

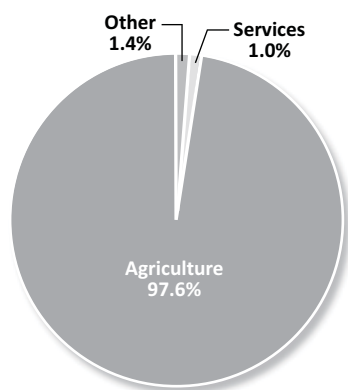
Timor-Leste

In 2011, Timor-Leste made a moderate advancement in efforts to eliminate the worst forms of child labor. The Child Labor Commission commenced activities including the development of a list of hazardous occupations for children. The Government also adopted the Timor-Leste Strategic Development Plan 2011-2030, which includes commitments to improve the education system over the next 20 years. Additionally, the Government supported various efforts to raise awareness about human trafficking in the country. However, Timor-Leste still lacks a mechanism to fully coordinate all Government efforts to combat child labor. Further, the Government did not implement any new programs targeting the worst forms of child labor, specifically for children in agriculture. The worst forms of child labor continue to exist in Timor-Leste, particularly in dangerous activities in agriculture.

Statistics on Working Children and Education

| Children | Age | Percent |
|---------------------------|-----------|---------------|
| Working | 5-14 yrs. | 19.9 (26,228) |
| Attending School | 5-14 yrs. | 69.7 |
| Combining Work and School | 7-14 yrs. | 12.6 |
| Primary Completion Rate | | 65.5 |

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from TLSLS Survey, 2007.(2)



Prevalence and Distribution of the Worst Forms of Child Labor

Children in Timor-Leste are engaged in the worst forms of child labor, many of them in dangerous activities in agriculture.(3-6) Within agriculture, many children cultivate and process coffee.(4, 5, 7) Children working in agriculture may use dangerous machinery and tools, carry heavy loads and apply harmful pesticides.(6) It is reported that children also work in fishing, where they may be susceptible to risks such as drowning.(4, 7, 8)

Children are found working in the streets where they participate in a variety of activities, such as selling fruit, vegetables, fuel, newspapers, mobile phone cards and DVDs.(3-5, 7) Children working as street vendors are vulnerable to severe weather, traffic accidents and crime.(9) Children are also engaged in domestic work.(3-5) Although many children work for biological and adoptive families, a small percentage of children work for third parties.(4) Children employed as domestics often work long hours and are isolated in private homes where they are susceptible to physical and sexual exploitation.(10) Children also reportedly work in construction.(4, 7)

In a few cases, particularly in rural areas, families are forced to have their children work as indentured servants, or as bonded laborers in order to settle outstanding debts.(11, 12)

Some children are trafficked for sexual purposes, particularly for prostitution.(3-5, 12)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for employment at 15, although the law creates exemptions for work done in family-

owned businesses or at vocational schools.(12, 13) Children between age 12 and 14 may perform “light work.” In addition, the Labor Code prohibits employing a child between age 15 and 18 in work that jeopardizes his or her health, safety or morals is prohibited; however, the Labor Code does not explicitly define activities or occupations considered light work, or hazardous work from which children are prohibited.(13) In November 2011, Timor-Leste’s Child Labor Commission began to develop a list defining hazardous work for children, stemming from proposals made in 2009.(5)

| | | |
|---|---|-----|
|  | C138, Minimum Age | No |
| | C182, Worst Forms of Child Labor | ✓ |
|  | CRC | ✓ |
| | CRC Optional Protocol on Armed Conflict | ✓ |
| | CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓ |
|  | Palermo Protocol on Trafficking in Persons | ✓ |
|  | Minimum Age for Work | 15 |
| | Minimum Age for Hazardous Work | 18 |
|  | Compulsory Education Age | 14 |
| | Free Public Education | Yes |

The Law of Basic Education provides free and compulsory primary education for children until age 14.(12, 14) Because 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.

Both the Constitution and the Labor Code forbid compulsory labor at any age.(13, 15) Trafficking in persons is prohibited, and the Immigration and Asylum Act stipulates penalties for those who traffic minors.(11, 16) The Penal Code also prohibits child pornography and the use of children in illegal activities such as drug trafficking.(5)

The minimum age for compulsory and voluntary recruitment into military service is 18.(17)

Institutional Mechanisms for Coordination and Enforcement

The Child Labor Commission (CLC) is the primary body tasked with designing and developing policies on child labor. The Commission was created with the financial and technical assistance of the ILO and the Government of Brazil.(3, 5, 18, 19) The CLC is located within the Office of the Prime Minister, but is chaired by the Chief Labor Inspector of the National Commission on Children’s Rights.(5) The CLC comprises the Secretariats of State for Vocational Training and Employment, Youth and Sports, Equality Promotion, and Public Work; the Ministries of Education, Agriculture, Finance, Justice, Health, Social Solidarity, Tourism, and Commerce and Industry; Trade Unions; the Chamber of Commerce and local NGOs.(5) The mission of the CLC is to recommend policies, raise awareness and contribute to efforts to ratify the international conventions related to child protection.(5) Research found no evidence that there is any governmental agency that supports the coordination of child labor enforcement efforts with the provision of appropriate social services for the victims of the worst forms of child labor.

The CLC was launched in 2009, but did not fully commence activities until 2011.(5) During the reporting period, members of the CLC traveled to Brazil to learn more about the instruments and mechanisms the Government of Brazil uses to address child labor. The Government of Timor-Leste aims to replicate some of these efforts in its own country.(3, 5) It is unclear which of these efforts will be replicated or when implementation will occur.

The Secretary of State for Vocational Training and Employment (SEFOPE), works in collaboration with the Ministry of Social Solidarity (MSS) and the National Police of Timor-Leste (PNTL) to enforce child labor laws.(20) During the reporting period, the total budget for the inspectorate directorate of SEFOPE was \$142,000.(5) Research was unable to determine if this funding was sufficient to cover child labor inspections.

In 2011, the Government employed 20 labor inspectors.(5) The Chief Labor Inspector and one other labor inspector received training on issues specific to child labor.(3, 5) The Government continues to lack a formal mechanism for filing complaints regarding hazardous and forced child labor.(3, 20) In addition, the Labor Inspections Directorate does not publish data on the overall number of investigations.(3)

The Inter-Agency Trafficking Working Group, chaired by the Ministry of Foreign Affairs, coordinates the Government's anti-trafficking efforts. The Trafficking Working Group also includes the Ministries of Justice and Social Solidarity, SEFOPE, the Victims Protection Unit of PNTL and the Office for the Promotion of Gender Equality.(21)

The Ministry of Defense and Security oversees the Immigration Police, the Border Police and the National Police Force, all of which work to enforce criminal laws against forced labor, sexual exploitation and trafficking.(5)

In 2011, the Government trained law enforcement and immigration officers on trafficking related issues.(11) In addition, enforcement agencies acquired new patrol boats and began patrolling the territorial waters to address reports of forced labor on fishing vessels.

No information was available regarding the number of investigations conducted involving the worst forms of child labor or the number of child victims assisted by the police in 2011.

Government Policies on the Worst Forms of Child Labor

In 2011, the Government of Timor-Leste launched the Timor-Leste Strategic Development Plan 2011-2030.(22, 23) The Strategic Plan includes short-term and long-term plans for the nation's development and specifies commitments to improve the educational system over the next 20 years. The educational component of the Plan specifically addresses improvement of gender parity in primary schools and prevention of child dropouts.(24)

In 2008, in collaboration with the ILO and worker representatives, the Government established the Decent Work Country Program (DWCP). The Program prioritizes the improvement of youth employment conditions and opportunities among its three intended outcomes.(25) During the reporting period, the Child Labor Commission reportedly began to develop a National Action Plan Against Child Labor.(5)

Social Programs to Eliminate the Worst Forms of Child Labor

The Government of Timor-Leste continued to support the project for the Elimination of the Worst Forms of Child Labor. The main objective of the project is to contribute to the implementation of the ILO Convention 182.(5) The project was instrumental during the reporting period in re-establishing the Child Labor Commission, which initiated the development of a national list of hazardous work for children. The Commission also began to develop a National Action Plan to reduce the prevalence of the worst forms of child labor.(5, 19)

In March 2011, Timor-Leste and other members of the Community of Portuguese-Speaking countries approved four programmatic areas on which they will focus efforts to combat child labor. The programmatic areas include the exchange of information and experiences, awareness-raising campaigns, the use of statistical methodologies to collect child labor data, and technical cooperation and training.(26, 27)

The Government continued to air a nationwide weekly radio program on trafficking. Additionally, the President of the Republic delivered an anti-trafficking message through media outlets and posters.(11)

The Government of Timor-Leste, in cooperation with the UNDP, implemented the Mother's Purse (Bolsa da Mae) program, a cash subsidy provided to poor families with a female head of household. The program aims to improve the well-being of children by conditioning the subsidy on children's school attendance and their regular medical visits.(5) Beneficiaries of Bolsa da Mae are prioritized by poverty and relative vulnerability. In 2011, the program reached 11,000 families, benefitting approximately 15,000 children.(5) During the reporting period, several projects aimed at improving education throughout Timor-Leste continued to receive funding from the World Bank and other development partners.(14, 28, 29) The question of whether these programs have an impact on child labor does not appear to have been addressed.

While the Government has implemented programs that target vulnerable youth populations, research found no evidence that it has carried out programs to specifically address worst forms of child labor, especially children in agriculture.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Timor-Leste:

| Area | Suggested Actions | Year(s) Action Recommended |
|------------------------------|--|----------------------------|
| Laws and Regulations | Review exemptions in labor legislation to ensure adequate protections for all children involved in family-owned businesses and vocational education. | 2009, 2010, 2011 |
| | Specify the activities considered "light work" in the Labor Code. | 2010, 2011 |
| | Define and prohibit hazardous work for children. | 2010, 2011 |
| | Establish a compulsory age for education that is equivalent to or greater than the minimum age for work. | 2009, 2010, 2011 |
| Coordination and Enforcement | Ensure that there is a government agency to support the coordination of child labor enforcement efforts with the provision of appropriate social services for victims of the worst forms of child labor. | 2011 |
| | Create a mechanism to file hazardous and forced child labor complaints. | 2009, 2010, 2011 |
| | Track and publish the results of enforcement efforts, including labor inspections, criminal investigations and child victims assisted. | 2010, 2011 |
| Social Programs | Assess the impact that existing social programs may have on child labor. | 2009, 2010, 2011 |
| | Institute programs to specifically address the worst forms of child labor, especially in agriculture. | 2009, 2010, 2011 |

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