



Increased Migration of Foreign workers to Timor-Leste is Not Well Regulated

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Introduction

The fifth constitutional government's policy is to ensure the economic development of this nation, and reducing poverty by providing jobs for the Timorese people.¹ The Secretary of State for Political Professional Formation and Employment (SEFPOPE) has made some efforts to reduce unemployment in this nation. The formation policy for youth is part of an effort to prepare Timorese to compete in the marketing sector, and to send Timorese workers abroad to work according to bilateral ties.²

The government has made lots of efforts to reduce unemployment in this nation by sending Timorese workers abroad through bilateral co-operation. According to SEFPOPE's perspective, the policy to send workers to abroad with the vision to "send out people and invest money" is a path to reduce unemployment in Timor-Leste.³ On the other hand, foreign workers still continue invade Timor-Leste by occupying positions that could be held by Timorese and export millions and millions of dollars out of the country.⁴

Timor needs an integrated strategic plan that includes a rigorous control policy in order to minimize the impact of the foreign worker invasion into Timor-Leste. Job competition between foreign and local workers may create conflict and tension and that threatens to endanger the national stability.⁵

Fundasaun Mahein's (FM) report analyzes the impact of the foreign worker invasion that threatens stability. The report also discusses other issues that are considered pertinent that may contribute to the foreign worker presence in Timor-Lest, Also mentioned is the impact of foreign workers on the economy and other issues in this nation. The report includes policy recommendations.

Methodology

In its research, FM uses descriptive analyses methods from the previous reports covering the impact and foreign worker threat on the economy of Timor-Leste. FM also uses a discussion method called Security Sector Discussion-SSD and also made direct observations on foreign workers who work in Timor-Leste, particularly in Dili city. FM also used information from national media publications covering foreign workers in Timor-Leste.

¹ RDTL. (26 August 2012). THE FIFTH CONSTITUTIONAL GOVERNMENT PROGRAM LEGISLATURE 2012-2017.pdf.

² Soares, Brigida. (24 March 2014). **SEPPFE : Send out people, invests for money.**
<http://www.jornalbisnistimor.com/opiniaun/1881-hasai-ema-hatama-osan>

³ Soares, Brigida. (24 March 2014). **SEPPFE : Send out people, invests for money.**
<http://www.jornalbisnistimor.com/opiniaun/1881-hasai-ema-hatama-osan>

⁴ Miz. (12 September 2013). New Invasion Threats Economy of TL. STL Newspaper.
<http://jornal.suara-timor-lorosae.com/invazaun-foun-amiasa-ekonomia-tl/>

⁵ Miz. (12 September 2013). New Invasion Threats Economy of TL. STL Newspaper.
<http://jornal.suara-timor-lorosae.com/invazaun-foun-amiasa-ekonomia-tl/>

Factors that contribute to the growth of foreign workers in TL

After Timor-Leste restored its independence, lots of foreign workers crossed the border line in order to get jobs in this nation. Some data shows that currently there are foreign workers from 37 countries working in Timor-Leste in various areas. The majority of them are coming from Indonesia and China.⁶ According to FM's monitoring, the following were some factors that contributed to the foreign worker invasion into Timor-Leste:

1. "Online database system" controlling

Timor-Leste's weakness in giving chances to foreign workers to continue coming to this nation is due to the *online database controlling* system that is still poor. Timor-Leste has not yet established an *online database* that integrates every migration post along the border line, airport and ports to control foreign worker movement into Timor-Leste. This creates a difficulty for the migration service institution to maintain control.⁷

The government needs to establish the *online database controlling* system in every are or post of the migration service in the border area of Mota-Masin, as well as along the ports and airport in order to supply information to the security agents regarding the number of foreign people who are going to come into Timor-Leste with tourist or labor visas, where they live and what they will be doing. This information will make it easier for the migration service to search the foreign workers and decide if they are in violation of migration.⁸

According to FM's monitoring, Timor-Leste's weakness by not yet establishing the *online database* controlling system has given chances for foreign people to easily get jobs in this nation even if they use tourist visas.⁹ They also know how to hide themselves from security operations.¹⁰ The statistics show that in 2014 there were at least 751 foreign workers working in Timor-Leste while on a tourist visa.¹¹

⁶ Fundasaun Mahein. (13 February 2013). Border line management and Migration control. Mahein's thought

No. 03.p26.pdf

⁷ Fundasaun Mahein's monitoring to the border line and post of the migration services during 2013 in Mota-Masin shown that no database online controlling establishment there

⁸ No database online controlling system thus far that provide detail information from Migration Service in the border line to national (Dili), particularly over foreign workers who pass by the border to Timor-Leste.

⁹ Jos & Ade. (18 October 2012). 889 Foreign Workers in Timor-Leste.

<http://www.diariutimorpost.tl/berita-247-trabalhador-estranjeirus-889-ih-tl.html>

¹⁰ Fundasaun Mahein. (13 February 2013). Border line management and Migration control. Mahein's thought

No. 03.p26.pdf

¹¹ May. (15 January 2014). PNTL registers foreign people come and go from TL. Diari National Newspaper.

Can access here; <http://www.indiario.com/2014/01/15/pntl-rejistu-ema-estrajiru-tama-sai-tl/>

Regarding this, FM's believes that reinforcing the *online database* controlling system to supply information to authorities in the migration service ¹²will help security agents to identify foreigners in Timor-Leste working on tourist visas.¹³

2. *Individuals of the state institution and local entrepreneurs*

The involvement of some individuals in the state institution, who are facilitating foreign citizens to work in this nation, are another main factor contributing to the foreign worker invasion into Timor-Leste.¹⁴ Lots of cases have taken place in Timor-Leste in which individuals involved with the state facilitate foreigners to come and get job licenses as well as citizen's documents in Timor.¹⁵

In 2012 there was a case involving an individual of the state institution who facilitated foreign people to work in Timor-Leste with tourist visas. In one case individuals from the state institution assisted Filipino citizens to work in Timor, particularly from the general inspection workers cabinet at the Secretary of State for Political Professional Formation and Employment and the Ministry of Tourism.¹⁶

Some case also involved individuals of the migration service that facilitated foreigners to continue working in Timor-Leste on a tourist visa. In one case an individual of the migration service captured foreign workers with their passport then processed their visa, but did not submit the payment to the state. The reason they did this is because of low profits and the increasing cost of living.¹⁷ In 2013, an individual of the migration police was condemned by the Dili district court because he supported a foreign citizen to get a job in this nation.¹⁸

On the other hand, many companies that win project tenders recruit workers from abroad. And in some bigger projects run by foreign companies, they recruited workers from their own countries.¹⁹ The majority of foreign workers recruited by those companies come from Indonesia.

¹² To clarify the coordination issue of sharing database information, Fundasaun Mahein sends a notifying letter to Migration Service for interviewing but until publishing the report no well-cooperation by the MS to provide the information to FM even has contacted for sometimes.

¹³ Anibal, Joao. (05 February 2014) Majority population of TL suffered "Social disease".

<http://jornal.suara-timor-lorosae.com/maioria-populasaun-tl-sofre-moras-sosial/>

¹⁴ TS. (19 October 2012). State Servers of TL devastate state's rights. Tempo Semanal Newspaper.

Can access here; <http://temposemanaltimor.blogspot.com/2012/10/parte-iii-servidor-estadu-tl-sobu.html>

¹⁵ THD. (16 February 2013). Foreign citizens get documents of TL. Timor Post Newspaper.

Bele asesu iha ne'e; <http://www.timorhauniandoben.com/2013/02/sidadaun-estranjeirus-hetan-dokumentus.html>

¹⁶ TS. (19 October 2012). State Servers of TL devastate state's rights. Tempo Semanal Newspaper.

Can access here; <http://temposemanaltimor.blogspot.com/2012/10/parte-iii-servidor-estadu-tl-sobu.html>

¹⁷ Source of FM. (2013) civil servant of custom. Informal conversation.

¹⁸ Amaro. (21 March 2013). DDC Judge PNTL did illegal collection for the foreign people.

<http://temposemanal.com/justisa/item/255-tdd-julga-pntl-halo-kobranca-illegal-ba-ema-estranjeiru>

¹⁹ Viana, Rui. (17 September 201). SEPPFE and strategy to reduce unemployment in Timor Leste. <http://forum-haksasuk.blogspot.com/2012/09/seppfe-no-strategia-hamenu-desempregu.html>

In these cases, Timorese entrepreneurs who win the infrastructure project have sub-contractors with companies from Indonesia, because the payment for those foreign workers is cheaper and they believe they have greater discipline during their work.²⁰ Many communities question the companies' performance and blame them for discriminatory recruitment.²¹

The cases mentioned above represent the problem of the number of foreign workers increasing in Timor-Leste. Timor needs good management and political control in order to minimize the foreign worker invasion into Timor-Leste in the future, because this problem will impact the national stability if Timorese people would do not get jobs. This problem will also make Timorese youth lose hopes in their future because of bad "social status", which will in turn increase the likelihood for tension, posing a risk to national stability.²²

3. "Abandoned volunteer" system

The abandoned volunteer system is also a factor that contributes to foreign workers continuing to invade Timor-Leste. This is due to the lack of funding to "deport" foreign people who use tourist visas to work in Timor. Timor-Leste has applied the "abandoned volunteer" system, although the migration service has made some efforts to capture foreign people who use tourist visa.²³

The "abandoned volunteer" system allows foreign people (workers) to continue invading Timor-Leste occupying jobs that could be held by Timorese people. The abandoned volunteer system signifies that we only urge foreign people who violate the migration law to go back to their country voluntarily.²⁴

On February 2013, the migration service captured 117 foreign citizens who were using tourist visas but worked in this nation. However, the problem was that they were unable to deport those people.²⁵ This situation will continue to allow foreign workers to stay in this nation and occupy post for Timorese people along all levels and sectors of work.²⁶

²⁰ Ida, Francisca. (12 March 2014). Indonesia entrepreneurs. Private Interview.

²¹ Fundasaun Mahein. (18 September 2013). Refinery Project and Petrochemicals: Mega-Project or Mega Threaten?. http://www.fundasaunmahein.org/wp-content/uploads/2013/09/MNL_Nu.-58_18092013_Petrokimika-no-Refinariapdf.pdf

²² Sin. (09 September 2013). Unemployment Swollen, Potential to appear conflict. STL Newspaper. Can Accesses here; <http://jornal.suara-timor-lorosae.com/dezempregu-bubu-potensia-hamosu-konflitu/>

²³ Fundasaun Mahein. (13 February 2013). Border line management and Migration control. http://www.fundasaunmahein.org/wp-content/uploads/2013/02/MNH_no-03_13022013Tetun.pdf..pdf

²⁴ Da Costa, Jose. (12 September 2012). Director of Migration Service. Introducing at Seminar Organized by Alola Foundation

²⁵ Ferreira, Sonia & Ximenes, Luciana. (27 February 2014). Migration Department Captured 117 foreign citizens who violated visa. STL Newspaper. Can access here; <http://suara-timor-lorosae.com/migrasaun-kaptura-sidadaun-estrajairu-117-viola-vistu/>

²⁶ TS. (19 October 2012). State of TL raises employment for foreign citizens. <http://temposemanaltimor.blogspot.com/2012/10/parte-iii-servidor-estadu-tl-sobu.html>

The reality is that many jobs which Timorese are eligible to do according to SEPFOP's criteria (such as guards, motorcyclists, administration, servers, rent and others) are occupied by foreign workers.²⁷ For example, restaurants, photo copy studios, tailors as well as carpenters in Dili are dominated by foreign workers; the majority of these foreign workers are from Indonesia.²⁸

Indonesians are able to easily do this as a consequence of Timor-Leste's use of the *on arrival* visa, which allows foreign citizens to pass the border and look for jobs in this nation. According to FM, the government needs to apply rigorous criteria in order to reduce the foreign worker invasion into Timor-Leste. As a reference, the United States of America has a policy that any foreigners who enter the country for studying or doing tourist activity should have proof of a bank account as a guaranty that they live in their home country.²⁹

The Impact of the foreign worker influx into Timor-Leste

The increasing presence of foreign workers has become a discussion issue on every level in Timor-Leste. The increase of foreign workers in Timor-Leste is a preoccupation that continues appearing and raises questions regarding its impact on Timor-Leste.³⁰

The concrete impact of an increase of foreign workers is that unemployment is increasing in this nation every year, which has become a discussion issue and cause for public concern. Unemployment is becoming more chronic within the society of Timor-Leste. At least 50% of the population is categorized as poor.³¹ Poverty and unemployment have lead to increasing youth involvement in gangs, consuming drugs, involvement in criminal organized groups' and increasing conflict in the nation.³² Other concrete case that took place in 2013 includes youth murders cases resulting from social frustration, joblessness and lack of education.³³

²⁷ TDW. (08 August Agostu). 4.135 Foreign workers 4.135 work in TL with workers' visa from SEPPFE. <http://www.thediliweekly.com/news/news/1587-trabalhadores-estranjeiros-4135-servisu-ih-tl-ho-vistu-trabalhu-husi-sefope>

²⁸ Majority of these foreign workers are living in Comoro, Komoro, kampung Alor areas and almost in Dili including districts around all territory Timor-Leste.

²⁹ Kaplan. (2013). Visa studying United State of America. <http://www.kaplaninternational.com/id/resources/student-visa-information/usa.aspx>

³⁰ Freitas, Ezequiel. (09 October 201). No Job Creation could appear conflict. The Dili Weekly Newspaper. <http://www.thediliweekly.com/tl/noticias/noticias/206-laiha-kampu-servisu-bele-hamosu-konflitu>

³¹ Viana, Rui. (17 September 201). SEPPFE and strategy to reduce unemployment in Timor Leste. <http://forum-haksesuk.blogspot.com/2012/09/sepfope-no-stratejia-hamenu-desempregu.html>

³² Agostinho , Hernani.(30 March 2014). Unemployment in TL: Causes, Impacts and solution. <http://www.jornalbisnistimor.com/opiniaun/1807-desemprego-ih-timor-leste-kauzas-impaktu-no-solusaun>

³³ Fundasaun Mahein. (07 April 2014). Drugs Threatens is the Challenge for the Security Institution to combat. http://www.fundasaunmahein.org/wp-content/uploads/2014/04/MNL_Nu.74_07.04.2014_Droga.pdf

More than 50% of the population of Timor-Leste in the productive ages are looking for jobs starting from the age of 15 up, and are coming from districts in all the territories of Timor-Leste.³⁴ Lots of analyses has been made and published by the National and International Non-Governmental Organizations-NGOs positing that unemployment is growing in Timor-Leste because of the foreign workers' presence.³⁵

The reality shows that every year the numbers of jobs created are less than the number of productive aged people who are looking for jobs. Much youth unemployment is related to job competition with foreign workers who are occupying every post that is eligible to do by Timorese people.³⁶ The majority of construction projects in Timor-Leste are dominated by foreign workers³⁷ as well as other work such as carpenters, restaurant servers, hotels, workshops and others.³⁸

This situation could be disastrous for the national stability if Timorese people continue to be guests in their own country, while foreign workers easily get jobs in this nation. More than ten years ago Timor-Leste gained its independence, yet the majority of the population has not enjoyed economic progress in their life.³⁹ This issue may become a threat for the national stability because the Timor-Leste's future will face the two big challenges: social inequality and systematic unemployment.⁴⁰

Recommendations

1. Recommend to the government to create an integrated system of control between the Migration Service, SEPFOPE, and Foreign Affairs Ministry in order to regulate the foreign citizens who are coming to Timor-Leste on visas.
2. Recommend to the government to install a database control system at the migration service office in order to provide information sufficient for the security institution to control the foreign citizen's movement in Timor-Leste.

³⁴ Fundasaun Mahein. (29 November 2013). Urbanization and security: "Dili is a Conflict Center". Mahein's Voice No.64.pdf. http://www.fundasaunmahein.org/wp-content/uploads/2013/11/MNL_Nu.64_29112013_URBANIZASAUNpdf.pdf

³⁵ Neves, Guteriano. (22 May 2013). Unemployment in Timor and challenge in the future. <http://aitaraklaranlive.wordpress.com/2013/05/22/dezempregu-ih-timor-no-dezafiu-ba-futuru/>

³⁶ Jos & Ade. (18 October 2012). 889 Foreign Workers in Timor-Leste. <http://www.diariutimorpost.tl/berita-247-trabalhador-estranjeirus-889-ih-tl.html>

³⁷ CJITL. (12 October 2011). Projects in TL dominated with foreign people. <http://www.cjitl.org/j15/cjitltimor-today/cjitl-flash/805-projeitu-ih-tl-domina-ho-ema-estrangeiru>

³⁸ TDW. (08 August Agostu). 4.135 Foreign workers 4.135 work in TL with workers' visa from SEPPFE. <http://www.thediliweekly.com/news/news/1587-trabalhadores-estranjeirus-4135-servisu-ih-tl-ho-vistutrabalhu-husi-sefope>

³⁹ Neves, Guteriano. (22 May 2013). Unemployment in Timor and challenge in the future. <http://aitaraklaranlive.wordpress.com/2013/05/22/dezempregu-ih-timor-no-dezafiu-ba-futuru/>

⁴⁰ Neves, Guteriano. (22 May 2013). Unemployment in Timor and challenge in the future. <http://aitaraklaranlive.wordpress.com/2013/05/22/dezempregu-ih-timor-no-dezafiu-ba-futuru/>

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