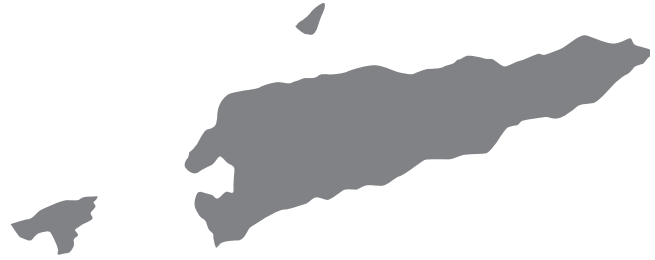


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In 2019, Timor-Leste made a minimal advancement in efforts to eliminate the worst forms of child labor. In October, the government released an analytical report on the findings of its 2016 National Child Labor Survey in conjunction with the Mini Labor Force Survey. Additionally, the government funded the Vulnerable Persons Unit to help support children who were victims of child labor and human trafficking. However, despite new initiatives to address child labor, Timor-Leste is receiving an assessment of minimal advancement due to a regression in practice that delayed advancement in eliminating the worst forms of child labor. While no law or policy prohibits pregnant girls from attending school, reports during the reporting period indicate that orders from school principals forced girls to leave school when they became pregnant, making them more vulnerable to the worst forms of child labor. Children in Timor-Leste engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. 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.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste engage in the worst forms of child labor, including 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.

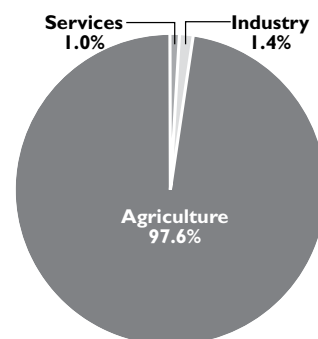
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	19.9 (26,268)
Attending School (%)	7 to 14	69.7
Combining Work and School (%)	10 to 14	12.6
Primary Completion Rate (%)		103.8

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (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† and growing vegetables and other crops (1,2,5) Fishing,† including work on boats and repairing nets (1,2,6,7)
Industry	Construction,† including brickmaking (1) Operating weaving and knitting machines (5,8)
Services	Domestic work† (1,2,9,10) Street work, including vending, begging, and scavenging (1,7,11) Shopkeeping and selling goods in markets (5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,7,10,12,13) Domestic and agricultural work, each sometimes as a result of human trafficking (2,7,14)

† 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.

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In October 2019, the government released its first-ever Timor-Leste National Child Labor Survey 2016 Analytical Report in conjunction with the Mini Labor Force Survey, aligning with the 2030 Agenda for Sustainable Development under Goal 8.7, which calls for the elimination of child labor, including its worst forms. Data from the Child Labor Survey, covering 1,755 households in all 13 municipalities, found that 55.5 percent of children in child labor are involved in hazardous work; key findings such as this will be used for future development of relevant policies and programs in the country. (6,7,9,15-18)

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. (2,7,10,14,19) Research indicates that data on human trafficking vary across government institutions and are not centralized in a clearinghouse for stakeholder agencies to access, making it difficult to accurately assess the human trafficking issues on the ground. (10,14) Other children are trafficked transnationally, including to Indonesia. (2,10,20) 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. (7,10,14,21)




The law requires 9 years of compulsory education; however, in practice, children must pay additional fees to attend school. Commonly required fees include school uniforms and supplies, which can hinder access to education, particularly for children from poor and rural areas. (6,7,22) In addition, the lack of sanitation facilities at schools can result in girls dropping out of school upon reaching puberty. (7,23)

Although there is no government policy prohibiting girls from attending school while pregnant, research indicates that some school principals force girls to leave school when they become pregnant. As a result, some pregnant students may also attempt to transfer schools, but they face additional difficulty obtaining transfer documentation, which is at the discretion of school principals. (7,23-25) This practice may make pregnant girls more vulnerable to involvement in child labor, including its worst forms. The Ministry of Education has drafted a policy to encourage girls to return to school after giving birth, but this policy has remained in draft status for several years, and there is no policy on providing education for girls during their pregnancy. (24)

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 (26)
Minimum Age for Hazardous Work	No	17	Article 67 of the Labour Code (26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous and Prohibited Activities to Children Under the Age of 18 (27)
Prohibition of Forced Labor	Yes		Articles 155, 162–163, and 166 of the Penal Code; Articles 8 and 67 of the Labour Code (26,28)
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 (26,28-30)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 155 and 174–176 of the Penal Code; Article 67 of the Labour Code (26,28)
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labour Code (26,28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on Military Service (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 14 of the Law on Military Service (31)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 125 of the Penal Code (28)
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (32)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (32,33)

Research indicates that various sections of the Penal Code only criminalize the use, procuring, and offering of a child for prostitution, production of pornography, and for pornographic performances when the child victim is younger than 17 years of age. Research also shows that the Labor Code only protects minors younger than 17 in its prohibitions on the use of child labor in hazardous work. (22,23,26,28,34)

The minimum age of 17 for hazardous work is not in compliance with international standards because Timor-Leste fails to ensure that children receive adequate training, in accordance with international standards where the minimum age identified is below 18. (22,26,28) Although Timor-Leste has adopted the List of Hazardous and Prohibited Activities to Children Under the Age of 18, it is uncertain how this law will interact with the Labor Code which only considers those under age 17 as children. (2,22,27,35) 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. (26)

The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (32,33)

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 Secretariat of State for Professional Training and Employment Policy (SEPFPOE) that may hinder adequate enforcement of their child labor laws.

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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. (6) Enforces laws related to child labor. Administers the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor. (6)
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. (6)
Ministry of Social Solidarity and Inclusion	Receives referrals from agencies, including SEPFPOE, that are responsible for conducting child labor investigations and providing child victims with appropriate support services. (24) 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 identifying and referring victims to service providers. (10,37,38)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Timor-Leste took actions to combat child labor (Table 6). However, gaps exist within the operations of SEPFPOE that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$279,000 (6)	\$432,074 (7)
Number of Labor Inspectors	26 (6)	26 (7)
Inspectorate Authorized to Assess Penalties	Yes (26)	Yes (26)
Initial Training for New Labor Inspectors	N/A (6)	N/A (7)
Training on New Laws Related to Child Labor	N/A (6)	N/A (7)
Refresher Courses Provided	No (39)	N/A (7)
Number of Labor Inspections Conducted	1,600 (6)	2,000 (7)
Number Conducted at Worksite	Unknown (6)	Unknown (7)
Number of Child Labor Violations Found	0 (6)	0 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (6)	0 (7)
Number of Child Labor Penalties Imposed that Were Collected	0 (6)	0 (7)
Routine Inspections Conducted	Yes (6)	Yes (7)
Routine Inspections Targeted	Yes (6)	Yes (7)
Unannounced Inspections Permitted	Yes (26)	Yes (26)
Unannounced Inspections Conducted	Yes (6)	Yes (7)
Complaint Mechanism Exists	Yes (6)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (7)

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, SEPFPOE reported that the number of labor inspectors is insufficient to conduct the required labor inspections. (6,7,23) SEPFPOE stated its intention to hire additional labor inspectors in 2020. During the reporting period, the government did not provide enough funds to SEPFPOE to allow for staff training during the year. (7)

Research found that there are insufficient child labor enforcement protections for children working on family farms or in domestic work, because SEPFPOE investigators are only empowered to inspect formal workplaces. (2,7) SEPFPOE 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. (6,7,9,40)

The government did not provide information on the number of inspections conducted at worksites for inclusion in this report.

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Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Timor-Leste took actions to combat child labor (Table 7). However, gaps exist within the operations of the Timor-Leste National Police (PNTL) 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	2018	2019
Initial Training for New Criminal Investigators	Yes (6)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	N/A (7)
Refresher Courses Provided	No (6)	No (7,25)
Number of Investigations	0 (6)	0 (7)
Number of Violations Found	0 (6)	0 (7)
Number of Prosecutions Initiated	0 (6)	0 (7)
Number of Convictions	0 (6)	0 (7)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (6,21)	No (24)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (7)

The Vulnerable Persons Unit (VPU) of the PNTL had a staff of 97 investigators charged with the enforcement of criminal laws related to the worst forms of child labor. (7,10,14,24,38)

All new PNTL officer recruits continued to receive training on how to identify human trafficking victims as a part of their standard onboarding curriculum, which teaches officers how human trafficking differs from smuggling and immigration violations, and includes a summary of the Law on Preventing and Combatting Human Trafficking. (10) However, this training was not specific to child trafficking issues. (7,9,24,38) The curriculum for new and existing members of the judiciary includes trainings on human trafficking that teach steps that criminal prosecutors can use to develop new trafficking investigations and prosecutions. These include methods for handling evidence and questions prosecutors can ask of witnesses and victims to more clearly delineate whether a case is trafficking-related, thus increasing chances of conviction. (10,14,41)

In 2019, the VPU received \$8,088 to support women who were victims of domestic violence, as well as children who were victims of child labor and human trafficking. (7) The VPU lacked sufficient funding to carry out investigations, including an insufficient number of vehicles. (7,42)

During the reporting period, the case against a Liquica District Administrator for allegedly raping a 15-year-old trafficking victim in 2018 remained under investigation. (10,14) There are only 33 judges to handle the criminal and civil caseload of the entire country, and as a result, cases can exist without a court date for long periods of time. (10) In addition, potential human trafficking cases are often misclassified due to a lack of evidence confirming trafficking. (10,14)

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 continued delays in establishing the Anti-Human Trafficking Commission.

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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. (40) Develops child labor policies, raises awareness, and contributes to efforts to ratify and implement international conventions related to child protection. Develops the national plan against child labor. (24) Disseminates formal systematic information on the normative and technical framework applicable to child labor. Elaborates, approves, and periodically reviews the hazardous work list of jobs prohibited to children under age 18. (24) Chaired by SEPFPOE. (7,40,43) Other members include PNTL, the Timorese Labor Union Confederation, the youth empowerment NGO Forum Tau Matan, the Ministry of Commerce and Industry, the Ministry of Social Solidarity and Inclusion, the Ministry of Education, the Ministry of Justice, and the Coordinating Ministry for Economic Affairs. (7) Met semi-regularly during the reporting period. SEPFPOE's 3-year term as the Technical Secretariat concluded in 2019. (7)
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. (9,10,14) Met six times during the reporting period and continued to spread awareness about the threat of trafficking in persons. In coordination with the IOM, published the Timor-Leste Migration Governance Indicators, which summarize well-developed and underdeveloped areas of migration governance in Timor-Leste. (24,44) Continued to advocate the establishment of the Anti-Trafficking Commission as mandated in the Law on Preventing and Combating Human Trafficking. (10) Developed a government-wide standard operating procedure on victim identification composed of 25 questions to determine whether a case is human trafficking, which is awaiting formal approval for use from the Ministry of Justice. (10,41)
Ministry of Social Solidarity and Inclusion (MSSI)—National Commission for Children's Rights	Overseen by MSSI. Responsible for conducting awareness-raising campaigns related to child labor. (7) Works to ensure the well-being and healthy development of children. (24) Body was active during the reporting period. (25)
Provedor for Human Rights and Justice	Assumes responsibility for sharing information related to child labor to CNTI, SEPFPOE, and PNTL. (7) Members include SEPFPOE, PNTL, the National Commission for Children's Rights, MSSI, the Ministry of Justice, and the Ministry of State and Administration. (24) During the reporting period, drafted legislation to provide protections to people with disabilities, including children. Monitored and promoted access to education and children's rights in the justice system. (25)

The Government of Timor-Leste drafted implementation plans to replace the Inter-Agency Trafficking Working Group with an Anti-Human Trafficking Commission. The government has not yet established the new Anti-Human Trafficking Commission, which will have oversight on the Law on Preventing and Combating Human Trafficking. (9,10,14,39)

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. (40) Policy was implemented during the reporting period. (24)
Timor-Leste Strategic Development Plan (2011–2030)	Provides short-term 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. Specifies commitments to improve the educational system over the next 20 years. (45) Policy was implemented during the reporting period. (25)

Although the National Action Plan Against Child Labor, which aims to eliminate the worst forms of child labor in Timor-Leste by 2025 and all forms of child labor by 2030, was finalized in 2016, the Council of Ministers has yet to approve it. (2,7,17,39,43,48) However, key stakeholders, such as community based organizations, NGOs, and donor nations, have begun to implement the plan. (7,39)

Although the Inter-Agency Trafficking Working Group drafted an extension to the National Action Plan Combating Human Trafficking that ended in 2018, the Council of Ministers has not yet approved it. (10,14)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or 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†	SEPFPOPE 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. (40) Research was unable to determine specific activities undertaken relative to the project.
Services for Street Children‡	Government-funded safe house and support services for street children provided by the Youth Communication Forum. (49) Program was active during the reporting period. (24)
Mother's Purse (<i>Bolsa Mãe</i>)‡	Ministry of Social Solidarity and Inclusion 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. (40,50) Program was active during the reporting period. (24)
Casa Vida†	Joint program between the Timor-Leste Ministry of Social Solidarity and Inclusion 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. (9) Provides specialized assistance for girls up to age 18 who have escaped situations of sexual violence. (24) Receives referrals from civil society organizations as well as PNTL/VPU. (51) Program was active during the reporting period. (24)
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAPI6)*	USDOL-funded global project implemented by ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. (52) During the reporting period, provided support for finalization and launch of the national child labor survey. (18) Additional information is available on the USDOL website.

* Program was launched during the reporting period.

† 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. (53-57)

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 – 2019
	Ensure that children receive adequate training specific to the type of work they are undertaking, and ensure that their health, safety, and morals are protected in accordance with international minimum age standards for hazardous work.	2017 – 2019
	Ensure that the law protects children between the ages of 17 and 18 from engagement in all the worst forms of child labor, such as commercial sexual exploitation and illicit activities.	2013 – 2019
	Ensure that the List of Hazardous Occupations and Activities Prohibited for Children are harmonized with the Labor Code and Penal Code.	2017 – 2019
	Ensure that the law's light work provisions specify the activities in which light work may be undertaken.	2016 – 2019
Enforcement	Publish labor law enforcement information, including the number of labor inspections conducted at worksites.	2015 – 2019
	Ensure that labor and criminal law enforcement agencies receive sufficient funding to carry out inspections and investigations, especially in rural areas of Timor-Leste, including funding for vehicles and fuel.	2016 – 2019
	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 – 2019

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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 has the legal authority to inspect in the informal sector.	2017 – 2019
	Ensure that labor and criminal law enforcement officials receive sufficient training so they are able to correctly identify and classify violations related to the worst forms of child labor, including child trafficking.	2016 – 2019
	Ensure that criminal and civil cases are tried in a timely manner and that cases of human trafficking are properly classified.	2019
Coordination	Ensure the establishment of the Anti-Human Trafficking Commission.	2018 – 2019
Government Policies	Adopt a national policy to combat child labor.	2016 – 2019
	Adopt a national policy to combat human trafficking.	2017 – 2019
Social Programs	Create a centralized database to capture human trafficking data that is accessible to all relevant government stakeholders.	2019
	Improve access to education by eliminating school related fees, and by providing safe and healthy sanitation facilities, especially for girls.	2018 – 2019
	Ensure that pregnant girls have access to education, including transfer documents.	2019
	Ensure that social programs are fully implemented, including the Child Labor Education and Outreach Program.	2018 – 2019
	Institute programs to address child labor and the worst forms of child labor, including in agriculture and commercial sexual exploitation.	2017 – 2019

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