

In 2016, Timor-Leste made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the Law to Prevent and Fight Against Human Trafficking and the National Commission against Child Labor finalized a National Action Plan Against Child Labor. In addition, the Government reestablished the Inter-Agency Trafficking Working Group. However, children in Timor-Leste perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. The Government has not approved a decree specifying the occupations and activities prohibited for children, which leaves children vulnerable to engagement in hazardous work. In addition, limited financial and human resources hinder inspectors and investigators from enforcing laws related to the worst forms of child labor, especially in more remote areas of the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children’s work and education in Timor-Leste.

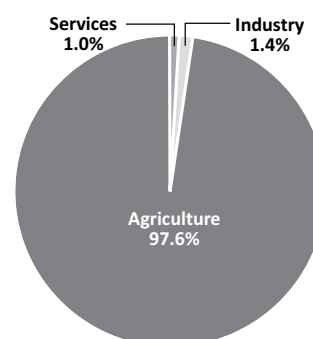
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	19.9 (26,268)
Attending School (%)	5 to 14	69.7
Combining Work and School (%)	10 to 14	12.6
Primary Completion Rate (%)		106.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Timor-Leste Survey of Living Standards, 2007.(5)

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	Cultivating and processing coffee (1-3)
	Growing vegetables and other crops (6)
	Fishing, including work on boats and repairing nets (1-3)
Industry	Construction, including brickmaking (1, 2, 7)
	Operating weaving and knitting machines (6)
Services	Domestic work (1, 2, 7)
	Street work, including vending, begging, and scavenging (1-3, 8, 9)
	Shop-keeping and selling goods in markets (6)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation and forced domestic and agricultural work, each sometimes as a result of human trafficking (1, 3, 10, 11)

[‡] 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.(7, 10, 12, 13) Children are also trafficked

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transnationally, including to Indonesia, for labor exploitation.(13-15) Preliminary data from the child labor survey conducted in 2016 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.(12, 16)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF 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, including its worst forms (Table 4). However, gaps exist in Timor-Leste’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 68 of the Labour Code (17)
Minimum Age for Hazardous Work	No	17	Article 67 of the Labour Code (17)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		Articles 155, 162, 163, and 166 of the Penal Code; Articles 8 and 67 of the Labour Code (17, 18)
Prohibition of Child Trafficking	No		Article 81 of the Immigration and Asylum Act; Articles 162–164 and 166 of the Penal Code; Article 67 of the Labour Code (17-19)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 155 and 174–176 of the Penal Code; Article 67 of the Labour Code (17, 18)
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labour Code (17, 18)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 14 of the Law on Military Service (20)
State Voluntary	Yes	18	Article 17 of the Law on Military Service (20)
Non-state Compulsory	Yes	18	Article 125 of the Penal Code (18)
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (21)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (21, 22)

In October 2016, Parliament passed the Law to Prevent and Fight Against Human Trafficking, which was originally drafted in 2012 and awaited the President’s signature as of the end of 2016.(12, 23) The new law will expand legal provisions on protection and prevention measures for the crime of human trafficking and codify the Inter-Agency Trafficking Working Group.(12, 13)

Timor-Leste's Penal Code and Labor Code do not sufficiently prohibit commercial sexual exploitation, hazardous work, child trafficking, forced labor, or illicit activities, in accordance with international standards. Existing legislation leaves children age 17 vulnerable to involvement in hazardous work and other worst forms of child labor.(7, 17, 18)

Although the National Commission against Child Labor approved a list of hazardous occupations and activities prohibited for children, the decree is awaiting approval by the Council of Ministers.(24-26) Timor-Leste's legal framework is not completely consistent with international standards regarding hazardous child labor. While the Labor Code specifies the conditions under which children ages 13 to 15 may be permitted to perform light work and limits the number of hours for light work, it does not indicate which specific activities qualify as light work.(17)

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). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Secretariat of State for Professional Training and Employment Policy (SEPFPOE)	Enforce laws related to child labor. Administer the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor.(1)
Timor-Leste National Police (PNTL)	Enforce criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes the Vulnerable Persons Unit, the immigration police, and the border police.(1)
Ministry of Social Solidarity (MSS)	Receive referrals from agencies, including the SEPFPOE, that are responsible for conducting child labor investigations and providing child victims with appropriate support services.(1) Maintain at least one technical officer in each of the country's 13 districts and two child protection officers in each of the 65 subdistricts, all trained to follow the Government's standard operating procedures.(14, 27, 28)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Timor-Leste took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$369,500 (29)	\$379,000 (12)
Number of Labor Inspectors	22 (29)	22 (12)
Number of Child Labor Dedicated Inspectors	4 (29)	0 (12)
Inspectorate Authorized to Assess Penalties	Yes (29)	Yes (12)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (29)	Unknown
Training on New Laws Related to Child Labor	N/A	Unknown
Refresher Courses Provided	Yes (29)	Unknown
Number of Labor Inspections	991† (29)	1,338 (26)
Number Conducted at Worksite	Unknown (29)	Unknown (12)
Number Conducted by Desk Reviews	Unknown (29)	Unknown (12)
Number of Child Labor Violations Found	0 (29)	0 (12)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (12)
Number of Penalties Imposed that Were Collected	N/A	0 (12)
Routine Inspections Conducted	Yes (29)	Yes (30)
Routine Inspections Targeted	Yes (29)	Unknown (30)
Unannounced Inspections Permitted	Yes (29)	Yes (12)

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

Overview of Labor Law Enforcement	2015	2016
Unannounced Inspections Conducted	Yes (29)	Yes (12)
Complaint Mechanism Exists	Yes (29)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (29)	Yes (12)

† Data are from January 1, 2015 to October 31, 2015.

The Secretariat of State for Professional Training and Employment Policy's (SEPFOPE) enforcement of child labor laws remains challenging due to the lack of human resources for inspections and the lack of training on child labor enforcement.(12)

In 2016, the budget allocated for the labor inspectorate increased slightly.(12) However, inadequate transportation outside the capital city limits restricts the Inspectorate's ability to effectively conduct inspections in the rural areas of Timor-Leste, where child labor in the agriculture sector is prevalent.(31) SEPFOPE conducts routine unannounced inspections on-site, but it is limited to formal worksites and cannot conduct inspections of family farms or sites where children are engaged in domestic work.(12)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Timor-Leste took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (29)	N/A
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (10)	N/A
Number of Investigations	0 (29)	0 (12)
Number of Violations Found	0 (29)	0 (12)
Number of Prosecutions Initiated	0 (29)	0 (12)
Number of Convictions	0 (29)	0 (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (29)	Yes (12)

In 2016, the Vulnerable Persons Unit of the Timor-Leste National Police (PNTL) had a staff of 79 investigators charged with the enforcement of criminal laws related to the worst forms of child labor.(26) The overall budget for the PNTL was \$28.9 million.(12)

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 all its worst forms (Table 8).

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

Coordinating Body	Role & Description
National Commission against Child Labor (CNTI)	Facilitate information-sharing on child labor issues among government agencies and serve as the coordinating mechanism for filing and responding to child labor complaints.(31) Develop child labor policies, raise awareness, and contribute to efforts to ratify and implement international conventions related to child protection.(1) SEPFOPE is serving a 3-year term as the Technical Secretariat. Chaired by the SEPFOPE.(12, 31)
Inter-Agency Trafficking Working Group	Coordinate the Government's efforts to combat human trafficking, develop a national action plan against human trafficking, and promote the development of comprehensive anti-trafficking legislation. Chaired by the Ministry of Justice.(12)

The Government reestablished the Inter-Agency Trafficking Working Group, conducted an anti-human trafficking educational campaign in seven schools, established a data collection team, and devoted funding and personnel resources to support the National Action Plan Against Human Trafficking.(12, 13, 32)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
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 in the area of partnerships. Coordination of activities and responsibilities by the Ministry of Justice.(32, 33)
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 the ILO and the Government of Brazil.(31)
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.(1, 34) Specifies commitments to improve the educational system over the next 20 years.(34, 35)

† Policy was approved during the reporting period.

In 2016, the National Commission against Child Labor (CNTI) finalized the National Action Plan (NAP) Against Child Labor, which aims to eliminate child labor in Timor-Leste in all its forms by 2030, starting with the worst forms by 2025; however, it still requires approval by the Council of Ministers.(12, 16, 36) To achieve this goal, the NAP will be implemented by key stakeholders, including the Government and community-based organizations, and the work will be coordinated by technical working groups and overseen by CNTI.(16)

The Government has not included child labor elimination and prevention strategies into the National Education Strategic Plan and the Child and Family Welfare System Policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor‡

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO that 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.(37) In August 2016, held a workshop with relevant government and civil society agencies to produce a framework for the National Action Plan on child labor.(36) For additional information about USDOL’s work, please visit our Web site .
Child Labor Education and Outreach Program†	The SEPFOPE and the NCCL education and awareness-raising program targeted at children in five primary schools in Dili who have been identified as at risk for involvement in child labor.(31) In 2016, reached over 373 students in Dili and three other municipalities.(26)
Services for street children†	Government-funded safe house and support services for street children provided by the Youth Communication Forum. In 2016, assisted 36 children involved in child labor, primarily in the informal sector, including street vending.(30)
Mother’s Purse (<i>Bolsa da Mãe</i>)†	MSS 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.(26, 31, 38) In 2016, served 51,759 families.(26)

† 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.(1, 9, 26, 27, 29, 39-41)

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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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law protects children age 17 from engagement in all the worst forms of child labor, such as hazardous work, commercial sexual exploitation, forced labor, and involvement in illicit activities, including the production and trafficking of drugs.	2013 – 2016
	Adopt the pending decree that specifies the hazardous occupations and activities prohibited for children.	2012 – 2016
	Ratify the Law to Prevent and Fight Against Human Trafficking.	2016
	Ensure that law's light work provisions are specific enough to prevent children from involvement in child labor.	2016
Enforcement	Publish criminal and law enforcement information, including the number of labor inspections conducted and training of investigators responsible for enforcing laws on the worst forms of child labor.	2015 – 2016
	Provide the resources and training needed to effectively enforce laws related to child labor to provide adequate coverage of the workforce.	2016
	Increase the inspectorate's capacity to conduct inspections in rural areas, where child labor in the agriculture sector is prevalent.	2016
	Authorize the SEPFOPE to conduct inspections in the informal sector where children are engaged in domestic work.	2016
	Ensure that labor inspectors receive training on new laws related to child labor.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014 – 2016
	Adopt the National Action Plan Against Child Labor.	2016

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