

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2022, Timor-Leste made minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government increased funding for the labor inspectorate; established a child protection network; finalized, and trained law enforcement officials and service providers on, comprehensive, government-wide standard operating procedures for victim identification of human trafficking and referral, including for child victims of trafficking; and completed a quantitative labor survey. However, despite these new initiatives to address child labor, Timor-Leste is assessed as having made only minimal advancement because it continued to implement a practice that delays advancement to eliminate child labor. Research indicates that some school principals forced pregnant girls to leave school, making them more vulnerable to involvement in child labor, including its worst forms. Children in Timor-Leste are subjected to the worst forms of child labor, including forced labor in street vending and commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. Although Timor-Leste law provides for criminal penalties for the worst forms of child labor, labor inspection agencies are not empowered to inspect or enforce labor standards in the informal agriculture and commercial sectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table 1 provides key indicators on children's work and education in Timor-Leste.

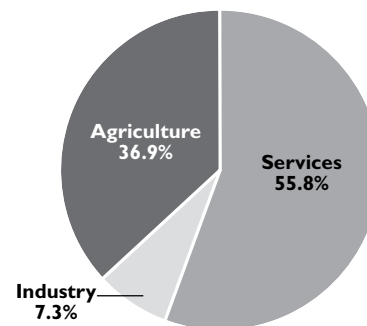
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	12.3 (40,337)
Attending School (%)	5 to 14	83.7
Combining Work and School (%)	7 to 14	12.4
Primary Completion Rate (%)		101.3

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force-Child Labour Survey (LFS-CLS), 2016. (2)

Figure 1. Working Children by Sector, Ages 5-14



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 (3-8) Fishing,† including work on boats and repairing nets (3,9-12)
Industry	Construction,† including brickmaking (3) Operating weaving and knitting machines (5) Mining,† including in artisanal sand and stone quarrying (6)
Services	Domestic work† (3,6-8) Street work, including vending, begging, and scavenging (3,6,8) Shop keeping, selling goods in markets, and restaurant services (5,8,12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (7,12-14) Forced domestic and agricultural work (7-11,13,14) Forced labor in street vending (12,14)

† 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 Timor-Leste, traffickers exploit some children, from rural areas to the capital city, Dili, in domestic work, commercial sexual exploitation, or forced labor; traffickers also exploit children from Timor-Leste abroad. (7,11,14,15) Some rural families send children to live with relatives in Dili for school and work; however, there are reports that some of those children are forced to work, including as street vendors, to earn their keep. (6,12,14) Although data are limited, it is reported that children are sometimes directed to work on family farms against their wishes, to supplement family incomes or to pay off family debts. (7,11,12,14)

Research indicates that some school principals forced pregnant girls to leave school. (16) Some pregnant students who attempted to transfer schools faced difficulty obtaining transfer documentation, which is at the discretion of school principals. This practice may make pregnant girls more vulnerable to involvement in child labor, including its worst forms. (11,12,17,18) In addition, the lack of sanitation facilities at schools can result in girls dropping out of school upon reaching puberty, and children with disabilities are often unable to attend school due to accessibility and infrastructure challenges. Children must also pay additional school fees to attend school, such as for school uniforms and supplies, which can hinder access to education, particularly for children from poor and rural areas. (6,18,19)

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 Labor Code (20)
Minimum Age for Hazardous Work	No	17	Article 67 of the Labor Code (20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous and Prohibited Activities to Children Under the Age of 18 (21)
Prohibition of Forced Labor	Yes		Articles 155, 162, 163, and 166 of the Penal Code; Articles 8 and 67 of the Labor Code (20,22)
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 Labor Code; Article 18 of the Law on Preventing and Combating Human Trafficking (20,22-24)
Prohibition of Commercial Sexual Exploitation of Children	No		Fourth Amendment to Articles 163 and 164 of the Penal Code; Articles 155 and 174–176 of the Penal Code; Article 67 of the Labor Code (20,22,25)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labor Code (20,22)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on Military Service (26)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 14 of the Law on Military Service (26)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 125 of the Penal Code (22)
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (27)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (27,28)

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 pornographic performances when the child victim is younger than age 17. 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 sets the minimum age for hazardous work at age 17 and does not meet international standards. (18-21,29-31) The Labor Code also does not specify which activities qualify as light work. (20) Finally, the minimum age for work of 15 is lower than the compulsory education age of 16, which may encourage children to leave school before the completion of compulsory education. (27,28)

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).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role & Activities
Administration of the Labor Inspectorate General	Falls under the Coordinating Ministry of Economic Affairs (MCAE) and conducts labor inspections. Provides civil oversight of laws related to child labor, investigates incidents of forced labor, and refers potential criminal violations of labor laws to the Timor-Leste National Police (PNTL). (32)
Timor-Leste National Police (PNTL)	Enforce criminal laws against forced labor, commercial sexual exploitation, child abuse, and human trafficking. Include the Vulnerable Persons Unit (VPU), the immigration police, and the border police. (10,12)

Labor Law Enforcement

In 2022, labor law enforcement agencies in Timor-Leste took actions to address child labor (Table 6). However, gaps exist within the operations of the Administration of the Labor Inspectorate General (IGT) that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2021	2022
Labor Inspectorate Funding	\$478,000 (4)	\$490,869 (6)
Number of Labor Inspectors	26 (4)	26 (6)
Mechanism to Assess Civil Penalties	Yes (20)	Yes (6)
Training for Labor Inspectors Provided	No (4)	Yes (6)
Number of Labor Inspections Conducted at Worksites	1,612 (4)	1,700 (6)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2021	2022
Number of Child Labor Violations Found	0 (4)	1 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (4)	0 (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (4)	0 (6)
Routine Inspections Conducted	Yes (4)	Yes (6)
Routine Inspections Targeted	Yes (4)	Yes (6)
Unannounced Inspections Permitted	Yes (33)	Yes (33)
Unannounced Inspections Conducted	Yes (4)	Yes (6)
Complaint Mechanism Exists	Yes (4)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (6)

The IGT reported that the number of labor inspectors is insufficient to conduct the required labor inspections. (6,18) Research found that there are insufficient child labor enforcement protections for children working on family farms or in domestic work because IGT inspectors are only empowered to inspect and issue penalties to formal workplaces. (12,20) The IGT also had limited capacity to conduct inspections in Timor-Leste's rural areas, where child labor in the agricultural sector is prevalent. This limitation was due to a lack of available transportation, including funds to pay for fuel for government vehicles. (6,18)

Criminal Law Enforcement

In 2022, criminal law enforcement agencies in Timor-Leste took actions to address child labor (Table 7). However, gaps exist within the operations of the enforcement agencies that may hinder adequate criminal law enforcement, including lack of funding for investigations.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2021	2022
Training for Criminal Investigators Provided	No (4)	No (6)
Number of Investigations	Unknown (4)	Unknown (6)
Number of Prosecutions Initiated	1 (34)	0 (6)
Number of Convictions	2 (34)	0 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (34)	Yes (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (6)

The Vulnerable Persons Unit of the Timor-Leste National Police (PNTL), which is charged with the enforcement of criminal laws related to the worst forms of child labor, did not receive any funding to carry out investigations. (6) The curriculum for new and existing members of the judiciary includes trainings on human trafficking that criminal prosecutors can use to develop new human trafficking investigations and prosecutions. In addition, the government has finalized and trained law enforcement officials and service providers on comprehensive, government-wide standard operating procedures for victim identification and referral, including for child victims of human trafficking. (14,35) However, the lack of expertise and understanding of human trafficking crimes remain an impediment to the government's efforts to effectively address human trafficking. (7) Due to the limited number of judges and prosecutors in Timor-Leste, cases can remain pending without a court date for long periods of time. (15) The government did not provide information on the number of investigations for inclusion in this report. (6)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established a key mechanism to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Activities
National Commission Against Child Labor (CNTI)	Develops child labor policies, raises awareness, and contributes to efforts to ratify and implement international conventions related to child protection. Develops the National Plan to Eliminate the Worst Forms of Child Labor in Timor-Leste. (17,30) Disseminates formal information on the normative and technical framework applicable to child labor. Elaborates, approves, and periodically reviews the hazardous work list of jobs prohibited for children under age 18. (17,30) Chaired by the Secretariat of State for Professional Training and Employment Police. Other members include PNTL; Timorese Labor Union Confederation; youth empowerment NGO Forum Tau Matan; Ministry of Tourism, Commerce, and Industry; Ministry of Social Solidarity and Inclusion (MSSI); Ministry of Education, Youth, and Sports; Ministry of Justice; and MCAE. (6) During the reporting period, CNTI held four meetings and conducted activities, including a Child Labor Qualitative Survey; a Training of Trainers on prevention and combating child labor for six labor inspectors; socialization on prevention and combating child labor in six municipalities; and an audience with President Jose Ramos Horta and the Coordinating Minister of Economic Affairs to discuss the National Action Plan to Eliminate the Worst Forms of Child Labor and the updated hazardous work list for children, both still pending approval by the Council of Ministers. (16)

During the reporting period, the government established the Child Protection Network, which meets quarterly to facilitate information sharing and coordination on child protection issues between relevant government and non-governmental entities. The Child Protection Network exists at the national, municipal, and district levels. (6)

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 a lack of implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description & Activities
National Action Plan to Eliminate the Worst Forms of Child Labor in Timor-Leste	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. (4,12) Despite being finalized in 2016, the Council of Ministers has yet to approve the National Action Plan to Eliminate the Worst Forms of Child Labor in Timor-Leste. (6,30,36)
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 from 2011 to 2030. (37) Research was unable to determine whether activities were undertaken to implement the Timor-Leste Strategic Development Plan (2011–2030) during the reporting period.

There is no policy on providing education for girls during their pregnancy or to encourage girls to return to school after giving birth. (16,17,38)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, 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 inadequate efforts to address child labor in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description & Activities
<i>Bolsa da Mãe</i> *†	MSSI poverty reduction program that provides cash benefits to poor households with children, headed by women—including single mothers, widows, and orphans—on the condition that children attend and successfully complete each level of schooling. (39) Funded by the Government of Timor-Leste and the Government of Australia, through the Australia-Timor-Leste Partnership for Human Development. During the reporting period, MSSI expanded the program to include pregnant women and their children up to age 6, and launched <i>Bolsa da Mãe Jersaun Foun</i> (also known as <i>Bolsa da Mãe - Nova Geração</i>), by which pregnant women receive \$15 per month, and caregivers receive \$20 per month, with an additional \$10 if the child has a disability. (40) The Government of Timor-Leste allocated \$7 million for the first phase of <i>Bolsa da Mãe Jersaun Foun</i> , for implementation in three municipalities, while still maintaining the <i>Bolsa da Mãe</i> program with \$6.2 million in funding. (41)

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Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description & Activities
<i>Casa Vida</i> †	Joint program between MSSJ and the Australian Department of Foreign Affairs and Trade's "Nabilan Program and Shelter" initiative. Provides shelter, health assistance, and psychological counseling to minor victims, including victims of child labor and its worst forms. (42) Provides specialized assistance for girls up to age 18 who have escaped situations of sexual violence. (17) Receives referrals from civil society organizations as well as the PNTLVPU. (43) Since its founding in 2006, <i>Casa Vida</i> has provided shelter and assistance for more than 300 children who were survivors of abuse, including child labor and its worst forms. (44) <i>Casa Vida</i> was active during the reporting period and received the Sérgio Vieira de Mello Human Rights Award from the President of Timor-Leste for contributing to the promotion, protection, and dissemination of human rights in Timor-Leste. (16,45)

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

* Program was launched during the reporting year.

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

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. The Commission to Combat Trafficking in Persons' work plan includes raising awareness of human trafficking among the populations most at risk, including students, minors, and large families. (34)

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	Ensure that the law protects 17-year-old children from engagement in all the worst forms of child labor, such as illicit activities and commercial sexual exploitation.	2013 – 2022
	Raise the minimum age for hazardous work from 17 to 18.	2020 – 2022
	Ensure that the law's light work provisions specify the activities in which light work may be undertaken.	2016 – 2022
	Raise the minimum age for work of 15 to 16 to align with the compulsory education age.	2018 – 2022
Enforcement	Ensure that the Administration of the Labor Inspectorate General is staffed with the appropriate number of labor inspectors to conduct the targeted number of labor inspections.	2018 – 2022
	Ensure that the Administration of the Labor Inspectorate General conducts inspections in the informal sector, including on family farms and in private homes where domestic work takes place.	2017 – 2022
	Ensure that labor law enforcement agencies receive sufficient funding to carry out inspections, especially in rural areas of Timor-Leste, including funding for fuel for government vehicles.	2016 – 2022
	Ensure that criminal law enforcement officials receive sufficient training on laws related to the worst forms of child labor and human trafficking.	2016 – 2022
	Ensure that the Vulnerable Persons Unit receives funding to carry out investigations.	2020 – 2022
	Ensure that criminal and civil cases are tried in a timely manner and that cases of human trafficking are properly classified.	2019 – 2022
	Publish criminal law enforcement data related to the number of investigations related to the worst forms of child labor.	2020 – 2022
Government Policies	Adopt the National Action Plan to Eliminate the Worst Forms of Child Labor in Timor-Leste.	2016 – 2022
	Publish activities undertaken on an annual basis to implement the Timor-Leste Strategic Development Plan (2011–2030).	2017 – 2022
	Establish a policy for girls to be able to receive an education while pregnant and to encourage them to return to school after giving birth.	2020 – 2022
Social Programs	Cease the practice of forcing pregnant students to leave school, ensure that they can obtain transfer documentation to continue their education during pregnancy if needed, and provide these students with assistance so they can return to school after giving birth.	2022
	Improve access to education by providing safe and healthy sanitation facilities, especially for girls, making schools accessible for children with disabilities, and eliminating school-related fees.	2018 – 2022
	Institute programs to address child labor and the worst forms of child labor, including in agriculture.	2017 – 2022

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