

Timor-Leste 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Timor-Leste during the year.

Significant human rights issues included credible reports of child marriage and significant presence of the worst forms of child labor.

The government took credible steps to identify and prosecute members and officials of the security services who committed human rights abuses; however, public perceptions of impunity persisted.

Section 1. Life

a. Extrajudicial Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings during the year.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the

part of government authorities.

Section 2. Liberty

a. Freedom of the Press

The constitution provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent press and a functioning democratic political system promoted freedom of expression, including for media members.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

Some journalists self-censored on reporting involving leaders of the country's independence struggle or the Catholic Church due to political or public pressure. Most major news outlets were state-owned, and the media was politically tied to and financially dependent on the national government, which created strong incentives to avoid reporting critical of the government.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for the rights of certain workers to form and join unions of

their choosing, to strike, and to bargain collectively. The law prohibited dismissal or discrimination for union activity, and it allowed for financial compensation in lieu of reinstatement. The law did not apply to workers in small subsistence-level family-owned agricultural or manufacturing businesses. The law also did not apply to public-sector workers or domestic workers. The law prohibited foreign migrant workers from participating in the leadership of trade unions but did not restrict their membership.

Workers' organizations were generally independent and operated without interference from government or employers. Unions could draft their own constitutions and rules and elect their representatives. In part because most workers were employed in the informal sector, the workforce was largely nonunionized. Newly unionized workers generally lacked experience negotiating contracts and engaging in collective bargaining.

There were official registration and strike procedures for trade unions and employer organizations. Workers employed by companies or institutions that provided "indispensable social needs" such as pharmacies, hospitals, or telecommunications firms were obliged to ensure the provision of minimal services during a strike. The law allowed the Council of Ministers to suspend a strike if it affected public order. A majority of employees was needed to conduct a strike ballot, and an absolute majority of union members had to support strike action. Strikes were limited to work issues. The law prohibited employer lockouts. The trade union confederation reported no

strikes between January and November.

The State Secretariat for Vocational Training and Employment was charged with implementing the labor code and with labor dispute settlement. The secretariat reported the most common labor issues were terminations in which employers did not follow procedures outlined in law, such as dismissals without cause. The Trade Union Confederation registered 134 complaints of alleged violations of labor rights between January and September. Individual labor disputes, except over termination on grounds of just cause, were submitted to conciliation and mediation before any recourse to courts. Courts were backlogged, and judicial procedures involved significant delays. The trade union confederation noted some companies led by veterans of the country's independence struggle did not respect labor laws, believing their social, economic, and political status would excuse any violations.

The government did not dedicate adequate resources, staff, or training to enforce laws protecting the right to organize, collectively bargain, or strike. Penalties for violations of freedom of association, collective bargaining, and the right to strike were less than those for analogous violations such as civil rights violations and were rarely applied against violators.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at

<http://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

The law set the minimum monthly wage, which was above the official national poverty level. The labor code provided for a standard workweek of 44 hours. Overtime could not exceed 16 hours per week, except in emergencies, which the labor code defined as “force majeure or where such work was indispensable in order to prevent or repair serious damages for the company or for its feasibility.” Authorities did not effectively enforce wage and overtime laws and violations were common, particularly in retail shops and construction. There was even less protection for those working in the informal sector, particularly domestic workers, who were predominately women and adolescent girls.

Occupational Safety and Health

The law set appropriate minimum standards for occupational safety and health (OSH) and the government proactively identified unsafe conditions. The law provided explicitly for the right of pregnant women and new mothers to adjust, without a cut in pay, work responsibilities that might harm their or the child’s health. The law did not provide other workers the right to leave a hazardous workplace without jeopardy to their employment. Inspectors had the authority to make unannounced inspections and to

initiate sanctions, and undertook more than 1,100 inspections between January and September. The government responded to workers' OSH complaints.

Wage, Hour, and OSH Enforcement

The State Secretary for Professional Training and Employment was responsible for enforcing wage, hour, and OSH laws. It did not effectively enforce the laws, and the labor code did not assign specific penalties for violations of these laws. Penalties were sometimes applied, but were less than those for similar crimes, such as fraud and negligence. The number of inspectors was insufficient to enforce compliance. Labor unions criticized inspectors for visiting worksites infrequently and for discussing labor concerns only with managers during inspections.

According to a local union, the government lacked the political will and institutional capacity to implement and enforce the labor code fully, and violations of minimum safety and health standards were common, particularly in the construction industry. Alleged violations also included failure to provide maternity benefits.

Household domestic workers, a large proportion of the working population, especially of working women, were inadequately protected and particularly vulnerable to exploitative working conditions, with many receiving less than minimum wage for long hours of work.

Labor law did not apply to the informal sector (overwhelmingly women), which according to a government survey in 2021 comprised 77 percent of the workforce.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements. The law required a judicial hearing within 72 hours of arrest. During these hearings, the judge could determine whether the suspect should be released because conditions for pretrial detention had not been met or released conditionally (usually after posting some form of collateralized bail or on condition that the suspect report regularly to police), or whether the case should be dismissed due to lack of evidence.

In many cases, the length of pretrial detention equaled or exceeded the length of the sentence upon conviction. Administrative failings involving the judge, prosecution, or defense led to prolonged delays in trials. Pretrial

detainees comprised approximately 20 percent of the total prison population. Time in pretrial detention could be deducted from a final sentence, but there was no remedy to compensate for pretrial detention in cases that did not result in conviction.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibited such practices, but there were reports of the use of excessive force by security forces. Most complaints involved mistreatment or use of excessive force during incident response or arrest. Abusive conduct by off-duty police officers was also a problem.

In October, six soldiers allegedly assaulted and beat a young man during a

wedding party. Also in October, an off-duty police officer assaulted a street vendor, who sustained a gunshot wound to the arm. As of November, authorities were still investigating these incidents.

Citizens reported obstacles to reporting complaints about police behavior, including being told to return later or to submit their complaints in writing. There was widespread belief that members of the security forces enjoyed substantial impunity for illegal or abusive actions and that reporting abuse would lead to retaliation rather than positive change. Social media users shared photographs of injuries from alleged encounters with police. Prolonged investigations and delays in bringing cases to trial also contributed to the perception of impunity.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

Child Marriage

The legal minimum age for marriage was 16; the law was not effectively enforced. Cultural, religious, and civil marriages sometimes occurred in which one or both spouses were younger than 16. Cultural pressure to marry, especially if a girl or woman became pregnant, was strong, even

when the pregnancy was the result of rape. Underage couples and underage girls partnered with adult men were often considered de facto married, especially once they had children. These relationships were routinely formalized once the younger partner turned 16. There was no recent, reliable data on the frequency of child marriage, although adolescent pregnancy rates and anecdotal evidence from health workers suggested underage marriage was a serious human rights concern, especially for girls.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations on issues related to the provision of protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. Refugee and asylum cases were rare.

Provision of First Asylum

The law provided for granting asylum or refugee status. There were concerns, however, that regulations governing asylum and refugee status could preclude genuine refugees from proving their eligibility for such status. For example, persons who wished to apply for asylum had only 72 hours to do so after entering the country. Foreign nationals already present in the country had only 72 hours to initiate the process after the situation in

their home country became too dangerous for a safe return.

d. Acts of Antisemitism and Antisemitic Incitement

There was no indigenous Jewish population and there were no reports of antisemitic incidents.