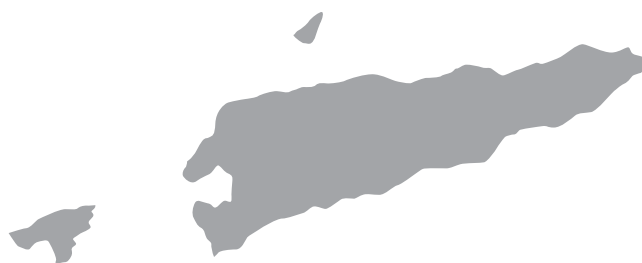


In 2017, Timor-Leste made a moderate advancement in efforts to eliminate the worst forms of child labor. The government enacted the Law to Prevent and Fight Against Human Trafficking and established a monitoring committee to assess the progress of the Inter-Agency Trafficking Working Group, responsible for implementing the National Action Plan on Combating Human Trafficking. In addition, the government approved a hazardous work list for children. However, children in Timor-Leste engage in the worst forms of child labor in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. The government's Penal Code and Labor Code are not sufficient because they leave children under age 17 vulnerable to the worst forms of child labor, including illicit activities. In addition, inadequate transportation restricts inspectors' ability to conduct inspections, especially in more remote areas of the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste engage in the worst forms of child labor in commercial sexual exploitation. Children also engage in child labor in agriculture. (1; 2; 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 (%)	7 to 14	69.7
Combining Work and School (%)	10 to 14	12.6
Primary Completion Rate (%)		95.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (4)

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

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

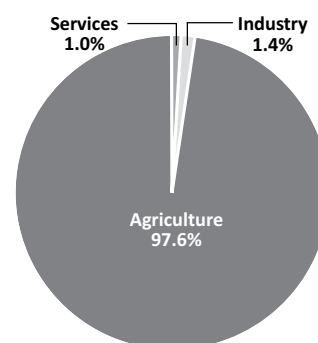
Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating and processing coffee† (6; 1)
	Growing vegetables and other crops (7; 2)
	Fishing,† including work on boats and repairing nets (1; 2; 8)
Industry	Construction,† including brickmaking (6; 1)
	Operating weaving and knitting machines (7; 9)
Services	Domestic work† (1; 2)
	Street work, including vending, begging, and scavenging (1; 10; 11)
	Shop keeping and selling goods in markets (7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation and forced domestic and agricultural work (2; 3; 12)

† 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.

Figure 1. Working Children by Sector, Ages 10-14



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; 13; 3; 12; 14) Other children are trafficked transnationally, including to Indonesia. (2; 15) Preliminary data from the child labor survey conducted in 2016 indicates that more than 26,000

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children are engaged in “other service activities,” such as domestic work; the survey also identified 588 children engaged in street work. (16; 2)

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: 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	Yes		List of Hazardous and Prohibited Activities to Children Under the Age of 18 (18)
Prohibition of Forced Labor	Yes		Articles 155, 162, 163, and 166 of the Penal Code; Articles 8 and 67 of the Labour Code (17; 19)
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 (17; 19; 20; 21)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 155 and 174–176 of the Penal Code; Article 67 of the Labour Code (17; 19)
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labour Code (17; 19)
Prohibition of Military Recruitment			
State Compulsory	Yes	18	Article 14 of the Law on Military Service (22)
State Voluntary	Yes	18	Article 17 of the Law on Military Service (22)
Non-state	Yes	18	Article 125 of the Penal Code (19)
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (23)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (23; 24)

In January 2017, the government enacted the Law to Prevent and Fight Against Human Trafficking, which expands legal provisions on protection and prevention measures for the crime of human trafficking, including child trafficking. The law extends criminal liability for human trafficking to corporations and codifies into law the Inter-Agency Trafficking Working Group. (2; 13; 21)

Research, including reports from the ILO's Committee of Experts on the Application of Conventions and Recommendations CEACR, indicates that Timor-Leste's Penal Code and Labor Code are not sufficient because they leave children under age 17 vulnerable to the worst forms of child labor, including commercial sexual exploitation, and illicit activities. (25; 17; 19; 26) In addition, 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 or fails to protect the health, safety, and morals of the child, in accordance with international standards where the minimum age identified is below 18. (17; 19) While Timor-Leste has adopted the List of Hazardous and Prohibited Activities to Children Under the Age of 18, it is uncertain how it will be harmonized with the Labor Code and Penal Code. (2; 18; 27)

The Labor Code specifies the conditions and number of hours children ages 13 to 15 are permitted to perform light work, the Labor Code does not indicate which specific activities qualify as light work. (17)

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 (SEPFOPE) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Secretariat of State for Professional Training and Employment Policy (SEPFOPE)	Enforce laws related to child labor. Administer the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor. (6)
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. (6)
Ministry of Social Solidarity	Receive referrals from agencies, including the SEPFOPE, that are responsible for conducting child labor investigations and providing child victims with appropriate support services. (6) 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 for referrals to service providers. (28; 29; 30)

Labor Law Enforcement

In 2017, labor law enforcement agencies in Timor-Leste took actions to combat child labor (Table 6). However, gaps exist within the operations of the SEPFOPE 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	2016	2017
Labor Inspectorate Funding	\$379,000 (31)	\$197,000 (2)
Number of Labor Inspectors	22 (31)	26 (2)
Inspectorate Authorized to Assess Penalties	Yes (31)	Yes (2)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	Unknown	No (2)
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections Conducted	1,338 (32)	1,721 (2)
Number Conducted at Worksites	Unknown (31)	Unknown (2)
Number of Child Labor Violations Found	0 (31)	0 (2)
Number of Child Labor Violations for Which Penalties were Imposed	0 (31)	0 (2)
Number of Child Labor Penalties Imposed that were Collected	0 (31)	0 (2)
Routine Inspections Conducted	Yes (33)	Yes (2)
Routine Inspections Targeted	Unknown (33)	Yes (2)

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

Overview of Labor Law Enforcement	2016	2017
Unannounced Inspections Permitted	Yes (31)	Yes (2)
Unannounced Inspections Conducted	Yes (31)	Yes (2)
Complaint Mechanism Exists	Yes (31)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (31)	Yes (2)

Although the SEPFOPE's funding decreased from \$379,000 in 2016 to \$197,000 in 2017, the number of labor inspectors increased. The SEPFOPE did not provide trainings related to child labor for its labor inspectors; however, the SEPFOPE conducted general workshops on labor rights for labor inspectors, employers, and employees in the districts of Suai, Ermera, Manatuto, and Lautem. (2)

Research suggests that enforcement of child labor protections is not adequate for children who work on family farms or in domestic work because the SEPFOPE is limited to inspections in formal worksites. (2) In addition, inadequate transportation outside the capital city also limits the SEPFOPE's ability to conduct inspections in the rural areas of Timor-Leste, where child labor in the agriculture sector is prevalent. (34)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in Timor-Leste took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies 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	2016	2017
Training for Investigators		
Initial Training for New Employees	N/A	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown
Refresher Courses Provided	N/A	Unknown
Number of Investigations	0 (31)	4 (14)
Number of Violations Found	0 (31)	Unknown
Number of Prosecutions Initiated	0 (31)	1 (14)
Number of Convictions	0 (31)	0 (2; 14)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (31)	Yes (2)

In 2017, the Vulnerable Persons Unit of the Timor-Leste National Police (PNTL) had a staff of 94 investigators charged with the enforcement of criminal laws related to the worst forms of child labor. (35) The PNTL received training in trafficking-in-persons and victim identification, but these trainings were not specific to child trafficking. During the reporting period, the PNTL initiated four human trafficking investigations involving Timorese children. (14)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role and 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. (34) Develop child labor policies, raise awareness, and contribute to efforts to ratify and implement international conventions related to child protection. (6) Chaired by the SEPFOPE, serving a 3-year term as the Technical Secretariat. (31; 34)
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 and includes participation by the Prime Minister's office. (2)

The government established a monitoring committee to assess the progress of the Inter-Agency Trafficking Working Group, responsible for implementing the National Action Plan on Combating Human Trafficking, and formed a joint government- and civil society-led working group to assess anti-trafficking deficiencies. In addition, the Prime Minister's office joined the Inter-Agency Trafficking Working Group. (2; 13)

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 implementing a new national child labor action plan.

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 partnerships. The Ministry of Justice coordinates activities and responsibilities. (36; 37)
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. (34)
Timor-Leste Strategic Development Plan (2011–2030)	Provides short- 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. (6; 38) Specifies commitments to improve the educational system over the next 20 years. (38; 39)

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 its worst forms by 2025 and in all its forms by 2030; however, the NAP still requires approval by the Council of Ministers. (31; 16; 40; 2) To achieve this goal, key stakeholders, including the government and community-based organizations, will implement the NAP; technical working groups will coordinate the work, and the CNTI will oversee it. (16)

The government has not included child labor elimination and prevention strategies into the National Education Strategic Plan or the Child and Family Welfare System Policy. (41; 42) In addition, research was unable to determine whether activities were undertaken during the reporting period to implement the National Action Plan Against Human Trafficking, the Timor-Leste Project for the Elimination of the Worst Forms of Child Labor, or the Timor-Leste Strategic Development Plan. (27)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, 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 absence of social programs for children working in agriculture or children involved in the worst forms of child labor.

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. (43) For additional information about USDOL's work, please visit our website.
Child Labor Education and Outreach Program†	The SEPFOPE and the CNTI education and awareness-raising program, located in five primary schools in Dili that target children identified as at risk for involvement in child labor. (34) In 2017, reached 108 children and 10 households. (44)
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. (33)
Mother's Purse (<i>Bolsa da Mãe</i>)†	Ministry of Social Solidarity 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. (32; 34; 45) In 2017, served 61,749 families. (44)

† 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. (6; 46; 32; 29; 47; 48; 41; 49)

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Although the government has implemented programs to address child labor, research found no evidence that it has carried out programs to assist children working in agriculture 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	Ensure that children receive adequate training in the type of work being done and that the health, safety, and morals of the child are protected in accordance with international standards when the minimum age for hazardous work is 17.	2017
	Ensure that the List of Hazardous Occupations and Activities Prohibited for Children and the Law to Prevent and Fight Against Human Trafficking are harmonized with the Labor Code and Penal Code.	2017
	Ensure that the law protects children under age 17 from engagement in all the worst forms of child labor, such as commercial sexual exploitation, and involvement in illicit activities.	2013 – 2017
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2016 – 2017
Enforcement	Publish criminal and law enforcement information, including the number of labor inspections conducted at worksites, training of investigators responsible for enforcing laws on the worst forms of child labor, and the number of criminal violations found for the worst forms of child labor.	2015 – 2017
	Provide the resources and training needed to enforce laws related to child labor, including the workforce in rural areas.	2016 – 2017
	Build enforcement capacity to address child labor protections for children who work in the informal sector, including family farms and in domestic work.	2017
	Ensure that the PNTL takes steps to investigate children involved in commercial sexual exploitation.	2017
	Ensure that labor inspectors receive training on new laws related to child labor.	2015 – 2017
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014 – 2017
	Adopt the National Action Plan Against Child Labor.	2016 – 2017
	Take steps to fully implement the National Action Plan Against Human Trafficking, the Timor-Leste Project for the Elimination of the Worst Forms of Child Labor, and the Timor-Leste Strategic Development Plan.	2017
Social Programs	Create social programs targeting working children, particularly in agriculture, and children engaged in the worst forms of child labor, including commercial sexual exploitation.	2017

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