

In 2018, Timor-Leste made a minimal advancement in efforts to eliminate the worst forms of child labor. The Prime Minister’s Office convened different agencies to develop an implementation plan for the National Action Plan Against Human Trafficking via the Inter-Agency Trafficking Working Group. However, children in Timor-Leste engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Timor-Leste does not meet international standards related to the minimum age for work. In addition, Timor-Leste’s Penal Code and Labor Code only protect children under the age of 17, leaving children age 17 vulnerable to the worst forms of child labor. Also, during most of the reporting year, the Government of Timor-Leste did not have an operating budget, which inhibited its ability to fund programs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1,2) Table 1 provides key indicators on children’s work and education in Timor-Leste.

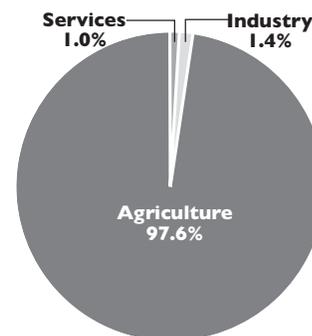
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	19.9 (26,268)
Attending School (%)	7 to 14	69.7
Combining Work and School (%)	7 to 14	12.6
Primary Completion Rate (%)		95.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization’s analysis of statistics from Timor-Leste Survey of Living Standards (TLSLS), 2007. (4)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including cultivating and processing coffee† (1,5) and growing vegetables and other crops (2,6) Fishing,† including work on boats and repairing nets (1,2,7,8)
Industry	Construction,† (1) including brickmaking(5) Operating weaving and knitting machines (6,9)
Services	Domestic work† (1,2,10) Street work, including vending, begging, and scavenging (1,11) Shopkeeping and selling goods in markets (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,12,13) Domestic and agricultural work, each sometimes as a result of human trafficking (2,13)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

In Timor-Leste, some children are trafficked from rural areas to the capital city, Dili, and subjected to commercial sexual exploitation, domestic work, or forced labor in the fishing industry. (2,14) Other children are trafficked transnationally, including to Indonesia. (2,15) Preliminary data from the child labor survey conducted in 2016

Timor-Leste

MINIMAL ADVANCEMENT

indicate that more than 26,000 children are engaged in other service activities, such as domestic work; the survey also identified 588 children engaged in street work. (8,10,16) Although data are limited, it is anecdotally reported that children are sometimes directed to work on family farms against their wishes to supplement family incomes. (17) The government requires nine years of compulsory education; however, there are no provisions to ensure that children are not subjected to paying additional fees to attend school. Commonly required fees include school uniforms and supplies, which can hinder children’s access to education. (8,18) Due to national elections in spring of 2018, political impasses, and the lack of a budget until September 2018, the Government of Timor-Leste was unable to implement or continue many programs focused on eliminating child labor. (8)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Timor-Leste has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Timor-Leste’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 68 of the Labour Code (19)
Minimum Age for Hazardous Work	No	17	Article 67 of the Labour Code (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous and Prohibited Activities to Children Under the Age of 18 (20)
Prohibition of Forced Labor	Yes		Articles 155, 162–163, and 166 of the Penal Code; Articles 8 and 67 of the Labour Code (19,21)
Prohibition of Child Trafficking	Yes		Article 81 of the Immigration and Asylum Act; Articles 162–164 and 166 of the Penal Code; Article 67 of the Labour Code; Article 18 of the Law on Preventing and Combating Human Trafficking (19,21-23)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 155 and 174–176 of the Penal Code; Article 67 of the Labour Code (19,21)
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labour Code (19,21)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on Military Service (24)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 14 of the Law on Military Service (24)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 125 of the Penal Code (21)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (25)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (25,26)

Timor-Leste does not meet the international standard for the minimum age for work, because the minimum age for work is lower than the compulsory education age, and children may be encouraged to leave school before the completion of compulsory education. Technical advice from the ILO’s Committee of Experts on the Application of Conventions and Recommendations indicates that Timor-Leste’s Penal Code and Labor Code are not sufficient because they provide protections for children under age 17 only, which leaves children age 17 vulnerable to the worst forms of child labor, including commercial sexual exploitation and illicit activities. (18,19,21,27) The minimum age of 17 for hazardous work is not in compliance with international standards—which stipulate the age to be 18 and above—because children do not receive adequate training to protect their health, safety, and morals. (19,21) Although Timor-Leste has adopted the List of Hazardous and Prohibited Activities to Children Under the Age of 18, it is uncertain how it will be harmonized with the Labor Code and Penal Code. (2,20,28) Lastly, although the Labor Code specifies the conditions and number of hours permitted for light work for children ages 13 to 15, it does not specify which activities qualify as light work. (19)

Since the government enacted the Law to Prevent and Fight Against Human Trafficking—which expanded legal provisions on protection and prevention measures for the crime of human trafficking, including child trafficking—in 2017, all government ministries now must follow the law’s trafficking in persons guidelines. (2,10,23,29)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Social Solidarity and the Secretariat of State for Professional Training and Employment Policy (SEPFPOE) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Secretariat of State for Professional Training and Employment Policy (SEPFPOE)	Receives child labor complaints, and passes complaints to the Timor-Leste National Police (PNTL) for further investigation. (8) Enforces laws related to child labor. Administers the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor. (5,8)
Timor-Leste National Police (PNTL)	Enforces criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes the Vulnerable Persons Unit (VPU), the immigration police, and the border police. (5,8)
Ministry of Social Solidarity	Receives referrals from agencies, including SEPFPOE, that are responsible for conducting child labor investigations and providing child victims with appropriate support services. (5) Maintains at least 1 technical officer in each of the country’s 13 districts and 2 child protection officers in each of the 65 subdistricts, all trained to follow the government’s standard operating procedures for referrals to service providers. (30-32) Due to budget shortfalls and political impasses, the Ministry was unable to implement child labor awareness programs and did not take additional specific actions during the reporting period. (33)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Timor-Leste took actions to combat child labor (Table 6). However, gaps exist within the operations of the SEPFPOE that may hinder adequate labor law enforcement, including labor inspector training.

Timor-Leste

MINIMAL ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$488,835 (8)	\$279,000 (8)
Number of Labor Inspectors	26 (2)	26 (8)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (8)
Initial Training for New Labor Inspectors	N/A (2)	N/A (8)
Training on New Laws Related to Child Labor	No (2)	N/A (8)
Refresher Courses Provided	Unknown	No (33)
Number of Labor Inspections Conducted	1,721 (2)	1,600 (8)
Number Conducted at Worksite	Unknown (2)	Unknown (8)
Number of Child Labor Violations Found	0 (2)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (8)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	0 (8)
Routine Inspections Conducted	Yes (2)	Yes (8)
Routine Inspections Targeted	Yes (2)	Yes (8)
Unannounced Inspections Permitted	Yes (2)	Yes (8)
Unannounced Inspections Conducted	Yes (2)	Yes (8)
Complaint Mechanism Exists	Yes (2)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (8)

In 2018, SEPFOPE labor inspectors did not receive specialized training on child labor enforcement. Even though labor inspectors conducted 1,600 inspections during 2018, the government did not pass a 2018 state budget until September, and therefore the SEPFOPE operated mostly month-to-month and only had enough funding to cover salaries and emergency expenditures. (8) The SEPFOPE also reported that the number of labor inspections conducted in 2018 was insufficient and is targeting 1,800 inspections for 2019. (8,33,34) Although Timor-Leste does meet the ILO’s technical advice of a ratio approaching 1 labor inspector for every 40,000 workers in less developed economies, the SEPFOPE reported that the number of labor inspectors is insufficient to conduct the required labor inspections, noting that none of the inspectors are solely dedicated to child labor issues. (8)

Research found that there are insufficient child labor enforcement protections for children working on family farms or in domestic work, likely because the SEPFOPE is limited to inspecting only formal worksites. (2) The SEPFOPE also had limited capacity to conduct inspections in Timor-Leste’s rural areas, where child labor in the agriculture sector is prevalent, due to a lack of available transportation, including funds to pay for fuel for government vehicles. (8,10,35)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Timor-Leste took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	N/A (2)	N/A (8)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (14)	N/A (8)
Refresher Courses Provided	N/A (2)	N/A (8)
Number of Investigations	4 (14)	0 (8)
Number of Violations Found	0 (2)	0 (8)
Number of Prosecutions Initiated	1 (14)	0 (8)
Number of Convictions	0 (14)	0 (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A	Unknown (8,17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (8)

In 2018, the Vulnerable Persons Unit of the Timor-Leste National Police (PNTL) had a staff of 97 investigators charged with the enforcement of criminal laws related to the worst forms of child labor. PNTL officers continued to receive human trafficking and victim identification training; however, this training was not specific to child trafficking issues. (8,10,32) The IOM also provided training to victim protection unit officers in the PNTL until September 2018 when the contract ended. (8) In 2018, the PNTL rescued a female victim from commercial sexual exploitation. (10)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including insufficient funding.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission Against Child Labor (CNTI)	Facilitates information sharing on child labor issues among government agencies and serves as the coordinating mechanism for filing and responding to child labor complaints. (35) Develops child labor policies, raises awareness, and contributes to efforts to ratify and implement international conventions related to child protection. (5) Chaired by SEPFOPE, serving a 3-year term as the Technical Secretariat. (35,36)
Inter-Agency Trafficking Working Group	Coordinates the government's efforts to combat human trafficking, develops and implements the National Action Plan on Combating Human Trafficking, and promotes the development of comprehensive anti-trafficking legislation. Chaired by the Ministry of Justice, and includes the participation of the Prime Minister's office. (10)

In 2018, the Inter-Agency Trafficking Working Group met on an ad hoc basis. (33) The Government of Timor-Leste began drafting implementation plans to replace the Inter-Agency Trafficking Working Group with an Anti-Human Trafficking Commission. However, the political impasse and lack of a budget for most of 2018 prevented the Anti-Human Trafficking Commission (which will have oversight on the Law to Prevent and Fight Against Human Trafficking) from being launched during the reporting year. (10,33) The government has not yet established the new Anti-Human Trafficking Commission, which will have oversight on the Law to Prevent and Fight Against Human Trafficking. (10) Minimal outreach efforts were undertaken by the National Commission Against Child Labor (CNTI) to coordinate child labor policies, including sharing information on an ad hoc basis with employers and the public. (33)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Timor-Leste Project for the Elimination of the Worst Forms of Child Labor	Aims to strengthen implementation of ILO C. 182 by establishing the Child Labor Commission Working Group, developing a hazardous work list, and creating a national action plan against child labor. Launched in 2009 in partnership with ILO and the government of Brazil. (35) Due to a lack of budget, this policy was not active in 2018.
Timor-Leste Strategic Development Plan (2011–2030)	Provides short- and long-term plans for the nation's development, including the eradication of the worst forms of child labor; poverty alleviation, and implementation of social transfer programs. (5,37) Specifies commitments to improve the educational system over the next 20 years. (37) Due to a lack of budget, this policy was not active in 2018.
National Action Plan Against Human Trafficking in Timor-Leste (2016–2018)	Guides the government's efforts to combat human trafficking in Timor-Leste through prevention, protection, prosecution, and partnerships. The Ministry of Justice coordinates activities and responsibilities and the Prime Minister's Office as the Co-Chair. (10,38,39) Due to a lack of budget, this policy was not active in 2018.

The CNTI finalized the National Action Plan Against Child Labor in 2016, which aims to eliminate child labor in Timor-Leste in its worst forms by 2025 and in all its forms by 2030. (2,8,16,33,36,40) Even though the Council of Ministers has not yet approved the plan, key stakeholders—including community-based organizations, NGOs and donor nations—have begun to implement it. (8,16,33) Even though no programs were implemented in 2018, the

Timor-Leste

MINIMAL ADVANCEMENT

Prime Minister's Office did convene different agencies to develop an implementation plan for the National Action Plan on Against Human Trafficking through the Inter-Agency Trafficking Working Group. (10)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Education and Outreach Program†	SEPFOPe and CNTI education and awareness-raising program, located in five primary schools in Dili that target children who are at risk for involvement in child labor. (35) Research was unable to determine whether the Child Labor Education and Outreach Program was active or whether activities were undertaken to implement the program during the reporting period.
Services for Street Children†	Government-funded safe house and support services for street children provided by the Youth Communication Forum. (43) Research was unable to determine whether the Services for Street Children program was active or whether activities were undertaken to implement the program during the reporting period.
Mother's Purse (Bolsa Mãe)†	Ministry of Social Solidarity program that provides an annual cash subsidy of \$60 to \$180 to poor families with a female head of household. Aims to improve the well-being of children by conditioning the subsidy on children's school attendance and regular medical visits. (35,44) Assisted 60,900 families in 2018. (17)
Casa Vida†	Joint program between the Timor-Leste Ministry of Social Solidarity and the Australian Department of Foreign Affairs and Trade's Nabilian Program and Shelter Initiative. Provides shelter, health assistance, and psychological counseling to minor victims, including victims of child labor and its worst forms. (10) Receives referrals from civil society organizations as well as PNTL/VPU. In 2018, received funding from the Ministry of Social Solidarity during the political impasse and continued offering services. (45)

† Program is funded by the Government of Timor-Leste.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (5,31,46,41,47-50)

Although the government has implemented programs to address child labor, research found no evidence that it has developed programs to assist children working in agriculture and on family farms, or children involved in the worst forms of child labor, including commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Timor-Leste (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Ensure that children receive adequate training and that the health, safety, and morals of the child are protected in accordance with international minimum age standards for hazardous work.	2017 – 2018
	Ensure that the law protects children between the ages of 17 and 18 from engaging in all worst forms of child labor, such as commercial sexual exploitation and involvement in illicit activities.	2013 – 2018
	Ensure that the law's light work provisions are specific enough to prevent children from becoming involved in child labor.	2016 – 2018
	Ensure that the List of Hazardous Occupations and Activities Prohibited for Children and the Law to Prevent and Fight Against Human Trafficking are harmonized with the Labor Code and Penal Code.	2017 – 2018
Enforcement	Ensure that labor inspectors receive refresher courses on laws related to child labor.	2018
	Publish labor law enforcement information, including the number of labor inspections conducted at worksites.	2015 – 2018
	Provide the resources and training needed to enforce laws related to child labor, including adequate transportation for labor inspectors to conduct inspections in rural areas of Timor-Leste.	2016 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Secretariat of State for Professional Training and Employment Policy is staffed with the appropriate number of labor inspectors to conduct the targeted number of labor inspections.	2018
	Build enforcement capacity to address child labor protections for children who work in the informal sector, including on family farms and in domestic work.	2017 – 2018
	Ensure that the Timor-Leste National Police receives training on child trafficking.	2018
Coordination	Ensure that the Inter-Agency Trafficking Working Group, or its replacement, meets on a regular basis.	2018
	Ensure that there is a sufficient budget to seamlessly transition the Inter-Agency Trafficking Working Group into the new Anti-Trafficking Commission.	2018
Government Policies	Approve the National Action Plan Against Child Labor.	2016 – 2018
	Integrate child labor elimination and prevention strategies into existing policies, including the National Education Strategic Plan and the Child and Family Welfare System Policy.	2014 – 2018
	Take steps to fully implement the National Action Plan to Combat Human Trafficking.	2017 – 2018
	Take steps to fully implement the Timor-Leste Project for the Elimination of the Worst Forms of Child Labor.	2017 – 2018
	Take steps to fully implement the Timor-Leste Strategic Development Plan.	2017 – 2018
Social Programs	Create social programs targeting working children, particularly in agriculture and working on family farms, and children engaged in the worst forms of child labor, including commercial sexual exploitation.	2017 – 2018
	Create social programs that sufficiently cover education fees, including school uniforms and supplies.	2018
	Ensure that the Child Labor Education and Outreach Program is active and fully funded, and publish activities undertaken during the year.	2018
	Ensure that the Services for Street Children program is active and fully funded, and publish activities undertaken during the year.	2018

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Timor-Leste

MINIMAL ADVANCEMENT

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