

TIMOR-LESTE

EXECUTIVE SUMMARY

Timor-Leste is a multiparty parliamentary republic. President Jose Ramos-Horta was head of state. Prime Minister Kay Rala Xanana Gusmao headed a five-party coalition government formed following free and fair elections in 2007. National security forces reported to civilian authorities, but there were some problems with discipline and accountability.

Principal human rights problems included police use of excessive force during arrest and abuse of authority; arbitrary arrest and detention; and an inefficient and understaffed judiciary that deprived citizens of due process and an expeditious and fair trial.

Other human rights problems included gender-based violence, violence against children including sexual assault, corruption, uneven access to civil and criminal justice, warrantless search and arrest, and poor prison conditions.

The government took concrete steps to prosecute members of the security services who used excessive force or inappropriately treated detainees. However, public perceptions of impunity persisted.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no politically motivated killings by the government or its agents during the year; however, on May 14, a Falintil Defense Forces (F-FDTL) soldier beat an elderly woman to death for engaging in witchcraft. The soldier was convicted of murder and was dismissed from the F-FDTL following a disciplinary process.

The investigation into the 2010 case of F-FDTL soldiers who beat a civilian to death in Laivai, Lautem, remained ongoing.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and the government generally respected the prohibition against torture; however, there were incidents of cruel or degrading treatment of civilians by police and military personnel. Parliamentarians, nongovernmental organizations (NGOs), the UN Integrated Mission in Timor-Leste (UNMIT), and the Office of the Ombudsman for Human Rights and Justice received complaints about the use of excessive force by security forces. Most involved beatings, use of excessive force during incident response or arrest, threats made at gunpoint, and intimidation.

In August, members of the National Police of Timor-Leste (PNTL) were accused of beating a woman in their custody in the district of Baucau. The PNTL denied the accusation, but an official investigation opened by the Ministry of Justice continued at year's end.

In 2010 the police detained individuals who were alleged members of the Popular Council for the Defense of the Democratic Republic of Timor-Leste (CPD-RDTL), as part of a larger operation against “ninjas” in the Bobonaro and Covalima Districts. Accusations that some of the detained were beaten were not investigated.

Prison and Detention Center Conditions

Prison conditions generally met international standards. Despite some improvements in 2010 and 2011 with regard to access to food and potable water, police station detention cells generally did not comply with international standards and lacked sanitation facilities and bedding.

The authorities ran two prisons, located in Dili (Becora) and Gleno. Together the two prisons held 260 individuals and had an estimated capacity of 420 inmates. About half of the inmates were pretrial detainees charged with homicide, robbery, or sexual assault. Eight of the prisoners were women, and 17 were juveniles. Although there were no separate facilities for women and youth offenders, all female inmates were housed in a separate block of the Gleno prison. Conditions were the same for male and female prisoners. Alternative sentences for nonviolent offenders were not available.

Prisoners and detainees had reasonable access to visitors and were permitted religious observance. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. Authorities investigated credible allegations of inhumane conditions; the results of such investigations were shared with NGOs and the UN. The government investigated and monitored prison and detention center conditions.

UNMIT and NGO personnel noted allegations of mistreatment of prisoners by prison guards during the first 72 hours of imprisonment and a lack of special facilities for the mentally ill, who consequently were detained with other prisoners.

The government permitted prison visits by the International Committee of the Red Cross and independent human rights observers. The Ombudsman's Office was able to conduct detainee monitoring in Dili. It was not clear whether an ombudsman could serve on behalf of prisoners and detainees more broadly, could address the status of juvenile offenders, or could improve pretrial detention, bail, and recordkeeping procedures.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, there were many instances in which these provisions were violated, often because magistrates or judges were unavailable to issue warrants or make determinations on detentions.

Role of the Police and Security Apparatus

The law designates the PNTL as the body with responsibility for law enforcement and maintenance of order within the country. The Border Police Unit, Immigration Unit, and Maritime Police Unit of the PNTL also have some responsibility for external security as it relates to the border, in coordination with the F-FDTL. By law, the F-FDTL has no role in internal security unless specifically requested and approved by the government, the president, and parliament but it may be used to support the police in joint operations. In practice, the roles and relationship between the PNTL and F-FDTL were still evolving. The prime minister also serves as minister of defense and security. Civilian secretaries of state for security and defense oversaw the PNTL and F-FDTL, respectively. The president is commander-in-chief of the armed forces, but the chief of defense, the F-FDTL's senior military officer, exercised effective day-to-day command. The police

commissioner handles the day-to-day operations of the PNTL and answers to the secretary of state for security.

The PNTL, with UNMIT assistance, continued efforts to reform, restructure, and rebuild in the wake of its collapse during the political crisis of 2006. During the year UNMIT returned executive policing authority to the PNTL after UNMIT determined the PNTL demonstrated the ability to perform policy responsibilities adequately in the remaining three districts under UNMIT authority. More than 460 International Stabilization Force personnel from Australia and New Zealand supported the police and security forces.

When UNMIT returned executive policing authority to the PNTL in March, 199 officers had not been screened for integrity and past crimes or misbehavior. Following the handover, the Office of the Secretary of State for Security completed its review of these officers, with criminal and/or disciplinary action recommended against 121 officers. At year's end the cases were still pending referral to the Office of the Prosecutor-General or further internal disciplinary investigation.

In spite of improvements, the PNTL remained poorly equipped and undertrained, subject to numerous credible allegations of abuse of authority, mishandling of firearms, and corruption. During the year an opposition parliamentarian and an international NGO continued earlier criticism of the emphasis on a paramilitary style of policing, which includes highly armed special units and does not sufficiently delineate between the military and the police.

Efforts were made to strengthen the PNTL's internal accountability mechanisms. At year's end the Professional Standards and Discipline Office (PSDO) had only 67 cases, down from 456 cases the previous year. At the district level there were serious obstacles to the functioning of the PSDO. PSDO officers were appointed by, and reported to, the PNTL district commander. Persons with complaints about police behavior experienced obstacles when attempting to report violations including repeated requests to return at a later date or to submit their complaint in writing. The Organic Police Law promulgated in 2009 does not provide for guaranteed participation from the civilian sector in police oversight.

Arrest Procedures and Treatment While in Detention

The law requires judicial warrants prior to arrests or searches, except in exceptional circumstances; however, this provision was often violated. The

extreme shortage of prosecutors and judges outside of the capital contributed to police inability to obtain required warrants.

Government regulations require a hearing within 72 hours of arrest to review the lawfulness of an arrest or detention and to provide the right to a trial without undue delay. During these hearings the judge may also determine whether the suspect should be released because evidence is lacking or because the suspect is not considered a flight risk. The countrywide shortage of magistrates meant that police often made decisions without legal authority as to whether persons arrested should be released or detained after 72 hours in custody. This contributed to an atmosphere of lawlessness and impunity. Judges may set terms for conditional release, usually requiring the suspect to post some sort of collateralized bail (whether financial or property based) and to report regularly to police.

The law provides for access to legal representation at all stages of the proceedings, and provisions exist for providing public defenders to indigent defendants at no cost. Public defenders were in short supply. Most were concentrated in Dili and Baucau, with other areas lacking the same level of access. Many indigent defendants relied on lawyers provided by legal aid organizations. A number of defendants who were assigned public defenders reported that they never saw their lawyer, and there were concerns that some low priority cases were delayed indefinitely while suspects remained in pretrial detention. Detainees were not held incommunicado, and when lawyers were available they did not have issues accessing their clients.

Pretrial Detention: Pretrial detainees comprised approximately 50 percent of the total prison population. Trial delays were most frequently caused by judicial inefficiency and staff shortages. In many cases the length of pretrial detention equaled or exceeded the length of the sentence upon conviction. The pretrial detention limit of six months and the requirement that such detentions be reviewed every 30 days need not apply in cases involving certain serious crimes. The 30-day review deadline was also missed in a large number of cases involving less serious crimes, exacerbating the pretrial detention problem.

e. Denial of Fair Public Trial

The law provides that judges shall perform their duties “independently and impartially without improper influence” and requires public prosecutors to discharge their duties impartially; however, judicial independence did not exist in practice. Access to justice was constrained by a wide array of challenges in the

judicial system, including: concerns about the impartiality of some judicial organs, a severe shortage of qualified personnel, a complex legal regime and a legal regime that is based on different legal sources, including Portuguese-era, Indonesian-era, and interim UN administration-era law and regulation in addition to laws enacted since independence. A major challenge is the fact that laws were written and courts operated in Portuguese, a language not spoken by the majority of the population.

Trial Procedures

Defendants enjoy a presumption of innocence, trials are before judges, and defendants do not have a right to trial by jury. Defendants have the right to consult an attorney, and the government provides attorneys to indigent defendants. Defendants can confront hostile witnesses and present other witnesses and evidence; however, immediate family members cannot be compelled to testify. Defendants and their attorneys have access to government-held evidence and have a right of appeal to higher courts.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Civil judicial procedures were beset by the same problems encountered by the judicial system as a whole. The Office of the Ombudsman for Human Rights and Justice can sue government agencies/agents for alleged human rights abuses; however, the ombudsman's approach has been to refer allegations of abuse to the prosecutor general or the leadership of the PNTL or F-FDTL.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions in practice.

A 2003 land law broadly defines what property belongs to the government and was criticized as disregarding many private claims. Some residents of land defined as public property were evicted during the year, and many of those evictions were criticized by some local human rights groups.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

The law provides for freedom of speech and press, and the government generally respected these rights in practice.

Freedom of Press: The independent media were active and expressed a wide variety of views without restrictions.

Violence and Harassment: In June 2010, PNTL officers at the Government Palace beat a journalist from *Diario Nacional*. The journalist later withdrew his complaint, so no investigation was conducted.

Internet Freedom

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail.

Academic Freedom and Cultural Events

The government generally did not restrict academic freedom or cultural events. Academic research on Tetum and other indigenous languages must be approved by the National Language Institute.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights in practice.

Freedom of Assembly

The law on assembly and demonstrations establishes guidelines on obtaining permits to hold demonstrations, requires police be notified four days in advance of any demonstration or strike, and establishes set-back requirements at some buildings. However, in practice demonstrations were allowed to take place without

the requisite advance notification, and the set-back requirement was rarely observed.

Freedom of Association

The constitution provides for freedom of association, and the government generally respected this right in practice. However, in 2010 there were accusations that during the anti-”ninja” activities, the PNTL intimidated members of CPD-RDTL, trying to force their resignations from the organization.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Travel by road to the western enclave of Oecussi required visas and lengthy stops at Timorese and Indonesian checkpoints at the border crossings.

Protection of Refugees

Access to Asylum: The laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The government granted refugee status; however, there were concerns that the country’s regulations governing asylum and refugee status may preclude genuine refugees from proving their eligibility for such status. For example, persons who wish to apply for asylum have only 72 hours to do so after entry into the country. Foreign nationals already present in the country have only 72 hours to initiate the process after the situation in their home country becomes too dangerous for them to return safely. A number of human rights and refugee advocates maintained that this time limit contravened the 1951 Convention relating to the Status of Refugees.

These advocates also expressed concern that no written explanation is required when an asylum application is denied.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully. Citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: The president and parliament were separately elected to five-year mandates in generally free and fair national elections in 2007. The government headed by Prime Minister Gusmao is a five-party coalition controlling 37 seats in the 65-seat parliament.

Participation of Women and Minorities: There were 19 women in parliament. Women held three senior ministerial positions--finance, justice, and social solidarity--one vice-minister position, and one secretary of state position. In May, the president approved changes to the election law that included a provision requiring that women make up at least one third of the candidates on each political party's list for parliamentary elections.

The country's small ethnic minority groups were well integrated into society. The number of members of these groups in parliament and other government positions was uncertain.

Section 4. Official Corruption and Government Transparency

The law provides for criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. By law the Anticorruption Commission is charged with leading national anti-corruption activities and has the authority to refer cases for prosecution. The Anti-corruption Commission was established in 2010, taking responsibility for corruption cases from the Office of the Ombudsman for Human Rights and Justice.

The Anti-Corruption Commission transferred to the Prosecutor General's Office several high-profile corruption cases, including accusations against two cabinet ministers. Charges were pending in both cases.

There were accusations of police corruption in the country. Some of the accusations involved bribes accepted by the border police along the extensive land borders with Indonesia, and bribes accepted by police from brothels that engaged in trafficking in persons.

The country does not have financial disclosure laws. In 2009 Prime Minister Gusmao demanded that all cabinet officials in his government complete financial disclosure documents, but during the year only the vice foreign minister completed the disclosure.

The law stipulates that all legislation, Supreme Court decisions (when the court is established), and decisions made by government bodies must be published in the official gazette. If not published, they are null and void. Regulations also provide for public access to court proceedings and decisions and the national budget and accounts. In practice there were concerns that public access to information was constrained. For example, the official gazette was published only in Portuguese, although the law requires publication in Tetum as well.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials usually cooperated with these organizations, but during the year there were instances of security authorities preventing or resisting efforts to monitor human rights compliance.

Government Human Rights Bodies: The independent Office of the Ombudsman for Human Rights and Justice is responsible for the promotion of human rights and good governance and has its own budget and dedicated staff. It has the power to investigate and monitor human rights abuses and governance standards, and to make recommendations to the relevant authorities. The Ombudsman's Office was located in Dili, with satellite offices in Same, Bobonaro, Oecussi, and Baucau. It had limited ability to conduct outreach or activities in other districts. The Human Rights Monitoring Network, made up of ten NGOs, closely cooperated with the

ombudsman. There were no reports of government interference in Ombudsman activities.

Based on recommendations from the Indonesia-Timor-Leste Commission on Truth and Friendship (CTF), parliament debated a national reparations program and creation of an “Institute for Memory” during the year, but at year’s end no legislation implementing the CTF recommendations had been passed.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Government regulations prohibit all forms of discrimination. Nonetheless, violence against women was a problem, and discrimination against women, persons with disabilities, and members of minority groups occurred.

Women

Rape and Domestic Violence: Gender-based violence remained a serious concern. Although rape is a crime, punishable by up to 20 years in prison, failures to investigate or prosecute cases of alleged rape and sexual abuse were common, as were long delays. Authorities reported that the backlog of court cases led some communities to address rape accusations through traditional law, which does not always provide justice to victims. The definition of rape under the penal code appears broad enough to make spousal rape a crime, although that definition had not been tested in the courts. An UNMIT report released in September described a lack of accountability in the cases of nine women with disabilities who were raped during the year. The UNMIT report suggested the women were targeted for attack because of their disability.

In May 2010, parliament passed the Law against Domestic Violence. The law was enacted to provide protection and defense to vulnerable groups including women, children, the elderly, and persons with disabilities, against all forms of violence, exploitation, discrimination, abandonment, oppression, sexual abuse, and mistreatment. During the year, the authorities received 210 reports of domestic abuse. The Ministry of Justice was investigating 81 cases, the police were investigating 16 cases, the court was processing 20 cases and two people were convicted of domestic abuse.

Domestic violence against women was a significant problem, often exacerbated by the reluctance of authorities to respond aggressively. Cases of domestic violence and sexual crimes generally were handled by the PNTL’s Vulnerable Persons Units

(VPUs). Women's organizations assessed VPU performance as variable: Some officials actively pursued cases and others preferred to handle them through mediation or as private family matters. VPU operations were severely constrained by lack of support and resources. Police at times came under pressure from community members to ignore cases of domestic violence or sexual abuse. The new PNTL disciplinary code allows the PNTL to impose disciplinary sanctions on police who commit domestic violence in their own homes. The government actively promoted awareness campaigns to combat violence against women, including rape.

Sexual Harassment: No law prohibits sexual harassment, which was reportedly widespread, particularly within some government ministries and the police.

Reproductive Rights: The government recognized the right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so free from discrimination, coercion, and violence. Women's access to family planning information, education, and supplies was limited principally by economic considerations. Contraceptive use was low, although the Ministry of Health and NGOs promoted both natural and modern family planning methods, including the distribution of intrauterine devices, injectable contraceptives, and condoms. The results of a demographic and health survey released in 2010 indicated significant improvements in mortality rates, but adult women continued to suffer from higher mortality than men, and 42 percent of such deaths were associated with pregnancy and childbirth. According to 2010 estimates by the UN Population Fund, the maternal mortality rate in the country was 370 deaths per 100,000 live births. Thirty percent of women had skilled attendance during childbirth, 61 percent of mothers received antenatal care from a medical professional, and only 32 percent of mothers received postpartum care. Women and men had equal access to diagnostic and treatment services for sexually transmitted diseases, including HIV/AIDS. An UNMIT report released in September described a woman with disabilities who was sterilized without consent after giving birth.

Discrimination: Some customary practices discriminate against women. For example, in some regions or villages where traditional practices hold sway, women may not inherit or own property. Traditional cultural practices such as payment of a bride price also occurred. Women were also disadvantaged in pursuing job opportunities at the village level.

The constitution guarantees equal rights to own property, but in practice traditional inheritance systems tended to exclude women from land ownership. Parliament debated a national land law, which included more specific rights for women's ownership of land, but at year's end no land law legislation had passed.

The secretary of state for the promotion of equality in the Prime Minister's Office is responsible for the promotion of gender equality. UNMIT's Gender Affairs Unit also monitored discrimination against women. Women's NGOs worked under an umbrella organization called Rede Feto (Women's Network). Rede Feto coordinated the work of NGOs working on women's issues and provided input to draft legislation on women's issues, such as the recent Law on Domestic Violence. The secretary of state for the promotion of equality and the advisor to the prime minister for civil society coordinated and supported the work of Rede Feto.

The Ministry of Social Solidarity and women's organizations offered some assistance to female victims of violence, including shelters for victims of domestic violence and incest, a safe room at the national hospital for victims of domestic violence and sexual assault, and escorts to judicial proceedings.

Children

Birth Registration: Children acquire citizenship both through birth within the territory of the country and by having a citizen parent. A Central Civil Registry registers a child's name at birth and issues birth certificates. The rate of birth registration was low.

Education: The constitution stipulates that primary education shall be compulsory and free. Legislation has been adopted requiring compulsory education until 14 years of age; however, no system has been established to enforce compulsory education, nor has a system been established to ensure provision of free education. According to UN statistics, approximately 20 percent of primary-school-age children nationwide were not enrolled in school; the figures for rural areas were substantially higher than those for urban areas. In the aggregate, male children were more likely to attend school than were female children.

Child Abuse: In rural areas heavily indebted parents sometimes provided their children as indentured servants as a way to settle the debt. If the child was a girl, the receiving family could also demand any dowry payment normally owed to the girl's parents.

Sexual Exploitation of Children: There is no clearly defined age below which sex is by definition nonconsensual. Violence against children and child sexual assault were significant problems. Some commercial sexual exploitation of minors occurred. The penal code describes a vulnerable victim for purposes of rape as a “victim aged less than 17 years” and provides an aggravated sentence. The penal code separately addresses “sexual abuse of a minor,” which is described as one “age less than 14 years,” and also separately addresses “sexual acts with an adolescent,” which it defines as “a minor aged between 14 and 16 years.” The penal code also makes both child prostitution and child pornography crimes and defines a “child” for purposes of those provisions as a “minor aged less than 17 years.” The penal code also criminalizes abduction of a minor, although it does not define what constitutes a minor for purposes of that section.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

There was no indigenous Jewish population, and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

Although the constitution protects the rights of persons with disabilities, the government has not enacted legislation or otherwise mandated accessibility to buildings for persons with disabilities, nor does the law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities. There were no reports of discrimination against persons with disabilities in employment, education, or the provision of other state services; however, in many districts children with disabilities were unable to attend school due to accessibility problems.

Training and vocational initiatives did not address the needs of persons with disabilities. In the past some persons with mental disabilities faced discriminatory or degrading treatment due in part to a lack of appropriate treatment resources or lack of referral to existing resources; it was not clear whether this situation had

improved. Mentally ill persons were incarcerated with the general prison population and were denied needed psychiatric care. An office in the Ministry of Social Solidarity was responsible for protecting the rights of persons with disabilities. Persons with disabilities are eligible for monthly special monetary stipends through the Ministry of Social Solidarity.

National/Racial/Ethnic Minorities

Tensions between persons from the eastern districts (Lorosae) and persons from the western districts (Loromonu) appeared to be greatly reduced, and no specific incidents were observed during the year.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law makes no reference to homosexual activity. Gay men and lesbians were not highly visible in the country. There were no formal reports of discrimination based on sexual orientation or gender identity, due in part to limited awareness of the issue and a lack of formal legal protections.

Other Societal Violence or Discrimination

According to the East Timor Law and Justice Bulletin (ETLJB), the principal international NGO that runs an HIV/AIDS transmission reduction program excludes gay men from its program.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law permits workers to form and join worker organizations without prior authorization, provides for the right to strike, and allows for collective bargaining. Unions may draft their own constitutions and rules and elect their representatives; however, attempts to organize workers generally were slowed by inexperience, a lack of organizational skills, and the fact that more than 80 percent of the workforce was in the informal sector. There are official registration procedures for trade unions and employer organizations. By year's end the government had begun compiling data on the percentage of unionized workers in the formal sector.

Freedom of association and collective bargaining rights were respected in practice. While the law prohibits dismissal for union activity, it also allows for financial compensation in lieu of reinstatement, thus partially weakening the protection against employers' interference. The law prohibits foreigners from participating in the administration of trade unions, although there was no evidence that this prohibition was enforced.

The law on assembly and demonstrations could be used to inhibit strikes but was not used in this way.

In practice workers generally had little experience negotiating contracts, promoting worker rights, or engaging in collective bargaining and negotiations. The Ministry of Social Solidarity is the government agency charged with labor dispute settlement.

b. Prohibition of Forced or Compulsory Labor

Government regulations prohibit forced or compulsory labor, although there were reports that such practices occurred. The placement of children in bonded labor by family members in order to pay off family debts occurred during the year.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The law generally prohibits children under age 15 from working. However, there are circumstances under which work for children between the ages of 15 and 18 is restricted and circumstances under which children under 15, can work legally. The minimum age does not apply to family-owned businesses, and many children worked in the agricultural sector. Child labor in the informal sector was a major problem. In practice, enforcement of the labor code outside of Dili was limited.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

The law does not stipulate a minimum wage. The law provides for a standard work week of 40 hours, standard benefits such as overtime and leave, and

minimum standards of worker health and safety. The Ministry of Social Solidarity is responsible for enforcing the labor code. A National Labor Board and a Labor Relations Board exist, and there are no restrictions on the rights of workers to file complaints and seek redress. Workers have the right to remove themselves from hazardous conditions without jeopardizing employment; however, it was not clear whether they could avail themselves of this right in practice. The official national poverty income level is \$0.88 per day. (The U.S. dollar is the local currency.) An estimated 41 percent of the population lived below the poverty line.