inspection (Agriculture), 1969 (No. 129).

Although Timor-Leste has not ratified the conventions mentioned above, Timor-Leste is committed to using these conventions as a reference in carrying out inspections related to child labor to meet international standards.

This manual serves as a facilitation guide to deliver the course for the inspectors on Prevention and Combatting of Child Labour in Timor-Leste. The training uses a participatory methods/approach to learning with case studies, brainstorming and mock inspections. It equips the inspectors with knowledge and tools- including a draft list on hazardous activities check list, child labour reporting format and a referral protocol to help inspectors to conduct inspections on child labour in Timor-Leste based on international standards and best practice.

The manual covers the **fundamental concept of child labour, inspection process on child labour, identification of hazardous child labour, and advocacy strategies.**

This manual is has been reviewed by ILO, National Commission of Child Labour (CNTI) and General Inspection of Labour (IGT). .

COURSE CONSIDERATIONS

The course aims



To increase the knowledge of the inspectors on national and international laws, strategies and initiatives to eliminate child labour;



To equip inspectors with adequate tools and skills to conduct inspections on child labour;



To demonstrate how inspectors can mitigate the risk of child labour and adverse impact on children by using an effective referral to partners and by taking immediate actions to protect children.



Encourages key decision makers such as national commissioners of CNTI, inspectors and other relevant stakeholders to fight against child labour in Timor-Leste;

Target participants

This manual is designed particularly for labour inspectors of the Government of Timor-Leste to conduct inspection on child labour in Timor-Leste.

Course presenters

The team of facilitators is composed of 3 people with 2 main facilitators and 1 co-facilitator.

Course structure and content

This manual is divided into four sessions targeting labour inspectors and implemented over three days: 1) Defining and understanding child labour; 2) Understanding prevalence, causes and impact/consequences of child labour; and 3) Role and mandate of IGT inspectors and awareness-raising by CNTI; and 4) Conducting inspections and making referrals in cases of child labour.

The manual also contains a fifth additional/optional session for a broader target group (IGT, CNTI, INDDICA and civil society participants working in the area of children/labour rights) on advocacy, prevention and combating child labour in Timor-Leste (1 day).

IMPLEMENTING THE COURSE

Methodology

The course is designed to be highly interactive and participatory. In order to actively involve participants in all sessions, this manual proposes a combination of the following training techniques:

Activities

The training course combines quiz, presentation, discussions by small groups, plenary, exercise (role play). Exercises are essential to facilitate participatory learning and knowledge creation. They also promote dialogue and understanding between course participants. Encouraging the

participants to work together in the training will enhance cooperation in the inspection process in Timor-Leste on child labour.

Quiz

Used to encourage the participants' understanding and enhance their knowledge of the real situation of child labour in national and global contexts. Quiz can also be a useful tool to trigger the participants' memory to review the previous sessions as well as the wrap-up session.

Presentation

Presenting is useful for explaining key concepts and definitions. Presentation however should be short, with only limited power-point slides and sufficient time for questions and answers should be allocated.

Role-play

The role-play depends on the exercises based on the topic during the training session

Small group discussion

Many of the exercises used in the course rely on small group discussions followed by plenary presentations. The small number in each group is designed to give participants more opportunities to speak and be involved in an environment that is less intimidating than in plenary sessions. However, to ensure that participants do not work with the same group during each exercise, the facilitator should be mindful to vary the groups by expertise, interest, by table or by mixing participants up, numbering them 1 through 4 or more depending on the number of small groups needed for the exercise. Groups are advised to agree upfront on a note-taker and rapporteur.

Icebreakers

Icebreakers are an important part of the training. Each session will use different icebreakers and invite participants to lead the icebreaker. Icebreakers can be used effectively to encourage a more comfortable and informal training environment and greater participation among course participants. A few examples are provided in annex (2).

Venue

It is recommended to have a venue that is conducive for participatory training methodology. This means enough space to spread tables around the room and allow people to move around and options for break-out sessions.

Training materials & equipment

Materials used by facilitators and participants are listed below:

Flipcharts

Whiteboard

Board marker

Laptop

Projector

Standing white board

Stick-note and meta-plan

Detailed Guidance on Sessions

Welcome & Introductions (30 minutes)

The course begins with a welcome speech and opening by senior government officials (Secretariat of State for Vocational Training and Professional Employment) and speech by the ILO representative.

After the formal opening ceremony, the training will be followed by an introduction to the course, its objectives and structure, which informs participants about what to expect from the training. This time should be used to introduce the facilitator and co-facilitators during the session. It should also be used to establish the friendly and safe environment for the course and explain its open, informal and participatory approach.

| Session 1: Defining & Understanding Child Labour in international and national context (1 hour 30 minutes) | | | |
|--|--|------------------------------|--|
| Topic | Activities | Time | Materials |
| Definition of: <ul style="list-style-type: none"> • child • child labour | Brain storming: Definition of a child Self-reflection on child labour Discussion PP Presentation Q&A | 10 m 10 m 10 m | Projector, laptop, flipchart, white board on a stand (portable) and board marker |
| Define Hazardous Child Labour | Divide participants into different groups to identify hazardous activities in different areas such as agriculture, infrastructure, fisheries, transportation etc. Plenary | 30 m | Copy of hazardous list |
| International (ILO & CRC) and national legal framework on child labour | Presentations and explanations Q & A | 30 m | Projector, laptop, flipchart, white board and board marker |

At the end of the session, participants will understand the defining features of children’s rights and child labour, the minimum age for employment, what is understood by the term “child labour” and the characteristics of the Worst Forms of Child Labour.

The key messages of session 1

Key message 1 (child rights):

Every child have rights to enjoy their life and protection

Education is a right. Children’s wellbeing is protected through learning and playing-not working

Key message 2 (consequences/impact of child labour): Hazardous child labour is the largest category of the Worst Forms of Child Labour and represents work that can lead to a child being traumatized, injured physically, mentally and emotionally. Hazardous child labour is prohibited for all children under 18 years old and is defined per national legislation.

Key message 3 (international and national legal framework):

International and national laws define and prohibit child labour.

STOP CHILD LABOUR!

Training Content

[The following is contents for activity 1 in the lesson plan of session 1]

DEFINITIONS & KEY CONCEPTS

Definition of Child

The United Nations Convention on the Rights of the Child defines child as anyone under the age of 18.

Timor-Leste has ratified most of the human rights treaties developed by the United Nations General Assembly, including the Convention on the Rights of the Child and two out of three of its optional protocols. The Constitution of Timor-Leste requires that “children shall enjoy all rights that are enshrined in international conventions normally ratified or approved by the State” (Article 18). The Article serves as the legal foundation for the universal recognition of children’s rights in Timor-Leste.

Definition of Child Labour

The term “child labour” is defined as work that deprives children of their potential and their dignity, and that is harmful to their physical and mental development.

The right of children to be protected from child Labour is enshrined in Article 32 of the Convention on the Rights of the Child, which states that:

“1) States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.

2) States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article.”

The ILO Conventions 138 and 182 define child labour, the minimum age to work, and the worst forms of child labour. Child labour can be defined¹ as “work that:

- Is mentally, physically, socially or morally dangerous and harmful to children; or
- Interferes with their schooling by:
 - Depriving them of the opportunity to attend school
 - Obliging them to leave school prematurely; or

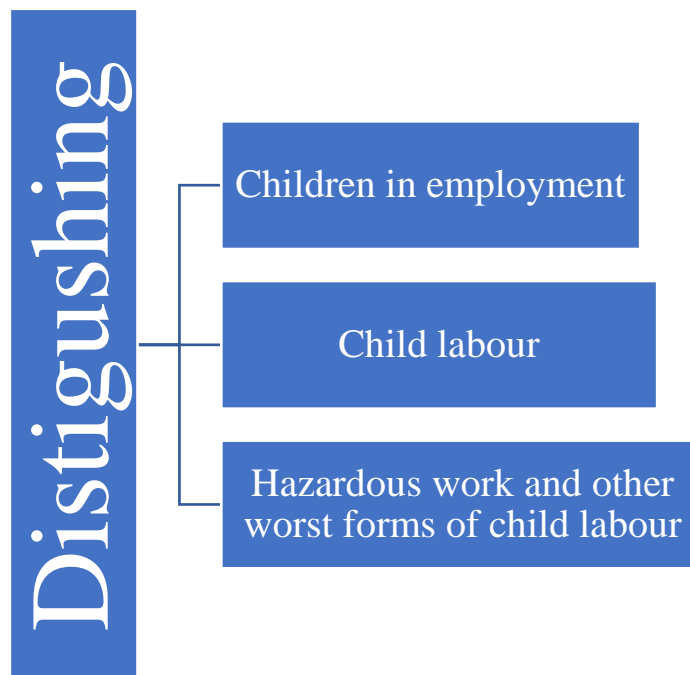
¹ <https://www.ilo.org/ipecc/facts/lang--en/index.htm>

- Requiring them to attempt to combine school attendance with excessively long and heavy work”

In its most extreme forms, child labour involves children being enslaved, exposed to serious hazards and illness and/or left to tend for themselves on the streets- often at a very early age.

Whether or not particular forms of “work” can be called “child labour” depends on the child age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries.

Distinguishing between child labour and children in employment



Minimum Age for Employment under ILO Convention No. 138

ILO Convention No. 138 requires countries who have ratified the convention to specify a minimum age for employment (Article 2). The ILO Convention 138 stipulates that the minimum age “shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years”.

Article 68 of the Labour Law in Timor-Leste (Law No.4/2012 of 21 February) sets the minimum age for admission to work at 15 years. Furthermore, the law stipulates that a young person who has not reached the minimum age for work shall not be recruited to perform work,

with the exception of light work, and except when they take part in legally recognized vocational technical or artistic training programme.

The Labour Law allows a young person between 13 and 15 years to perform light work, in the terms provided for in Article 69.

Light Work

Children can undertake light work starting at age 13. The main factor to consider are that the work must not interfere with school and must not be hazardous.

Under the ILO Minimum Age Convention No.138 (Article 7), national laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is defined as work that is not harmful to the health or development of children and does not prejudice their attendance at school or vocational training program, or their capacity to benefit from the instruction received.

In Timor-Leste, under Article 69 of the Labour Law light work performed by a young person aged between 13 and 15 years is understood to be an activity that comprises simple defined tasks calling for basic skills, not requiring any physical or mental effort that would put the young person's health and development at risk, and not jeopardizing their schooling or participation in government-approved vocational training programmes. Therefore, although RDTL has not ratified ILO Convention No.138, the definition of light work in national law appears in line with international standards.

Worst Forms of Child Labour-ILO Convention No.182

Children should never engage in work that is a worst form of child labour. ILO Convention No. 182 - which Timor-Leste ratified - reflects a global consensus that the worst forms of child labor are those which must be given priority and addressed as quickly as possible, while affirming the overarching goal of the abolition of all child labour in line with ILO Convention No. 138 on minimum age that Timor-Leste has not ratified yet.

ILO Convention No. 182 (Article 3) defines the worst forms of child labour as:

- ◆ All form of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and forced or compulsory labour;
- ◆ The use, procuring, or offering of a child for prostitution or the production of pornography;
- ◆ The use, procuring, or offering of a child for illicit activities (e.g, the production and/or trafficking of drugs);
- ◆ Hazardous work, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.

[the following is contents both for activity 1 (definition) and 2 (group discussion) in session 1]

Hazardous Child Labour

Hazardous child labour is work performed by children in dangerous and unhealthy conditions that can lead to a child being injured, made ill, or killed. Such unhealthy and dangerous conditions can result in disability or impairments that can impede children from accessing decent work opportunities once they become adults.

Hazardous child labour represents the largest category of children working in the worst forms of child labour, and occurs in both formal and informal sectors, and in industries as diverse as agriculture, construction, manufacturing, the service industries, and domestic work.

Countries that ratified ILO Convention No 182 are obliged to draft a list of tasks and conditions that young people cannot do until they are over the age of 18. This list is essential for inspectors to determine whether older children are working in acceptable employment or are engaged in child labour. In order to develop a list of hazardous activities, the ILO provides the following broad guidance² on forms of work that should be considered by the government:

- Works that exposes children to physical, psychological or sexual abuse;
- Work underground, under water, at dangerous heights or in confined spaces;
- Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- Work in an unhealthy environment, which may expose children to hazardous substances or temperatures, noise levels or vibrations damaging to their health;
- Work under particularly difficult conditions, such as long hours, during night or work where the child is unreasonably confined to the premises of the employer;

Timor-Leste has ratified the ILO Convention No. 182 on the Prohibition of the Worst Forms of Child Labour and Immediate Action for its Elimination through National Parliament Resolution No. 9/2009, of 8 April.

As a state party to the Convention Timor-Leste must take immediate and effective measures to ensure the prohibition and elimination of the worst forms of child labour. In 2015, Timor-Leste developed a draft list of dangerous activities prohibited for minors under 18. At the time of development of this manual the list has not been approved yet by the RDTL Government.

ILO Convention No 182 (Article 4.3 requires a periodic review of the national list of hazardous work for children so as to keep abreast of new types of work or new occupational risks, as

² ILO Worst Forms of Child Labour Recommendation No. 190, 1999, para. 3

necessary, a process that should be conducted in consultations with relevant stakeholders, including organizations of employers and workers.

[The following is contents for activity 3 in lesson plan for session 1]

INTERNATIONAL AND NATIONAL LEGAL FRAMEWORK

International Conventions

Timor-Leste has ratified most key international conventions concerning the rights of the child and child labour.

| Convention | Ratification Date |
|--|-------------------|
| CRC-Convention on the Rights of the Child | 16 April 2003 |
| CRC-OP_AC- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict | 2 August 2004 |
| CRC-OP-SC-Optional Protocol to the Convention on the Rights of the Child on the sale of Children, Child Prostitution and Child Pornography | 16 April 2003 |
| ILO Convention No182- Worst Forms of Child Labour | 16 June 2009 |
| ILO Convention No138- Minimum Age | Not ratified yet |
| ILO Convention No 81- Labour Inspection | Not ratified yet |
| ILO Convention No 129- Labour Inspection (Agriculture) | Not ratified yet |
| Palermo Protocol on Trafficking in Persons | 9 November 2009 |

Based on the table above, it appears that Timor-Leste has made significant progress in the fight against child labor.

National Legislation

Table below will identify the minimum age of the different areas in Timor-Leste as per relevant legal framework.

| | Age under national legislation | National Legislation |
|---|---|---|
| Minimum Age for admission to work | 15 | Article 68 of the Labour Law (Law No.4/2012) |
| Minimum Age for Hazardous Work | No specific age mention (only mention under age)- based on the Constitution under age is 17 | Article 67 of the Labour Law (Law No.4/2012). |
| Identification of Hazardous Occupations or Activities Prohibited for Children | Under 18 | Draft Decree Law (Since 2015, pending approval) |

| | | |
|---|----------|---|
| Prohibition of Forced Labour | Under 17 | Articles 155, 162-163, and 166 of the Penal Code; (Decree Law No. 19/2009) Articles 8 and 67 of the Labour Law (Law No. 4/2012) |
| Prohibition of Child Trafficking | Under 18 | Article 81 of the Immigration and Asylum Act (Law No. 9/2003 as amended by Law No. 11/2017), Articles 163-164 of the Penal Code, Article 67 of the Labour Law, Article 18 of the Law on Preventing and Combating Human Trafficking (Law No. 3/2017) |
| Prohibition of Commercial Sexual Exploitation of Children | Under 17 | Article 155 and Article 174-176 of the Penal Code. Article 67 of the Labour Law. |
| Prohibition of using Children in Illicit activities | Under 17 | Article 155 of the Penal Code and Article 67 of the Labour Law; Article 9.2 of the Law Combating Trafficking in Illicit Drugs (Law No 2/2017 of 27 January) |
| Minimum Age for Voluntary State Military Recruitment | 18 | Article 18 of the Law on Military Service (Law No. 3/2007) |
| Prohibition of Military Recruitment by Non-State Armed Groups | 18 | Article 125 of the Penal Code |
| Compulsory Education Age | 16 | Article 11 of the Law on Education System Framework (Law No. 14/2008) |
| Free Public Education | Under 17 | Section 59 of the Constitution of the Democratic Republic of Timor-Leste. Article 11 of the Law on Education System Framework |
| Active Electoral Capacity | 17 | Article 4 of the Electoral Law (Law No. 7/2011, Law. No.4/2017), Article 47 of the Constitution of the Democratic Republic of Timor-Leste. |

Table above shows the current relevant legal provisions that are applicable today in relation to child labour and minimum age for the employment in Timor-Leste.

This manual also provides and describes the types of hazardous work that impacted on health and security of child under 18. Hazardous work includes 1) Activities in agriculture 2) work or activities in livestock (animal husbandry) 3) working or fishing activities 4) work or activities in forestry 5) work or activities in the extractive industry, 6) work or activities in small-scale industries 7) carpentry work or activities 8) work or activities related to garbage 9) transportation work or activities and 10) mechanical work.

All the detailed description and hazardous list see in attached annexed number 5.

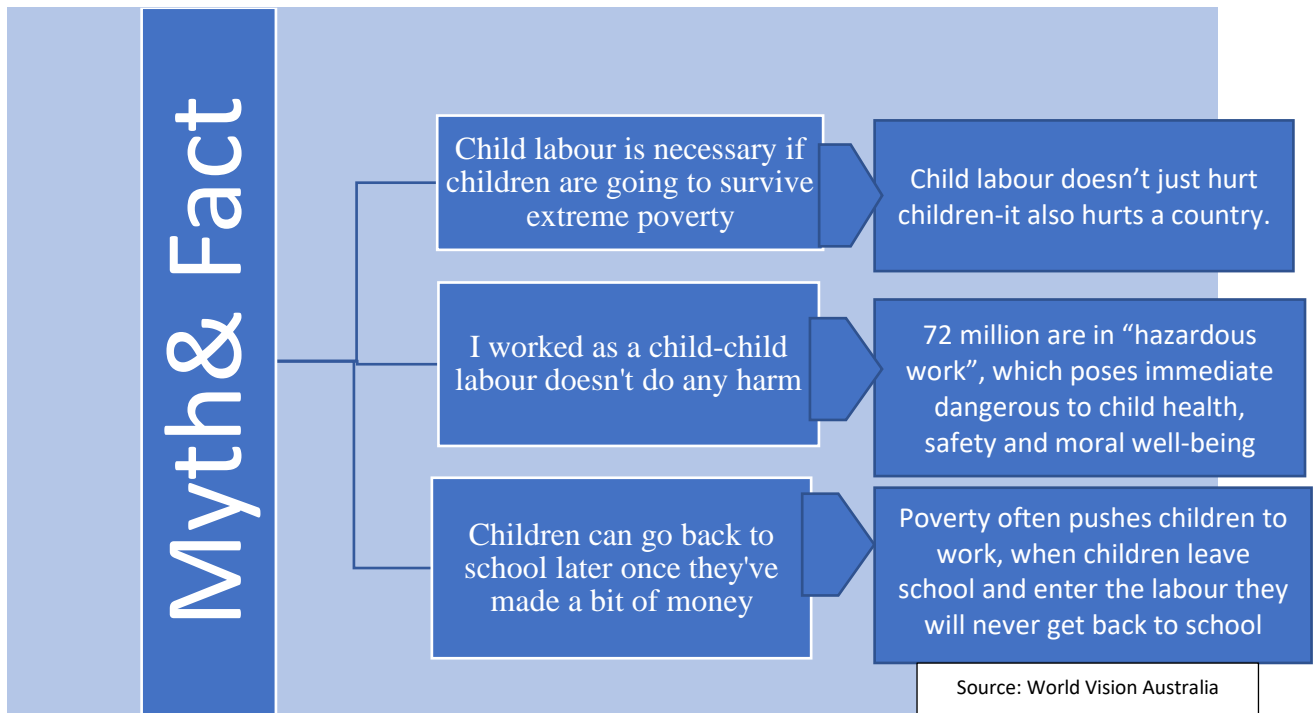
| Session 2: Understanding prevalence, contributing factors and impact of Child Labour (2 hours 30 minutes) | | | |
|--|---|-------------|--|
| Topic | Activities | Time | Materials |
| Estimates of child labour in global, regional and national context | Quiz Discussion | 30 m | Projector, laptop, flipchart, white board and board marker |
| Identify contributing factors to child labour in Timor-Leste | Divide participants into different groups to identify factors contributing to child labour in Timor-Leste | 30 m | Flipchart and board marker Projector, laptop, flipchart, white board and board marker |
| | Presentation of group exercises results | 20 m | |
| | Summary of the session by facilitator | 10 m | |
| Mapping most vulnerable child labour in Timor-Leste | Divided participants into small group discussion | 30 m | Projector, laptop, flipchart, white board and board marker |
| | Plenary | | |
| | Summary by facilitator | | |
| The impact of child labour on the child development | Presentation by facilitator on key concept | 30 m | Projector & laptop |
| | Quiz (Myth and fact) | | |
| | Discussion | | |

This session provides prevalence data to help participants to better understand estimates of child labour at global, regional and national level. The session also provides comprehensive information related to contribution factors to the child labour. At the end of the session participants will be able to list the most common factors that lead to child labour and understand why it is so important to eliminate child labour not only for children but for society and the state.

In discussing the causes of child labour, it is important for the facilitator to emphasize that, while poverty is a leading factor pushing children into work, cultural values and obstacles impeding access to education may also play a role.

This session will also explain consequences of child labour in Timor-Leste and highlight impact of child labour on children’s health, safety, physical and psycho-social development, and the consequences for family, community, and society.

Myth and fact



Training Content

[Contents relevant for activity 1 in session 2]

Estimation of child labor in global, regional and national context

Child labour remains a persistent problem in the world today. The latest global estimates³ indicate that 160 million children – 63 million girls and 97 million boys – were in child labour globally at the beginning of 2020, accounting for almost 1 in 10 of all children worldwide. Seventy-nine million children – nearly half of all those in child labour – were in hazardous

³ ILO and UNICEF Global Estimates on child labour, 2021, [wcms_797515.pdf \(ilo.org\)](https://www.ilo.org/wcmsp5/groups/public/-/media/ilo-press/publications/2021/02/wcms_797515.pdf)

work that directly endangers their health, safety and moral development. Global progress against child labour has stagnated since 2016. The percentage of children in child labour remained unchanged over the four-year period while the absolute number of children in child labour increased by over 8 million. Similarly, the percentage of children in hazardous work was almost unchanged but rose in absolute terms by 6.5 million children.

Other key results from the 2020 global estimates include:

- Involvement in child labour is higher for boys than girls at all ages. Among all boys, 11.2 per cent are in child labour compared to 7.8 per cent of all girls. In absolute numbers, boys in child labour outnumber girls by 34 million. When the definition of child labour expands to include household chores for 21 hours or more each week, the gender gap in prevalence among boys and girls aged 5 to 14 is reduced by almost half.
- Child labour is much more common in rural areas.

Most child labour – for boys and girls alike – continues to occur in agriculture. Seventy per cent of all children in child labour, 112 million children in total, are in agriculture. Many are younger children, underscoring agriculture as an entry point to child labour. Over three quarters of all children aged 5 to 11 in child labour work in agriculture.

- The largest share of child labour takes place within families. Seventy-two per cent of all child labour and 83 per cent of child labour among children aged 5 to 11 occurs within families, primarily on family farms or in family microenterprises.

These young child labourers are extremely vulnerable to abuse and compromised education. In addition, half of children (79 million) in child labour are performing hazardous work, which directly endangers their health, safety and moral development. While agriculture is by far the most important sector where child labourers can be found across the globe, (70 percent), there are also millions of children being exploited in other sectors such as services (19.7 percent) and industry 10.3 percent, including mining and the informal economy. For Eastern and Southern Asia, these percentages change as follows: 56.5 percent of children in child labour are found in agriculture, 27.3 percent are in services, and 16.1 percent of child labourers are in industry.

Most child labour – for boys and girls alike – occurs in agriculture. This is especially the case among younger children, for whom agriculture often serves as an entry point. Child labour takes place in family subsistence and smallholder farming, commercial plantations and other forms of commercial farming, agro-industrial complexes, capture fisheries, aquaculture, postharvest fish processing and forestry. Services and industry account for smaller but still substantial shares of children in child labour. In services, child labour includes domestic work and work in commerce, transport and motor vehicle repair. Child labour in industry comprises work in construction, mining and manufacturing. While agriculture has roughly equal shares of boys and girls in child labour, a greater degree of gender specialization occurs in services

and industry. Girls in child labour are much more likely to be in services, including domestic work, and boys are more prone to be in industry.

In addition, worldwide, 7.1 million children are engaged in forms of domestic work that constitute child labour.

National context.

Nearly 37 percent of the population of Timor-Leste lives below the international poverty line of 1.25 USD per day, and 50 per cent of the population is illiterate⁴.

Based on the 2015 General Population Census data, there are 421,655 children aged 5-17 years in Timor-Leste, with boys constituting 50.6 percent and girl's 49.4 percent. Almost four in every five children (78.7 percent) live in rural areas⁵.

In Timor-Leste, 29,195 children aged 5-17 years, or 6.9 percent in the total age group, are involved in hazardous work. More than half (55.5 per cent) of children in child labour are classified in "hazardous work"⁶. Working children aged 5-17 years are largely employed in "field crop and vegetable growers" (56 percent) and as "housekeeping and restaurant service workers" (26 percent). The remaining 8 percent of working children are working as retail sales workers/street vendors⁷.

In terms of area of residence "field crop and vegetable growers" are largely concentrated in rural areas, while "housekeeping and restaurant services workers" and "retail sales workers/street vendors" have a higher concentration in urban settings⁸.

Furthermore, the national child labour survey which took place between January 18 and February 19, 2016 found that 70.7 percent of children aged 5-17 years attend school exclusively, while about 13.2 percent of children aged 5-17 years are both in employment and school and less than 2.9 percent are in employment exclusively (i.e., are working without also going to school). The remaining 13.2 percent of children aged 5-17 years are neither in employment nor in schooling. Children living in rural areas are about three times more likely to work exclusively (3.4 percent against 1.1 percent) and to work and study (15.5 percent against 4.4 percent) than their urban counterparts.

[contents relevant for activity 2 in session 2]

Identified contributing factors to the child labour in Timor-Leste

◆ Poverty

⁴ Demographic Health Survey, 2015

⁵ Demographic Health Survey, 2015

⁶ National Child Labour Survey, 2016

⁷ National Child Labour Survey, 2016

⁸ Idem

Poverty at a country level is indeed both a cause and a consequence of child labour. The average level of income in a society is strongly correlated with the prevalence of child labour⁹. There are two broad reasons why lower income countries are likely to have more child labour. Firstly, they are likely to have more households in extreme poverty-a condition which is conducive to child labour in all its forms. Secondly, they are likely to display the sort of social and economic patterns that are known to result in higher rates of child labour¹⁰.

◆ **Education**

Survey found that low enrolment at the secondary level is partly due to the limited availability of secondary schools in rural areas. One-third of all junior secondary schools are located in Dili and Baucau, while half of the 54 senior secondary schools are located in Dili.

◆ **Culture**

In Timor-Leste, especially in agricultural families, people traditionally teach their children how to work. Child labour in Timor-Leste occurs not only because of poverty but also because of cultural values, as it is viewed as the natural and right way to introduce a child to the roles and responsibilities of adulthood and of being a member of a family. Children helping their parents is common in many communities throughout Timor-Leste.

⁹ Child Labour, International Programme on the Elimination of Child Labour, ILO, 2004, p.83.

¹⁰ Idem

Key messages

Children must never be involved in work that is dangerous for them and puts them at risk of injury and abuse

It is dangerous for children to collect materials from rubbish!

[Contents for activity 3 in session 2]

Mapping geographical areas and sectors with children most vulnerable to child labour in Timor-Leste

| Type of child labour¹¹ | Specific areas | Remarks |
|--|---|--|
| Children working in agriculture (mostly subsistence agriculture) | Widespread in rural areas | |
| Street/ market vendors including selling pornographic materials | Dili and other cities such as Baucau and Lospalos | |
| Prostitution and trafficking for prostitution | Dili, Suai | Communities in border areas are at most risk |
| Hazardous work: involvement in construction work | Every Municipalities | |
| Children in fishing | Coastal areas: Metinaro, Manatuto | |

[Contents for activity 4 of session 2]

The impact of child labour to the child development

Employing child labor is basically a violation of children's human rights because child labor always has a negative impact on children's physical, emotional and social development.

¹¹ Rapid Assessment on Child Labour in Timor-Leste, 2007

- **The impact of work on children's physical development**

Physically, child workers are more vulnerable than adults because they are physically still in their infancy. Working as child laborers can affect their physical health development because the work, they do can cause accidents or illness. The impact of accidents on child workers can be in the form of injuries or disabilities due to being scratched, cut, hit, bumped and others. In addition, workplace conditions that can cause disease include workplace conditions that are very hot or too cold, the workplace is too noisy, inhaled dust, inhaled chemicals in the form of screen-printing paint, glue vapor, workplaces where sexual exploitation is possible occurred.

- **The impact of work on children's emotional development**

Child labourers often work in a work environment that allows exploitation, is dangerous, degrading, dignified and isolated. They often receive abuse, abuse and neglect by their employers and other adult workers. The impact is in the form of child labour being angry, vindictive, rude to peers or younger, lack of feelings of empathy for others.

- **The impact of labour on children's social development**

Child workers who do not get the opportunity to carry out activities such as playing, going to school and socializing with friends, do not get the basic education needed to overcome life's problems, do not get the opportunity to interact with other people and actively participate in the community and enjoy living as usual, will usually grow up to be passive and selfish children. It has an impact on children having problems in interacting or cooperating with other people and they also lack confidence or feel humiliated.

Session 3: Inspectors' Role and Mandate and CNTI awareness activities (1 hour and 30 Minutes)

| Topic | Activities | Time | Materials |
|--------------------|--|-------------|--|
| Inspection process | <p><u>Brainstorming</u>: On mandate and roles as inspectors</p> <p><u>Plenary Group discussion</u>: Sharing experiences (each of inspector will do a short presentation of their experiences on how they conduct inspections.)</p> <p>how to interview child to consider the principles of <u>do no harm</u>.</p> | 1 hour | <p>Projector (PPP)</p> <p>Flip chart</p> <p>Standing white board</p> <p>Board marker</p> <p>IGT Statutes</p> <p>Distribute copy of the law</p> |
| Awareness raising | A short presentation by National Commission on Child Labour on their awareness raising activities, sharing materials and methodology using. (After pilot/testing the relevant CNTI material could be inserted in or annexed to this manual) | 30 m | Projector (PPP) |

At the end of the session, participants will have a better understanding of the role and mandate of IGT and CNTI.

[contents for activity 1 in session 3]

Labour inspection activities are fundamental to social justice. The authority granted to inspectors in enforcing the law uniquely positions them to play a critical role in combating child labor.

The General Labor Inspectorate was created in 2010 with the main objective is to improve and strengthen the labor inspection services throughout the country through the Decree Law no.19/2010 of 1 December.

Duties of the General Labour Inspectorate¹²

- Control of the legal and regulatory rules on matters of labor relations;
- Control of the conditions for organizing working and rest periods;
- Verifying the appropriateness of the salaries and other considerations for the labor rendered within the terms of the law, the collective bargaining agreement and individual employment contracts;
- **Control, within the terms of the law, of the employment of minors**, workers being trained and other groups of vulnerable workers, especially pregnant women, women in childbirth or breastfeeding and persons with disabilities;
- Ensure compliance with the duties of consulting and making available instructions, information and training for workers and their representatives;
- Ensure compliance with the duties involving worker health monitoring;
- Ensure compliance with work occupational safety, hygiene and health rules;

Inspection process

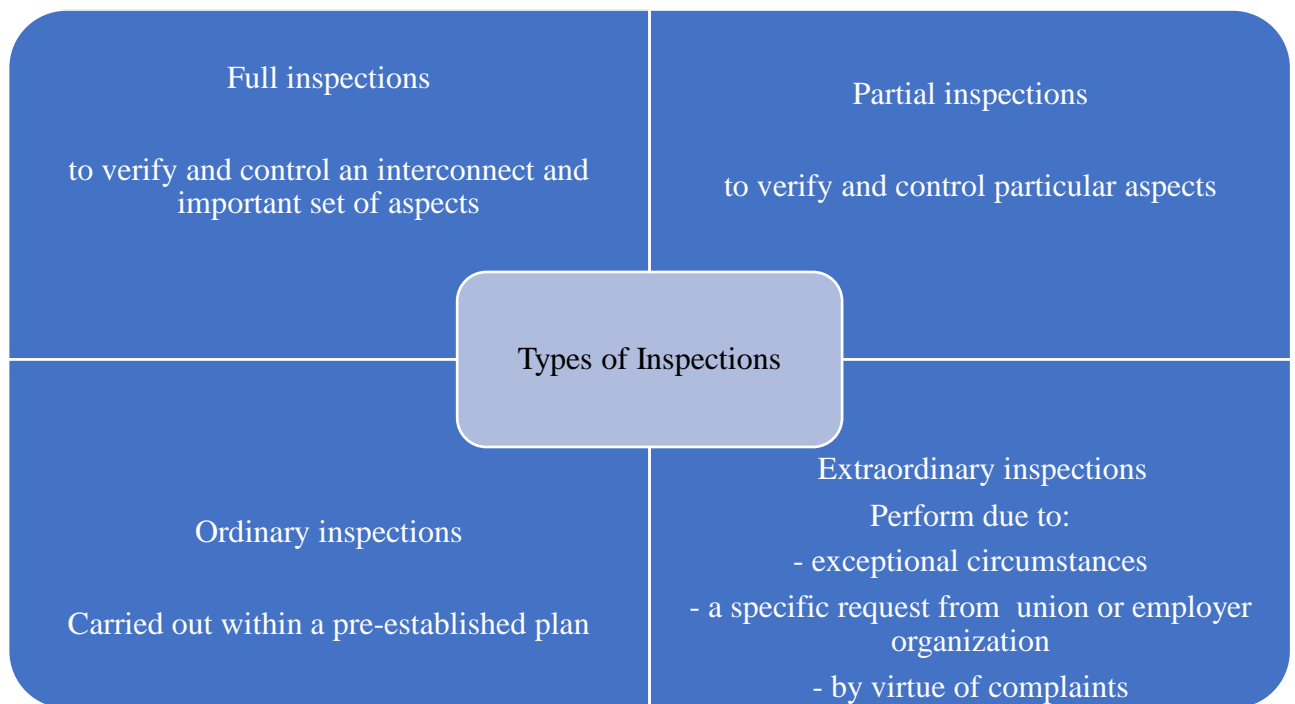
Inspection personnel in carrying out their activities such as conducting inspections, are qualified to¹³:

- Visit and inspect any workplace, at any time of the day or night, without advance notice, without prejudice to the provisions on Criminal Procedure Code on domestic searches;
- Interrogate the employer, employees and anyone else encountered at the workplace about any matters concerning the application of the legal, regulatory and statutory provisions before witnesses;
- In carrying out their duties, the labour inspector in case a crime is detected may make arrests in the act within the terms of the law.

¹² Article 5 of Decree-Law 19/2010 of 1 December Statutes of the General Labour Inspectorate (IGT)

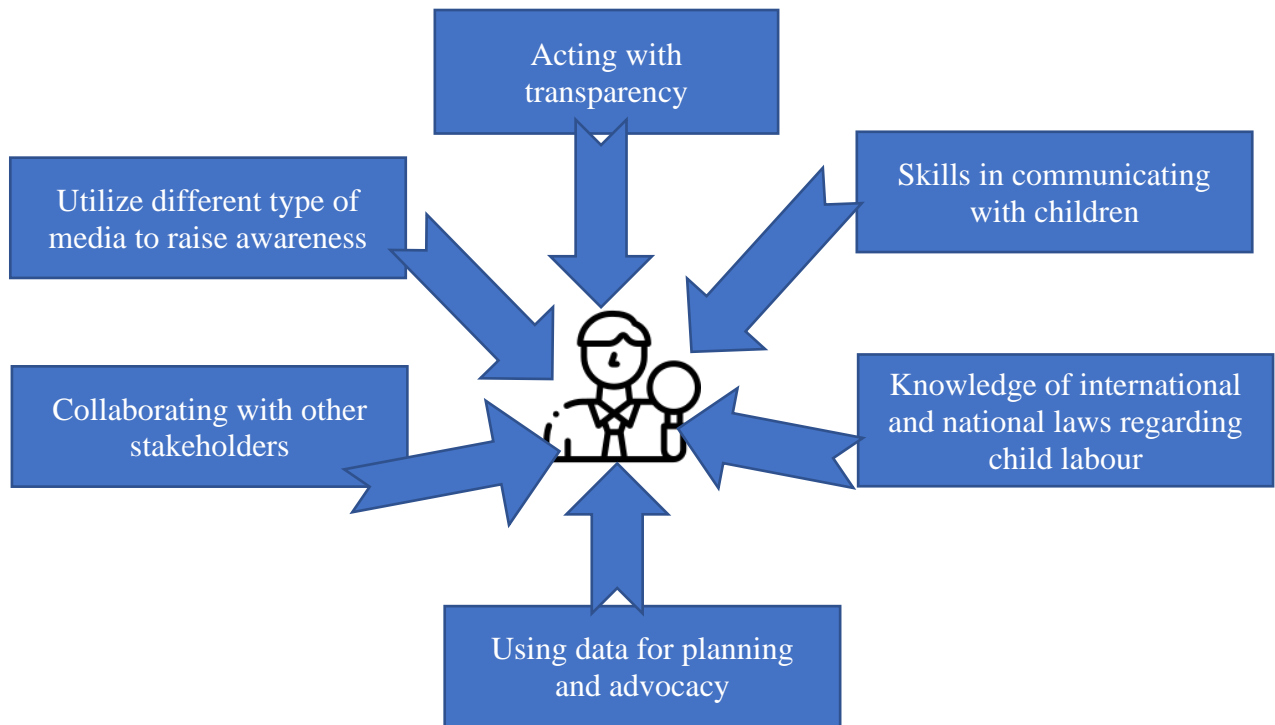
¹³ Article 9 of Decree-Law 19/2010 of 1 December Statutes of the General Labour Inspectorate (IGT)

Types of Inspections¹⁴



¹⁴ Article 20 of Decree-Law 19/2010 of 1 December Statutes of the General Labour Inspectorate (IGT)

Inspectors are clearly a fundamental pillar in upholding the laws prohibiting child labour and ensuring the safety and wellbeing of children. The role of an inspector in the fight against child labour is multifaceted. In order for inspectors to effectively meet their obligations under the conventions and national laws, they must be adapting at negotiating with different stakeholders and employ a variety of techniques, these including as show in the figure below¹⁵.



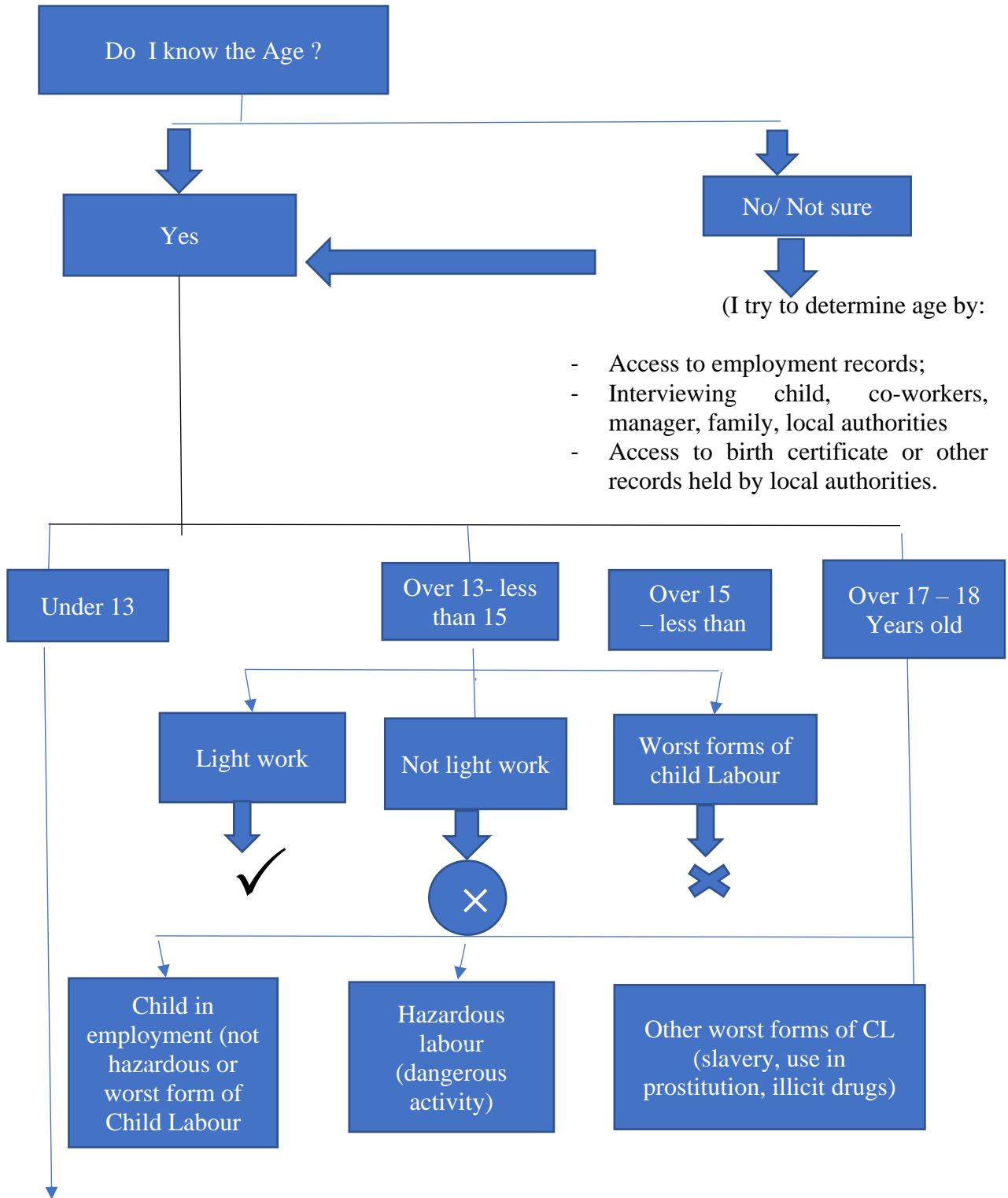
¹⁵ Adapted from Verité & Winrock International, Nepal Labor Inspection Training on Child Labor, 2015, Module 2 p.4

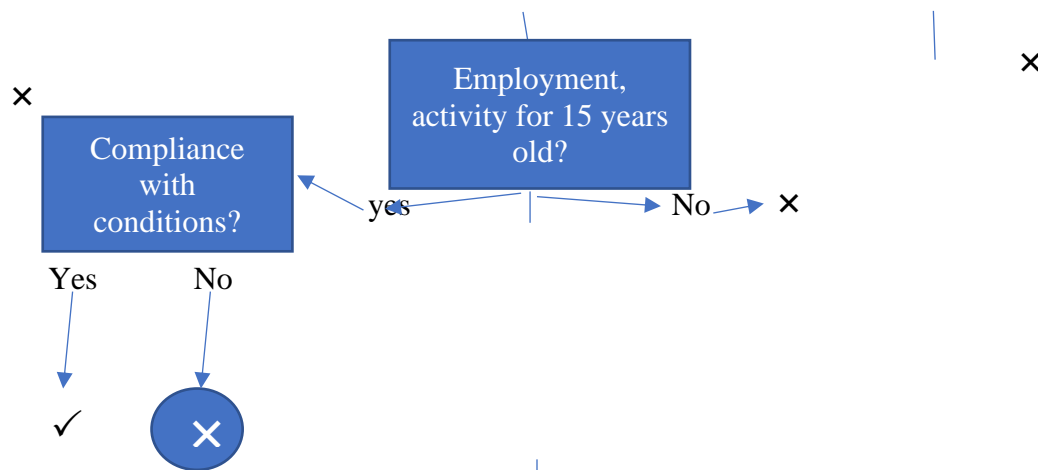
Session 4: Inspection Process and Referral in cases of Child Labour (3.30 hours)

| Topic | Activities | Time | Materials |
|---|--|-------------|---|
| Introduce the SOP on inspection and referral in cases of child labour | <p>Presentation on how to conduct inspections and make referrals in child labour cases</p> <p>Plenary</p> | 30 m | <p>Projector (PPP)</p> <p>Flip chart</p> <p>Standing white board</p> <p>Board marker</p> <p>copy of SOP</p> |
| Section by section analysis of SOP | <p>World café-5 groups visit 5 ‘cafés’ (tables) where segments of SOP are discussed – facilitated by different ‘host’ facilitators</p> <p>Hosted by facilitators</p> | 1.5 hours | 5 tables |
| Inspection and referral in child labour cases in practice | Mock inspection and referral /role play | 1.5 hours | 4 scenarios |

Methodology

Labour Inspector at the Inspection Site identifies a person, suspected to be a child, engage in an economic activity





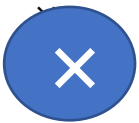
Notes:



Ok- doesn't need to act



Immediate removed of child labour & issues infringement notice



Immediate removed of child & issues infringement notice and discuss improvement with employer

ACTIVITIES

Activity 1

Copies of the SOP on inspections and referral in cases of child labour will be distributed and the lead facilitator will present a summary overview of its contents. The presentation will focus on the overall objectives, approach and structure of the SOP. Legal basis and definitions can be reiterated but would have already been largely covered in the first session of this training.

Activity 2

Participants will visit 5 locations in a 'world café' style exercise whereby small groups visit a table and after 25 minutes go and visit the next table. At each table a host (one of the facilitators) will guide a discussion on a specific segment of the SOP, and for each segment the host will clearly indicate the relevant steps in the SOP and the linked/related items in the reporting template.

- At Table 1 ‘PLANNING’ the host will discuss pre-inspections planning: How to gather relevant documents, do a cost-benefit analysis (advantages and disadvantages) of announcing the inspection, do a risk assessment and a rapid mapping of locally available services.
- At Table 2 ‘INSPECTION INTERVIEWS’ the host provide tips on how to interview children and walk participants through the type of information inspectors should collect from the children at the inspections site.
- At Table 3 ‘REMOVAL’ the host will guide participants through the framework for determination of cases of child labour, removal and issuing related infringement notices. A key element of that discussion what steps labour inspectors can take to determine/confirm the child’s age.
- At Table 4 ‘IMPROVEMENTS’ the host will facilitate discussion on how inspectors can persuade employers to make improvements to the working environment or conditions that would allow the child to return to the workplace-if that is an option under the framework (depends on age and type of work)
- At Table 5 REFERRAL’ the host will explain how to obtain informed consent and will explore referral options with participants. The host will also emphasize the need for persistent follow-up by labour inspectors with referral entities.

Rotating will result in some groups starting with referral or ending up with planning, which is not the order the inspector will do it in practice. However, it is hoped that this is alleviated by the fact that the overall structure of the SOP has been presented in chronological order in the first activity. Alternatively, the entire SOP – with steps in chronological order-could be fully analyzed and discussed in small groups but that would also take a long time and would require strong facilitators placed in each group. The advantage of the ‘world café’ technique is that the segment can be led by the facilitator most knowledgeable on that issue and that all groups would hear/receive the info in the same way (consistency of messaging).

Activity 3 Divide participants in 4 groups; each group will analyze a different case study on a child employed in a construction business, an agricultural cooperative, a small groceries store or kiosk and a hotel or restaurant. In half of the cases the child is engaged in an economic activity in compliance with law; in the other half the child is in a situation of prohibited child labour. Participants will prepare drama/role-play of their case, specifically focusing on the interviews with the child, removal and referral actions – if any.

TIPS-DO NO HARM when interview child ¹⁶

- Ensure their safety and put them at ease
- The interviewer has to be sensitive to the child emotional stage
- The child is not a criminal - Treat the child as a witness or victim of child labour and a partner in data gathering
- Respect the child rights to speak or to keep silent
- Must ensure the confidentiality: Out of sight and earshot of superiors and unfriendly peers (*ema seluk labele haree ka rona*)
- No interview in noisy/busy surroundings (*la iha ambiente ho barullu makaas*)
- Inspector not standing over the child (*labele hamriik hodi domina oan*)
- Use open questions
- Try to understand child's perspective
- Use words understandable by children at that age

¹⁶ ILO/IPEC & SafeWork, Combating Child Labour: A Handbook for Labour Inspector, 2002, p.28-29

CASE STUDIES

Case study 1:

Jony is between 12 and 13 years old and works in a building construction company. Because he works in building construction, he always uses heavy equipment's.

Case study 2:

A coffee cooperative company located in Ermera employs several teenagers. Their jobs include brewing coffee, drying, grinded coffee, packing and transporting packaged coffee to the shops.

Case study 3:

Julia owns a grocery store and employs Lita and Mario, aged 17 and 18. Their job is cashier and work 8 hours per day and 5 days per week. If they do work over time then they will be paid according to applicable legal standards.

Case study 4:

Hotel Ramelau employs several young girls, they work in the kitchen and hotel waiters. However, there are indications that apart from being hotel maids and working in the kitchen, they also work to serve hotel guests, especially men.

Instructions:

1. Mr. Antonio from the general inspection office visited the company where Jony worked. After visiting and seeing the situation on the ground, as an inspector what kind of issues identified during the visit, and what actions should take by Mr. Antonio? (Discuss the situation and the steps taken by an inspector).

2. Role-play

Session 5: Advocacy Strategies and Approaches (1 hour & 30 minutes)

| Topic | Activities | Time | Materials |
|---|--|-------------|---|
| Strengthening the legal and policy framework | Presentation by facilitator on existing legal and policy framework in Timor-Leste on child labour Q&A | 30 m | Flipchart and board-marker Projector and PPP |
| Identified gaps on existing laws and practices (Strength and weakness) | Divided participants into small group discussion Plenary Wrap up by facilitator | 30 m | |
| Advocacy strategies: <ul style="list-style-type: none"> • basic concept of advocacy • stakeholders mapping • design planning | Presentation Focus group discussion Role-play | 30 m | |

Wrap-up

At the end of the course, the facilitator should summarize what has been discussed and learned throughout the day, thank participants for their active listening, participation and contribution, and discuss next steps. Participants should be asked to complete the course evaluation. All inspectors will be going to reflect what they have been gained during the training session and how to apply all the knowledge in their daily worked. While the course facilitator should outline key next steps such as advocacy strategies for change.

Post-test

Evaluation (30 minutes)

Advocacy is considered as an important mechanism to demand that various RDTL state actors take necessary action including ratify ILO Convention No.138, approve the National Action Plan to Eliminate the Worst Forms of Child Labour in Timor-Leste, phase I 2020-2025 and other legal instruments/policies related to child labour.

Propose Participants: Instituto Nacional Defeza Direitos dos Crianças (INDDICA), National Commission of Child Labour (CNTI), General Labour Inspectorate (IGT) and Civil Society Organizations.

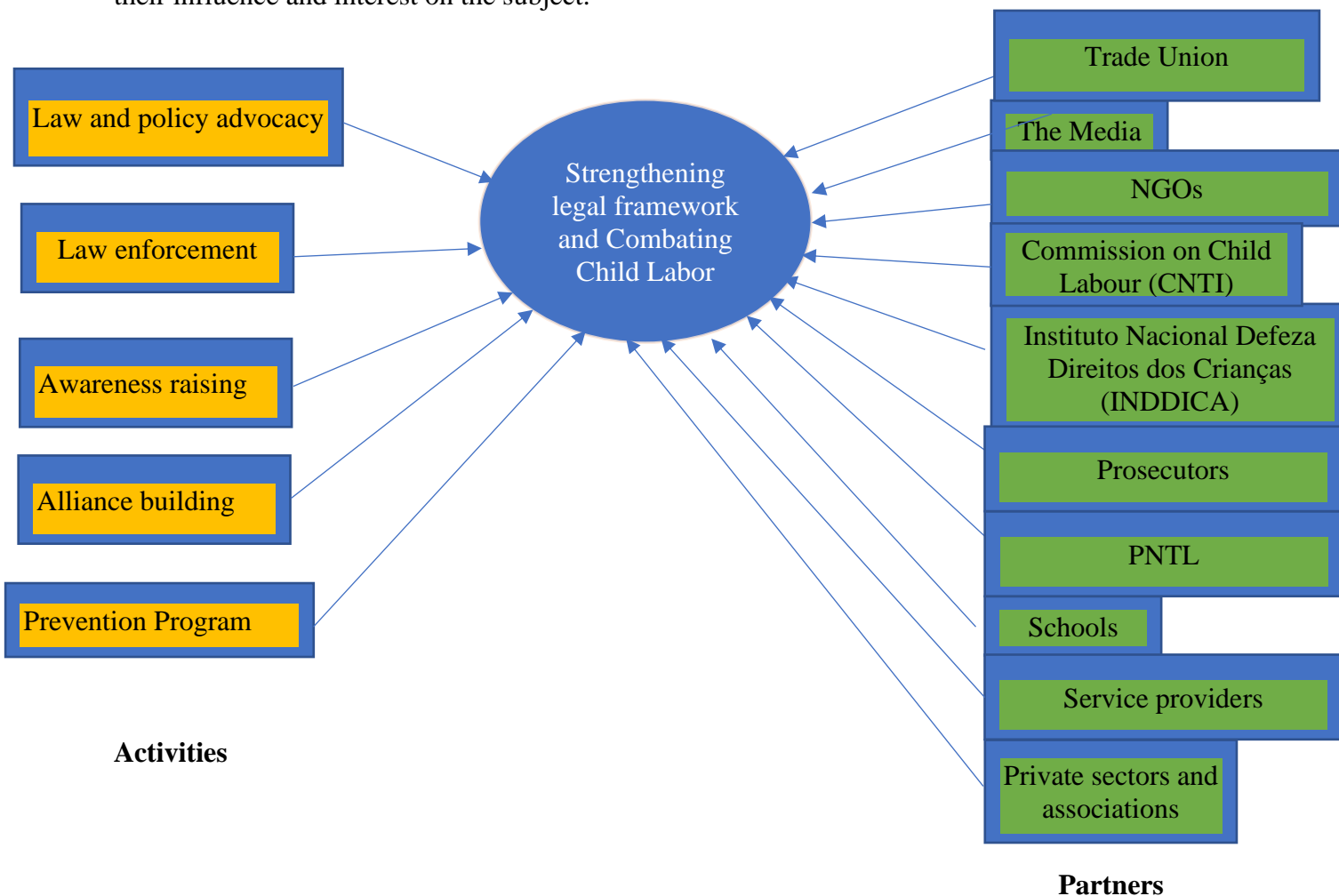
Training Content

Advocacy strategies for strengthening legal framework and Combating Child Labor in Timor-Leste

The inspector cannot act alone in combating child labor. A comprehensive and coordinated approach is needed to adequately address the issue.

Stakeholders Mapping

Stakeholders are people, organizations or institutions that are internal or external to the activity or project who have interest, resources and capacities in its success. The interest can be positive or negative, therefore, it's crucial to know your stakeholders. A stakeholder's map is a visual activity to identify through interest matrix that can categorize them in terms of their influence and interest on the subject.



Evaluation (30 minutes)

At the end of the course, the facilitator should summarize what has been discussed and learned throughout the day, thank participants for their active listening, participation and contribution, and discuss next steps. Participants should be asked to complete the course evaluation. Course proceedings can then be closed.

**Closing ceremony by:
ILO representative and Government representatives**

(ANNEXES)

Annex 1: Pre and post-test (using spider net activities and form)

Annex 2: Ice-breakers

Annex 3: Agenda

Annex 4: Materials (handouts and instructions)

Annex 5: List on hazardous activities (Draft)

Annex 6: Evaluation form

Annex 7: Standard Operational Procedures (SOP) and Monitoring format

References

https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms_220689.pdf

[file:///Users/mariaagnes/Downloads/ILO-IPEC_Child_Labour_Monitoring_Guidelines_EN%20\(1\).pdf](file:///Users/mariaagnes/Downloads/ILO-IPEC_Child_Labour_Monitoring_Guidelines_EN%20(1).pdf)

ILO-UNICEF Global Estimates on child labour, Child Labour: Global estimates 2020, trends and the road forward, [wcms_797515.pdf \(ilo.org\)](#)

[eLearning tools on child labour \(IPEC\) \(ilo.org\)](#)

ILO, **Combating child labour: A handbook for labour inspectors, 2002**, [Combating child labour: A handbook for labour inspectors \(ilo.org\)](#)

[Resources on child labour and Labour Inspection \(IPEC\) \(ilo.org\)](#)