
TIMOR-LESTE – Tier 2

Timor-Leste is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Timor-Leste may be a source for women and girls sent to Indonesia and other countries for domestic servitude. Timorese women, girls, and occasionally young males from rural areas are lured to the capital with the promise of better employment or education prospects and subjected to sex trafficking or domestic servitude; at least one village chief has been complicit in this form of trafficking. Timorese family members place children in bonded domestic and agricultural labor, primarily in rural areas but also in the United Kingdom, to pay off family debts. Foreign women, including those from Indonesia, China, and the Philippines, are vulnerable to sex trafficking in Timor-Leste. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates. Some NGOs report fishermen on foreign vessels operating in Timorese waters may be vulnerable to trafficking. Police may accept bribes from establishments involved in trafficking or from traffickers attempting to cross borders illegally. Police have been identified as clients of commercial sex venues investigated for suspected trafficking.

The Government of Timor-Leste does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government reported prosecuting six defendants and convicting two traffickers, though lack of details made it difficult to verify these were cases of human trafficking as defined in international law. The government reestablished the inter-ministerial working group on trafficking, designated the Ministry of Justice as the lead agency to coordinate its efforts, and finalized a national action plan to combat trafficking. Authorities did not employ formal procedures for victim identification, leaving some victims vulnerable to punishment for crimes committed as a direct result of trafficking. Although the overall availability of specialized services, shelter, or long-term support for victims was limited, the government reported providing services to 10 victims and referring additional victims to government-funded NGOs for support.

RECOMMENDATIONS FOR TIMOR-LESTE:

Establish, implement, and train officials on formal procedures for victim identification among vulnerable populations, such as individuals in prostitution and domestic work and migrant workers on fishing vessels; adequately fund law enforcement officers to conduct thorough investigations of trafficking offenses, proactively initiate prosecutions, and convict and punish traffickers, including complicit officials; properly resource protective services, and establish and train officials on standard operating procedures to ensure victims are consistently referred to appropriate care; improve data collection on anti-trafficking efforts; enact comprehensive anti-trafficking legislation that is consistent with international law; conduct training for prosecutors and judges, including on how to integrate victim protection throughout the duration of court proceedings; and increase anti-trafficking education and awareness campaigns for the public.

PROSECUTION

The government made modest anti-trafficking law enforcement efforts and improved its data collection. Articles 163 and 164 of the penal code prohibit and punish all forms of trafficking; articles 162 and 166 prohibit slavery and the sale of persons. These articles prescribe sufficiently stringent penalties ranging from eight to 25 years' imprisonment, which are commensurate with those prescribed for other serious crimes, such as rape. In April 2015, the Council of Ministers approved draft anti-trafficking legislation—which has been in development since 2009 and would expand legal provisions on protection and prevention measures—and sent it to the parliament, where it remained at the close of the reporting period. The government provided more information on its anti-trafficking law enforcement efforts than in the previous year but did not offer complete statistics or provide adequate detail to verify all reported cases involved human trafficking offenses. According to information from government, NGOs, and media sources, authorities investigated 12 cases of suspected trafficking and prosecuted six suspected traffickers. One prosecution resulted in the March 2016 conviction of a Timorese woman on attempted trafficking charges after she was apprehended while attempting to transport five Timorese young adults to the United Kingdom without appropriate work documents. The details of the second conviction are unknown. There were no further updates on the other investigations or prosecutions. In July 2015, the court upheld the guilty verdict for the former village chief convicted and

sentenced to prison during the previous reporting period for child sex trafficking. There were no updates on an investigation from the previous reporting period of a police officer suspected of forced child labor offenses. Judges and prosecutors have limited expertise in applying anti-trafficking laws effectively. In the past, police officers reported using their own personal funds to pursue trafficking investigations due to inadequate resource allocation from the government. Police and prosecutors lacked adequate training in victim-centered approaches to law enforcement and legal proceedings. A government-funded NGO and foreign government donors provided anti-trafficking training to Timorese law enforcement officials.

PROTECTION

The Government of Timor-Leste demonstrated increased efforts to protect victims. The government reported identifying and providing some services to 10 victims and referring additional victims to local NGOs for assistance. Reports from law enforcement, NGOs, and the media indicate cases investigated during the reporting period included at least 55 potential victims; it is unknown whether all victims received protective services. There were no formal procedures for victim identification, and authorities did not systematically screen for trafficking indicators among vulnerable groups, such as individuals in prostitution and domestic work and migrant workers on fishing vessels. Police reported having a list of questions to identify a case of trafficking, although these questions relied on the movement of people to make a positive determination of trafficking and it was unclear how frequently they were used. The government allocated funds to an NGO specifically to provide social services to trafficking victims. The NGO reported providing services to 11 victims, including four male victims. There were limited specialized services for trafficking victims in the country, with female victims primarily receiving services available to victims of other crimes, such as domestic violence and sexual assault. The government's referral system used Ministry of Social Solidarity field staff to coordinate with police and NGOs. NGOs reported improved cooperation through the referral network. An unknown number of victims received vocational training, legal assistance, or reintegration support from NGOs, some of whom received funds from the government. Unidentified trafficking victims may have been among the individuals arrested and deported

during the year, particularly foreign women in prostitution apprehended for immigration violations. Local NGOs noted the overall lack of incentives to cooperate with law enforcement may have contributed to some victims being unidentified or unwilling to participate in the investigation and prosecution of traffickers. The government did not provide foreign victims with alternatives to their removal to countries where they may face hardship or retribution.

PREVENTION

The Government of Timor-Leste demonstrated increased efforts to prevent trafficking. The government conducted an anti-trafficking educational campaign in seven schools in districts across the country and provided funding to an NGO to conduct a community education workshop. During the reporting period, the government reestablished the inter-ministerial working group on trafficking and designated the Ministry of Justice as the lead agency to coordinate its efforts. The working group finalized a national action plan to combat trafficking, to which the government designated personnel resources and for which ministries will use their funding to support their required tasks. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not take measures to reduce the demand for forced labor or commercial sex acts.