

In 2013, Timor-Leste made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government passed a resolution to establish the National Commission against Child Labor. The new law also provides protection for children working in family-owned businesses. However, children continue to engage in child labor in Timor-Leste, primarily in agriculture. Timor-Leste still has yet to complete the National Action Plan Against Child Labor and has yet to approve a list of hazardous work activities from which children would be prohibited.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste are engaged in child labor, many of them in agriculture.(1, 2) While the extent of the problem is unknown, within agriculture, children work in the production of coffee, especially on family farms.(1, 2) Table 1 provides key indicators on children's work and education in Timor-Leste.

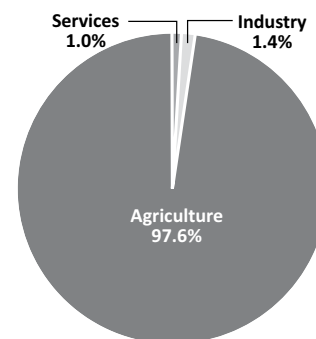
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10-14 yrs.	19.9 (26,268)
Attending School (%)	5-14 yrs.	69.7
Combining Work and School (%)	10-14 yrs.	12.6
Primary Completion Rate (%)		71.0

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Timor-Leste Survey of Living Standards Survey, 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	Production of coffee* (1, 2)
	Fishing,* including work on boats* and repairing nets* (2)
Industry	Construction,* including brickmaking* (2)
Services	Domestic work* (2)
	Street vending,* begging,* and scavenging* (2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation and forced labor, sometimes as a result of human trafficking* (2, 5-8)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

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

In a few cases, families place their children in indentured servitude or bonded labor in order to settle outstanding debts.(7, 8)







II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

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

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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 relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 68 of the Labor Code (9)
Minimum Age for Hazardous Work	Yes	17	Article 67 of the Labor Code (9)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 67 of the Labor Code (9)
Prohibition of Child Trafficking	Yes		Article 81 of the Immigration and Asylum Act of 2003; Article 164 of the Penal Code of Timor-Leste; Article 67 of the Labor Code (9-11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 175 of the Penal Code of Timor-Leste; Article 67 of the Labor Code (9, 11)
Prohibition of Using Children in Illicit Activities	Yes		Article 67 of the Labor Code (9)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 14.1 of the Law on Military Service (12, 13)
Minimum Age for Voluntary Military Service	No		
Compulsory Education Age	Yes	14/15	The Constitution; The Law of Basic Education (7, 14)
Free Public Education	Yes		The Constitution; The Law of Basic Education (7, 14)

The legal framework in Timor-Leste is not completely consistent with international standards regarding child labor. A minor is defined as a person whose age is less than 17 years.(9, 11) This standard may leave children age 17–18 particularly vulnerable to the worst forms of child labor.(15) In 2012, Timor-Leste’s Child Labor Commission working group finalized a list of hazardous work activities from which children under age 18 would be prohibited and submitted it to the Council of Ministers for approval.(14, 16, 17) At the conclusion of the reporting period, the Council had not reviewed and approved the list.(2)

The Law of Basic Education provides free and compulsory primary education for children for nine years.(14) The Law requires children to start school in the year they turn 6, regardless of whether they have reached that age by the time the school year begins. As such, some children start school at age 6 and therefore finish at age 15, whereas children who begin at age 5 finish at age 14.(5) Because some children 14 years of age are no longer required to attend school and are not legally eligible to work, they may be particularly vulnerable to the worst forms of child labor. In addition, there is no system in place to enforce primary compulsory education or to ensure primary education is free.(7, 15)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
The Secretariat for Professional Training and Employment (SEPFPOE)	Enforce laws related to child labor. Administer the Labor Inspection Directorate, which is responsible for investigating incidents of forced labor.(2)
National Police of Timor-Leste (PNTL)	Enforce laws related to child labor and criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes the Vulnerable Persons Unit.(2, 14, 16)
The Ministry of Social Solidarity (MSS)	Enforce laws related to child labor.(2) Receive referrals from agencies responsible for conducting investigations including child victims. Includes the National Directorate of Social Services.(2) Maintain a directory of service providers for which trafficking victim referrals can be made.(8)
Immigration Police; Border Police	Enforce criminal laws against forced labor, commercial sexual exploitation, and human trafficking.(2)

Law enforcement agencies in Timor-Leste took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2013, the budget for the inspectorate directorate of the Secretariat for Professional Training and Employment (SEPFPOE) was \$150,000. In addition, the office had two cars, one of which was inoperable during the reporting period.(2) According to SEPFPOE and the ILO, available resources are insufficient to adequately conduct inspections, particularly outside Dili.(2, 14)

The Government employed 20 labor inspectors, and three had formal responsibilities both to investigate child labor cases and to enforce child labor laws. The ILO noted that this is an appropriate number of inspectors.(2, 5) SEPFPOE inspectors did not receive any specific child labor related training in 2013.(2) During the reporting period, SEPFPOE conducted random and unannounced inspections of businesses in the formal sector and plans to provide data on the number of inspections in its 2013 annual report.(2) The Government continues to lack a formal mechanism for filing complaints regarding child labor, including its worst forms.(2, 8, 18) In addition, the inspectorate directorate does not publish data on the overall number of investigations.(1) No violations of child labor laws were found, and no penalties or citations for child labor law violations were issued in 2013.(2) Finally, research found no evidence any governmental agency that supports the coordination of child labor enforcement efforts with the provision of appropriate social services for the victims of child labor, including its worst forms.

Criminal Law Enforcement

In 2013, the National Police of Timor-Leste PNTL had an operating budget of \$26.6 million, but continues to face significant human resource and budget execution challenges.(2, 8, 12) One source indicates the police encountered logistical and transportation obstacles in conducting investigations, including cases with child labor.(2) The Vulnerable Persons Unit under the PNTL declined to provide any information on investigations carried out in 2013.(2) There was one known case involving the sale of a child for domestic service as a result of outstanding family debt. The case was referred to the Ministry of Social Solidarity (MSS) and the Psychosocial Recovery & Development in East Timor (PRADET), a local NGO responsible for monitoring children's rights, which provided services, including financial assistance.(2) Together, the PNTL and PRADET prevented the victim from entering domestic service, and as a result the case was never referred to the Prosecutor General's office.(2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

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Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
The Child Labor Commission (CLC)	Design and develop policies on child labor.(14, 19) Recommend policies, raise awareness, and contribute to efforts to ratify the international conventions related to child protection.(16) Located within the Office of the Prime Minister, but chaired by the Chief Labor Inspector of the Secretary of State for Vocational Training and Employment Policy.(5) Comprised of the Secretariats of State for Vocational Training and Employment Policy; Youth and Sports, and Promotion of Equality; the Ministries of Education, Agriculture, Finance, Justice, Health, Social Solidarity, Tourism, Public Works and Commerce, Industry, and the Environment; Trade Unions Confederation; the Chamber of Commerce and Industry; Forum Tau Matan (Eyes on Human Rights Forum); and the NCACL.(2)
National Commission against Child Labor (NCACL)	Address the worst forms of child labor. Tripartite body comprised of members from relevant government ministries, the Chamber of Commerce and Industry, and the Unions' Confederation and support activities conducted by the CLC.(2)
The Inter-Agency Trafficking Working Group	Coordinate the Government's anti-trafficking efforts. Chaired by the Ministry of Foreign Affairs and Cooperation and includes the MSS, Ministry of Justice, the Ministry of Defense and Security, the Secretary of State for the Promotion of Equality, SEPFPOE, and the PNTL.(8)
The Ministry of Defense and Security	Oversee the Immigration Police, the Border Police, and the PNTL, all of which work to enforce criminal laws against forced labor, sexual exploitation, and trafficking.(14, 16)

In November 2013, the Government passed a resolution to establish the National Commission against Child Labor (NCACL) to combat the worst forms of child labor.(2) On March 3, the NCACL held its first meeting.(12) The relationship between the NCACL and the Child Labor Commission (CLC) remains unclear.(2)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Timor-Leste has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Timor-Leste Project for the Elimination of the Worst Forms of Child Labor	Launched in 2009 in partnership with the ILO and the Government of Brazil to contribute to the implementation of ILO C. 182. Implementation activities include: (1) establishing the CLC; (2) developing a national list of work deemed hazardous and prohibited from children; and (3) developing a national action plan on child labor.(2)
The 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. (2, 14, 20) Specifies commitments to improve the educational system over the next 20 years, including addressing gender parity in primary schools and the preventing school dropouts.(14, 20)
The Decent Work Country Program	Prioritizes the improvement of youth employment conditions and opportunities.(21)

In 2011, the CLC began development of a National Action Plan Against Child Labor.(16) The National Action Plan, still awaiting completion, has been assigned to the newly established NCACL.(22) In early 2012, a National Plan of Action on anti-trafficking was presented for review to the Council of Ministers, which took no action during the reporting period.(8, 22)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Timor-Leste funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
As-needed shelter for victims of human trafficking#	Supported by MSS and run by the Psychosocial Recovery & Development in East Timor (PRADET). A local NGO, as-needed shelter that offers services for victims of human trafficking.(5, 8, 22) Received \$16,000 in funding from MSS in 2013, but no trafficking victims identified. Some funds supported 55 attendees (including 30 local officials such as "suco" village chiefs and Suco Council members) for anti-trafficking and awareness training.(8, 12)

Table 8. Social Programs to Address Child Labor (cont)

Program	Description
The Mother's Purse (Bolsa da Mae)*‡	MSS program that provides a cash subsidy of \$80–\$360 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 their regular medical visits.(2, 17) Serves an estimated 15,000 children. Technical assistance provided by the UNDP.(2)
School Feeding Program*‡	Government program to provide one hot meal per day to children in school, reaching about 325,000 students.(2)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national Government and develop strategic policies to address the elimination of child labor and forced labor in Timor-Leste.(23)
Community training on human trafficking‡	\$15,000 MSS funded project, implemented by the Alola Foundation, a local NGO, to conduct training on human trafficking to raise awareness in the rural districts of Maliana, Ainaro, and Oecusse. Training focused on identifying and assisting victims.(8)

*The impact of this program on child labor does not appear to have been studied.

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

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms in Timor-Leste (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Establish the minimum age for hazardous work at age 18 to comply with international standards.	2013
	Approve the proposed list of hazardous work from which children are prohibited.	2012 – 2013
	Establish a compulsory age for education that is equivalent to or greater than the minimum age for work.	2009 – 2013
Enforcement	Allocate enough resources to adequately conduct and carry out labor inspections and investigations.	2012 – 2013
	Create a mechanism to file child labor complaints.	2009 – 2013
	Centrally track and publish the results of enforcement efforts, including labor inspections, criminal investigations, and child victims assisted.	2010 – 2013
	Ensure that there is a mechanism to support the coordination of child labor enforcement efforts, with the provision of appropriate social services for victims of child labor, including its worst forms.	2011 – 2013
	Ensure primary compulsory education is enforced and free to all children.	2013
Government Policies	Complete and implement the National Action Plan Against Child Labor.	2012 – 2013
	Approve and implement the National Plan of Action on Human Trafficking.	2012 – 2013
Social Programs	Assess the impact that existing social programs may have on child labor.	2009 – 2013
	Institute programs to specifically address child labor.	2009 – 2013

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