

### Migration Policies in East Timor 2017-2019

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# IMISEM

EVERY IMMIGRANT IS AN EMIGRANT  
How Migration Policies Shape  
the Paths to Integration

IMISEM CASE REPORT  
Migration Policies in

## East Timor


2017-2019

Coordinated by:


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Pau Palop-García  
So Young Chang

January 2022

# G I G A

German  Institute for Global and Area Studies  
Leibniz-Institut für Globale und Regionale Studien

## Imprint

The IMISEM CASE REPORTS are Open Access publications licensed under the CC BY 4.0  available for download free of charge at our Project Website: [www.imisem.info](http://www.imisem.info) as well as in the Social Science Open Access Repository, which will also host the IMISEM Dataset.

“Every Immigrant is an Emigrant” (IMISEM) is a 4-year project that was funded by the Leibniz-Gemeinschaft and developed at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. The IMISEM project was led by Dr. Luicy Pedroza.

The case reports were authored by a multinational team of researchers coordinated by Luicy Pedroza, Pau Palop-García and So Young Chang. The team of authors (i.e., data collectors) comprised 18 persons (3 core researchers plus 15 student assistants and interns), in alphabetical order: Daniel Braga Nascimento, So Young Chang, Natalia Chudoba, Jenny García Ruales, Belén Goyeneche, Paula Koller, Elena Korshenko, Zihao Lin, Charlotte Metzger, Eduardo Pagés, Pau Palop-García, Luicy Pedroza, Barbara Pilz, Neslihan Önder, Mayya Solonina, Béla Soltész, Arnaz Tejakusuma, and Girindra Wiratni Puspa. For their commitment in the final editing phase, we acknowledge the valuable contributions of Great Uchechukwu Udochi and Micaela Lincango. We are also grateful for the institutional support of the GIGA, especially Peter Peetz, Petra Brandt, Sabine Barth, Jan Lüth, Bert Hoffmann and Verena Schweiger. We also thank Sonia Octavio and Bertram Richter for their support in the cover design and Andrew Crawford for his work in programming the website for the publication of these reports in addition to all the visualizations linked to the IMISEM dataset. Authors alone are responsible for the content of the reports. GIGA and the editors cannot be held liable for any errors and omissions, or for any consequences arising from the use of the information provided.

The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. For maximal transparency, this report follows the structure of the original questionnaire which the team used to collect the information. That tool -an empty questionnaire- is also available in our Project Website for anyone who would like to work further, either to update the cases in the IMISEM sample, or to collect information for cases which were not included in the IMISEM sample. The IMISEM Team encourages both kinds of extensions, which would be very valuable contributions to the scholarly community working on comparative migration policies.

This report you are about to open has been automatically created based on the information contained in the IMISEM dataset, with an R script (version 2.0) coded by Pau Palop-García. Editors of the IMISEM Case Reports: Dr. Luicy Pedroza & Dr. Pau Palop-García.

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## About IMISEM

“Every Immigrant is an Emigrant (IMISEM)” is a 4-year project that was funded by the Leibniz-Gemeinschaft and hosted at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. Its main distinctive feature is that it adopts a comprehensive view of migration policy. This includes not only the policies that regulate the stages of entry, immigrant residence and integration to citizenship access, but also encompasses the stages of emigration, emigrant rights abroad, and retention of citizenship. Thus, this project bridges for the first time the two sides of migration policy which both the policy and research communities have assumed to exist, but which so far have not been systematically analyzed in their connections. By collecting information on a vast array of information for policies across these six areas (three “stages” \* two “sides”) for 32 cases from three world regions, we hope to offer the scholarly and policy communities the resources to discover connections between the different areas of migration policy within and across cases as well as noteworthy migration policy innovations in so far little-known cases in the world. The IMISEM project was led by Dr. Luicy Pedroza. The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. This report has been created based on the information contained in the IMISEM dataset.

## The IMISEM case sample

The sample of 32 cases across Asia, Europe, and Latin America were selected based on heterogeneity in the level of economic development, levels of both flows and stocks of emigrants as well as immigrants, and then finally chosen upon taking into consideration the linguistic abilities and other pragmatic concerns that were decisive for the research team’s ability to explore and understand legal sources and policy regulations of the polities. The cases included in the sample are Argentina, Austria, Bolivia, Brazil, Chile, People’s Republic of China, Colombia, Costa Rica, Dominican Republic, East Timor, Ecuador, El Salvador, France, Germany, Guatemala, Hong Kong, Hungary, Indonesia, Ireland, Japan, Macau, Malaysia, Mexico, Peru, Philippines, Portugal, Singapore, South Korea, Spain, Taiwan, Trinidad and Tobago, and Uruguay.

We use the terms “country” and “state” in all the reports for purposes of consistency, but we are aware that some of the *polities* that we have included in the sample would require a different treatment because of situations of subordination to a higher-level political community (as in the cases of Hong Kong and Macau as Special Administrative Regions) or contested sovereignty issues (as in the case of Taiwan). We kindly ask our readers to bear in mind these important characteristics for any interpretation of the data presented.

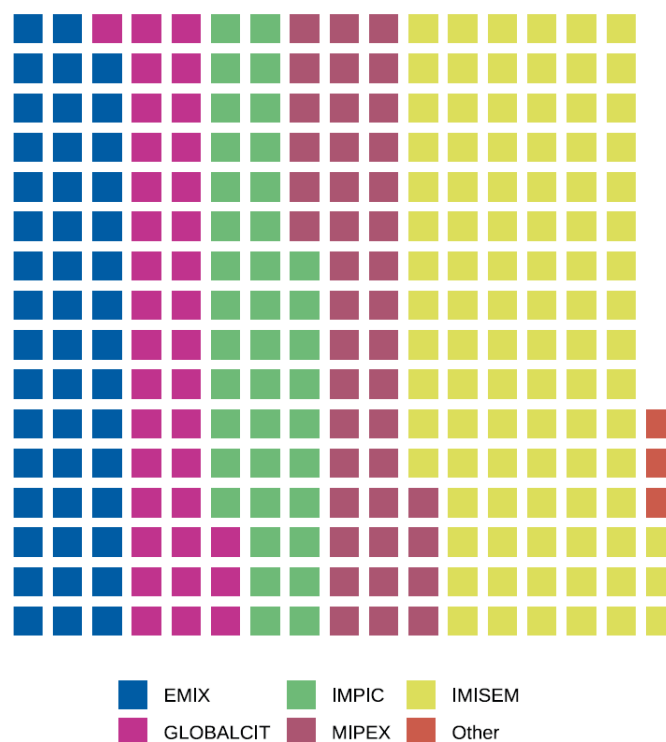
## About the IMISEM Questionnaire

For maximal transparency, this report follows the same structure of the IMISEM Data Collection Tool (a questionnaire) which the team used to gather the information. This questionnaire was not distributed to experts to be filled in, but rather served as a systematic tool with which the data collectors/authors were able to collect information in an orderly, systematic, and comparable manner across cases. A template of the IMISEM Data Collection Tool is available for download on our website. It is important for us, the IMISEM Team, to acknowledge how the IMISEM Data Collection Tool builds on previous efforts in

data collection on migration policies. The strategy behind the selection of questions was the following: first, based on a wide survey of the literature, we decided which dimensions and sub-dimensions of policies were relevant for our research goals and noted down the questions that we deemed necessary to gather the information for each of the IMISEM dimensions. Second, we did a thorough review of all the questionnaires produced by previous projects and selected from them those that covered the policy dimensions identified in our initial literature review. As a final step, we came up with new questions that covered those areas that had not been addressed by previous projects and yet seemed crucial to understand migration policies comprehensively and across the three regions that we cover.

The final version includes 288 main questions (and over 800 sub-questions), 90 of which (31.3 %) are original formulations of the IMISEM project and 198 are based on questions developed previously by projects such as [IMPIC](#), [EMIX](#), [GLOBALCIT](#) and [MIPEX](#). The first draft of our Data Collection Tool was piloted on a case from each region and thereafter went through several revisions to refine and modify the wording of questions. As none of the existing tools we drew on had included Asian cases in their original sample, it was important that our tool itself reflected policies that we might encounter in the broader sample pool with their apparent priorities and specificities. An example of this is the addition of questions on broker agencies that assist potential migrants with emigration and immigration, which are highly visible actors in several Asian cases. Adapting questions coming from projects that had originally focused on European cases only also meant discarding items that captured regulations applicable only for European migrants/citizens (i. e. for the European cases in our sample we collect information that applies to “third-country nationals”). The iterative process of piloting and refining questions led to the final version of the IMISEM Data Collection Tool. Figure 1 shows the origin of the questions that are included in our questionnaire.

Figure 1: Origin of the questions included in the IMISEM Data Collection Tool



Each square represents a main question of the IMISEM Questionnaire/Data Collection Tool.

Source: Own elaboration.



## Format of the answers contained in this report

The format of the answers that we present in this report follows the needs of the team to have comparable answers, so that we could more easily assign a numerical code later and therefore produce a dataset which lends itself to different analyses. Yet, we also wanted to include an explanation of the answer in some detail so that our readers can understand how we interpreted the sources and why we assigned a certain code. The importance of including an explanation for each answer cannot be understated. The explanations allow us to add nuance to the instances where there is room for debate and contestation over the interpretation of regulations. By explaining our answers, we hope to increase the transparency of the steps between data collection and data coding, and to invite other researchers to draw their own interpretations and conclusions, which may differ from our own.

Each of the answers in this report is composed of four fields:

**Answer:** this field contains the qualitative answer to the given question (for instance, “yes” or “no”).

**Code:** this field contains the quantitative answer to the given question. This reflects how we translated the qualitative answer into a number or code (for instance, “yes” can be coded as 0, and “no” as 1). The codes allow us to create composite indicators and compare across cases. The transformation of the qualitative answers into codes have been carried out following the IMISEM Codebook, the free access to which is also available on our website.

**Explanation:** this field contains the interpretation for the answer. It is meant to help the reader understand the logic behind the qualitative answer given by the coder. It often refers to the regulations -or lack thereof- and explains how we understood it.

**Sources:** this field contains a description of the sources consulted by the collector/author to come up with the answer and the explanation. Usually, primary sources (such as laws, all kinds of regulations and official government websites) are provided first, followed by consultations with official authorities (if the team considered necessary to corroborate information or decide for an interpretation), and secondary sources.

## Format of the sources

We used a shortened version of the Chicago style for the citation of the different sources to reduce the length of the reports. The sources include the name of the web page, publication, report or legal document in the original language, followed by the translation in English within “[ ]”. Given the complexity of the questions, answering many of them required using more than one source. Therefore, in a single question, several references appear in the same paragraph. They are separated by the following sign: “/”.

For example, the following format was used for legal documents, the most used type of source:

Name of regulation in original language [Name of regulation in English]. Year of enactment (Year of the version). Art. X.

Example: Constitución Española [Spanish Constitution]. 1978 (1992). Art. 78.

## **Varieties of Standard English**

In accordance with the diversity of nationalities and backgrounds in our team, we decided against homogenizing the use of English, which means that readers will find different spelling norms being applied across reports. We followed the use that is customary in the case we collected information for or that which our collectors felt at ease with. The same principle applies to other languages, such as Spanish or German.

## **Contact**

We sincerely hope that our dataset proves useful for your purposes. Please let us know if you have any feedback at: [lpedroza@colmex.mx](mailto:lpedroza@colmex.mx) or find us through our ORCID numbers:

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## Table of Contents

1.	Emigration policies.....	10
1.1.	General .....	10
1.2.	Documentation .....	12
1.2.1.	Passport.....	12
1.2.2.	Other requirements .....	13
1.3.	Quotas and restrictions .....	14
1.4.	Policy incentives.....	18
1.5.	Penalties .....	20
1.6.	Administration .....	22
2.	Emigrant policies .....	24
2.1.	Policies of representation .....	24
2.1.1.	Electoral rights .....	24
2.1.2.	Regulation of political competition abroad .....	30
2.1.3.	Consultative bodies .....	32
2.1.4.	Consultative bodies at the national level.....	32
2.1.5.	Funding of emigrant associations .....	36
2.2.	Economic Policies .....	36
2.2.1.	Remittances .....	36
2.2.2.	Investment .....	37
2.2.3.	Brain circulation networks .....	37
2.2.4.	Return policies .....	38
2.3.	Social Policies .....	39
2.3.1.	Retirement benefits .....	39
2.3.2.	Health care benefits .....	40
2.3.3.	Education .....	41
2.4.	Cultural policies.....	41
2.4.1.	Visits to country of origin .....	41
2.4.2.	Language courses for emigrants .....	42
2.5.	Obligations .....	42
2.5.1.	Military service .....	42
2.5.2.	Social service .....	42
2.5.3.	Taxes .....	43
2.6.	Administration .....	43
2.6.1.	Home country administration.....	43
2.6.2.	Consular network .....	44
2.6.3.	New consular functions .....	45
2.6.4.	Special offices .....	47
3.	Emigrant citizenship and nationality policies .....	48



3.1.	Emigrant nationality.....	48
3.1.1.	Dual nationality for emigrants.....	48
3.1.2.	Dual nationality only for some countries of residence.....	49
3.1.3.	Loss of nationality after residence abroad.....	50
3.1.4.	Jus sanguinis for emigrants.....	51
3.1.5.	Jus sanguinis across generations.....	51
3.1.6.	Renunciation of nationality is possible.....	52
3.1.7.	Reacquisition of nationality.....	53
3.2.	Emigrant citizenship.....	53
3.2.1.	Citizenship restrictions for dual nationals.....	53
3.2.2.	Different citizenship for emigrants.....	54
3.2.3.	Loss or suspension of citizen rights after residence abroad.....	54
4.	Immigration policies.....	55
4.1.	General.....	55
4.1.1.	Number of entry tracks.....	55
4.1.2.	Biometric information.....	55
4.1.3.	Visa waivers.....	56
4.2.	Documentation.....	56
4.3.	Quotas and restrictions.....	57
4.3.1.	General quota.....	57
4.3.2.	Specific quotas.....	58
4.3.3.	List of excluded persons.....	60
4.3.4.	List of excluded countries.....	60
4.4.	Policy incentives.....	61
4.4.1.	Recognized brokers.....	61
4.5.	Immigration control and penalties.....	62
4.5.1.	Irregular residence.....	62
4.5.2.	Forged documents.....	62
4.5.3.	Aiding undocumented migrants.....	65
4.5.4.	Employment obligations.....	66
4.5.5.	Landlord obligations.....	67
4.5.6.	Airline penalties.....	67
4.6.	Amnesty programs.....	68
4.7.	Administration.....	71
4.8.	Proxy: Labor migration (high- and low-skilled).....	72
4.8.1.	Domestic workers.....	73
4.8.2.	Agricultural workers.....	78
4.8.3.	Medical doctors.....	84
4.9.	Proxy: Refugees.....	90

4.9.1.	Existence of track .....	90
4.9.2.	Restrictions .....	91
4.9.3.	Place of application .....	93
4.9.4.	Permit validity.....	94
4.9.5.	Maximum timeframe for application resolution.....	95
4.9.6.	Possibility to change migratory status .....	96
4.9.7.	Detention.....	96
4.9.8.	Status after rejection .....	97
4.9.9.	Translation and interpretation.....	97
4.10.	Proxy: Co-ethnics .....	98
4.10.1.	General.....	98
4.10.2.	Reasons for co-ethnicity .....	99
4.10.3.	Language test.....	101
4.10.4.	Place of residence .....	101
4.10.5.	Place of application.....	101
4.10.6.	Date of birth .....	102
4.10.7.	Permit validity .....	102
5.	Immigrant policies.....	104
5.1.	Permanent residence .....	104
5.1.1.	Eligibility .....	104
5.1.2.	Security of status.....	114
5.2.	Policies of representation .....	118
5.2.1.	Electoral rights .....	118
5.2.2.	Regulation of participation in parties.....	121
5.2.3.	Consultative bodies .....	121
5.3.	Economic policies .....	124
5.3.1.	Access to labor market.....	124
5.3.2.	Access to support.....	138
5.3.3.	Worker's rights .....	142
5.3.4.	Property rights.....	148
5.4.	Social policies .....	149
5.4.1.	Family reunification .....	149
5.4.2.	Education .....	186
5.4.3.	Health care.....	190
5.4.4.	Unemployment benefits.....	194
5.4.5.	Retirement benefits .....	196
5.5.	Cultural policies.....	198
5.6.	Mobility policies .....	198
5.6.1.	Identity documents .....	198

5.6.2.	Freedom of movement .....	200
5.6.3.	Obligations .....	205
5.6.4.	Military service .....	205
5.6.5.	Social service .....	206
5.6.6.	Taxes .....	208
5.7.	Administration .....	210
6.	Immigrant citizenship and nationality .....	212
6.1.	Immigrant nationality .....	212
6.1.1.	Immigrant dual nationality .....	212
6.1.2.	Emigrant dual nationality for immigrants who naturalized .....	213
6.1.3.	Loss of nationality after residence abroad for naturalized immigrants.....	213
6.1.4.	Unrestrictive jus soli .....	214
6.1.5.	Qualified jus soli .....	214
6.1.6.	Standard naturalization procedure for immigrants due to residence .....	214
6.1.7.	Socialization based acquisition of citizenship .....	217
6.1.8.	Special procedure for immigrants with very long residence in country .....	218
6.1.9.	Preferential naturalization for immigrants from specific countries .....	218
6.1.10.	Cultural affinity/Ethnic ties.....	218
6.1.11.	Spousal transfer .....	219
6.1.12.	Filial transfer .....	219
6.1.13.	Special naturalization for refugees .....	220
6.1.14.	Naturalization for special achievements/talents .....	220
6.1.15.	Naturalization due to investment/financial assets.....	220
6.1.16.	Transfer to other relatives .....	221
6.1.17.	Nationality for the stateless.....	221
6.1.18.	Nationality for regularized immigrants .....	221
6.1.19.	Naturalization possible even if applicant had irregular status before .....	222
6.2.	Immigrant citizenship.....	222
6.2.1.	Restrictions on citizenship for naturalized immigrants .....	222
6.2.2.	Loss or suspension of citizenship after residence abroad for immigrants who naturalized .....	223
6.2.3.	Restrictions on citizenship for naturalized immigrants who are dual nationals	224

# 1. Emigration policies

---

## 1.1. General

**EMIGRATION\_1: The attempt to leave the country is punishable by law.**

Answer: No

Code: 1

Explanation: The Constitution explicitly establishes that everyone has the right to emigrate, the right to leave the national territory, and also the right to return.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44.

**EMIGRATION\_2: Exit fees.**

**Prospective emigrants need to pay a fee before emigrating.**

Answer: No

Code: 1

Explanation: The Constitution only mentions the right to emigrate and no conditions. Furthermore, the only documentation required from persons over 18 in order to get a passport is a valid ID and collection of biometric data.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44. / Decreto-Lei N.º 44 [Decree-Law No. 44]. 2008. Art. 14, 1.

**Amount of the fee in country of origin currency:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Amount of the fee in US Dollars:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Prospective emigrants need to make a deposit before emigrating:**

Answer: No

Code: 1

Explanation: The Constitution only mentions the right to emigrate and no conditions. Furthermore, the only documentation required from persons over 18 in order to get a passport is a valid ID and collection of biometric data.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44. / Decreto-Lei N.º 44 [Decree-Law No. 44]. 2008. Art. 14, 1.

**Amount of the deposit in the currency of the country of origin:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Amount of the deposit in US Dollars:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_3: Citizens can only stay abroad for a given maximum of days.**

**Citizens can only stay abroad for a given maximum of days**

Answer: No

Code: 1

Explanation: The Constitution only mentions return to the country as a right rather than an obligation. Furthermore, East Timorese passports can be renewed abroad meaning that documentation should not be an obstacle either.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44. / Decreto-Lei N.º 44 [Decree-Law No. 44]. 2008. Art. 8, 4.

**Maximum number of days that citizens can stay abroad:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **1.2. Documentation**

### **1.2.1. Passport**

#### **EMIGRATION\_4: Cost of ordinary passport.**

**Cost of ordinary passport in country currency (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):**

Answer: 20

Code: 20

Explanation: 20 USD

Sources: Governo de Timor-Leste Diploma Ministerial N.º 2 [Government of Timor-Leste Ministerial Diploma No. 2]. 2003.

**Cost of ordinary passport in US Dollars (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):**

Answer: 20

Code: 20

Explanation: 20 USD

Sources: Governo de Timor-Leste Diploma Ministerial N.º 2 [Government of Timor-Leste Ministerial Diploma No. 2]. 2003.

#### **EMIGRATION\_5: Maximum length of procedure to process passport.**

**Maximum length of procedure to process passport is specified in the regulations or information on the average length is provided by official sources (if there are different lengths, use the minimum):**

Answer: Yes

Code: 1

Explanation: The deadline for issuing common passports shall be 10 working days counted from the date of submission of applications. Whenever possible, the passport issuing body shall issue the passport in less time than that envisaged.

Sources: Decreto-Lei N.º 44 [Decree-Law No. 44]. 2008. Art. 19.

**Maximum length of procedure to process passport (in days):**

Answer: 10

Code: 10

Explanation: The deadline for issuing common passports shall be 10 working days counted from the date of submission of applications. Whenever possible, the passport issuing body shall issue the passport in less time than that envisaged.

Sources: Decreto-Lei N.º 44 [Decree-Law No. 44]. 2008. Art. 19.

**Maximum length of procedure to process passport (by categories):**

Answer: From 0 to 2 months

Code: 1

Explanation: The deadline for issuing common passports shall be 10 working days counted from the date of submission of applications. Whenever possible, the passport issuing body shall issue the passport in less time than that envisaged.

Sources: Decreto-Lei N.º 44 [Decree-Law No. 44]. 2008. Art. 19.

**EMIGRATION\_6. Renewal of passport from abroad is possible:**

Answer: Yes

Code: 1

Explanation: Through consular offices. The law does not explicitly describe the process of renewing a passport abroad but mentions that the cost of doing so is in accordance with consular fees, meaning that the process must be done through the country's consular network.

Sources: Decreto-Lei N.º 44 [Decree-Law No. 44]. 2008. Art. 19.

### **1.2.2. Other requirements**

**EMIGRATION\_7. Local police certificate is necessary to emigrate:**

Answer: No



Code: 1

Explanation: Emigration is a constitutional right with no restrictions mentioned in the law.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44.

**EMIGRATION\_8. Superior/employer's permission is necessary to emigrate:**

Answer: No

Code: 1

Explanation: Emigration is a constitutional right with no restrictions mentioned in the law.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44.

**EMIGRATION\_9. Proof of income is necessary to emigrate:**

Answer: No

Code: 1

Explanation: Emigration is a constitutional right with no restrictions mentioned in the law.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44.

**EMIGRATION\_10. Registration abroad is mandatory.**

Answer: No

Code: 1

Explanation: Neither the Constitution, the citizenship law, nor the electoral law mention a mandatory register abroad. The only mention of a consular registration in the law is mentioning that a "simple consular registration or record does not constitute per se a granting title of East Timorese citizenship". Furthermore, the electoral law says that Timorese abroad may exercise their right to vote, provided they are registered and have an up-to-date voter card and a valid passport. However, it does not mention any obligation to register with a consular representation.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. / Lei N.º 9 [Law No. 9]. 2002. Sec. 19. / Lei N.º 8 [Law No. 8]. 2011. Arts. 2 and 39. / Lei N.º 9 [Law No. 9]. 2017. Arts. 2 and 37.

### **1.3. Quotas and restrictions**

**EMIGRATION\_11. Quotas to emigrate based on ethnicity.**

**Quotas to emigrate based on ethnicity exist in the country:**

Answer: No

Code: 1

Explanation: The Constitution explicitly establishes that everyone has the right to emigrate, leave the national territory, and also the right to return. No restriction based on ethnicity is made.

Sources Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44.

**Quota to emigrate for 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_12: Quotas to emigrate based on income.**

**Quotas to emigrate based on income exist in the country:**

Answer: No

Code: 1

Explanation: The Constitution explicitly establishes that everyone has the right to emigrate, leave the national territory, and also the right to return. No restriction based on income is made. Furthermore, no proof of income is required when requesting a passport.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44. / Decreto-Lei N.º 44 [Decree-Law No. 44]. 2008. Art 14.

**Quota to emigrate for 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_13. Those who are liable for military conscription are allowed to emigrate:**

Answer: Not applicable (no military conscription in country of study)

Code: Not applicable

Explanation: There is no military conscription in East Timor. Military service is voluntary for citizens between the ages of 18 and 30.

Sources: Lei No. 16 [Law No. 16]. 2008.

#### **EMIGRATION\_14: Banned countries for emigration.**

**There are countries that are banned as destination for emigrants:**

Answer: No

Code: 1

Explanation: The official website of the Ministry of Foreign Affairs of Timor-Leste has not been updated since 2016 so as of that year no information on potential banned destinations was found online. Furthermore, none of the dispatches by the Ministry of Foreign Affairs available on the online law database seem to cover banned destinations.

Sources: Ministério dos Negócios Estrangeiros [Ministry of Foreign Affairs]. "Jornal da República [Journal of the Republic]". Accessed September 12, 2018. <http://www.mj.gov.tl/jornal/?q=node/31>. / Ministério dos Negócios Estrangeiros [Ministry of Foreign Affairs]. "Início- Ministério dos Negócios Estrangeiros [Start- Ministry of Foreign Affairs]". Accessed September 12, 2018. <http://www.mnec.gov.tl/>.

#### **List of countries banned for citizens in 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Number of countries banned for citizens in 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **EMIGRATION\_15. Higher education graduates must pay an education tax (or compensation) to be able to emigrate:**

Answer: No

Code: 1

Explanation: The 'Taxes and Duties Act' does not mention any taxes related to emigration. The only time taxes related to education are mentioned in the law is when talking about deductions to education insurance.

Sources Decreto-Lei N.º 8 [Decree-Law No. 8]. 2008.

**EMIGRATION\_16. Recipients of state scholarship are banned from emigrating:**

Answer: Yes

Code: 0

Explanation: According to the law on government scholarships for studying/researching abroad, scholarship recipients are obliged, shortly after completing their respective courses, research or scientific research activities, to engage in paid professional activity in the public administration of Timor-Leste, on an exclusive basis, for a period equal to twice the duration of the scholarship.

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2008. Art. 5, 2.

**EMIGRATION\_17: Ban for specific civil professional groups.**

**There is an emigration ban for specific professional group(s):**

Answer: No

Code: 1

Explanation: The Constitution explicitly says that everyone has the right to emigrate and gives no conditions or restrictions in relation to one's profession.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44.

**There is a ban for medical doctors:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**There is a ban for other professions:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_18. The ban can be overcome by a letter signed by a supervisor:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_19. The ban can be overcome by a letter signed by an official authority.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **1.4. Policy incentives**

**EMIGRATION\_20. Existence during 2017 of campaigns to encourage emigration:**

Answer: No

Code: 0

Explanation: No evidence of potential information campaigns to encourage migration was found on the government's website, the plan of government, or on its strategic plan for 2011-2030. However, the government's National Employment Strategy 2017-2030 says that one of the pillars for increasing demand in the labour market is to increase labour migration. The plan says that increasing access to labor migration schemes will help Timorese find jobs in other countries and that the government should extend the range of destination countries and work schemes for East Timorese workers abroad. One example of a government initiative to encourage labour migration is the "Programme for Seasonal Work" (Programa de Trabalho Sazonal), aimed at matching Timorese willing to become seasonal workers (agriculture and hospitality) with Australian employers.

Sources: Governo de Timor-Leste [Government of Timor-Leste]. "Publicações [Publications]". Accessed 13 September, 2018. <http://timor-leste.gov.tl/?cat=32>. / Concelho de Ministros [Council of Ministers]. 2018. Programa - VIII Governo Constitucional [Programme- VII Constitutional Government]. / Government of Timor-Leste. 2011. Timor-Leste Strategic Development Plan 2011 – 2030. / Ministro de Estado e da Presidência do Conselho de Ministros, Porta-Voz Oficial do Governo de Timor-Leste [Minister of State and Presidency of the Council of Ministers, Official Spokesperson for the Government of Timor-Leste]. "Programa de Trabalho Sazonal apoiado pelo Governo é um sucesso [Government-supported Seasonal Work Program is a Success]". Accessed 13 September, 2018. <http://timor-leste.gov.tl/?p=17253&lang=pt>.

**EMIGRATION\_21. Existence during 2017 of campaigns to discourage emigration:**

Answer: No

Code: 0

Explanation: No evidence of potential information campaigns to discourage migration was found on the government's website, the plan of government, or on its strategic plan for 2011-2030.

Sources: Governo de Timor-Leste [Government of Timor-Leste]. "Publicações [Publications]". Accessed 13 September, 2018. <http://timor-leste.gov.tl/?cat=32>. / Concelho de Ministros [Council of Ministers]. 2018. Programa - VIII Governo Constitucional [Programme- VII Constitutional Government]. / Government of Timor-Leste. 2011. Timor-Leste Strategic Development Plan 2011 – 2030.

**EMIGRATION\_22. Existence of license system to recognize and authorize emigration brokers (i.e. persons or companies dedicated to facilitating the immigration process to emigrants):**

Answer: No

Code: 0

Explanation: The only public body with competence to deal with official registration of documents is the National Directorate of Registries and Notaries (Direção Nacional dos Registos e Notariado (DNRN)). The law regulating this Directorate does not mention the existence of a license system to recognize and authorize emigration brokers. Either way, no evidence of a (public or private) agency acting as an emigration broker was found online.

Sources: Ministerio da Justiça Diploma Ministerial N.º 4 [Ministry of Justice Ministerial Diploma No. 4]. 2014.

**EMIGRATION\_23: Emigration lump sum.**

**State of origin pays a lump sum incentive to citizens willing to emigrate:**

Answer: No

Code: 0

Explanation: No evidence of potential lump sums being paid by the government to those willing to emigrate was found.

Sources: Concelho de Ministros [Council of Ministers]. 2018. Programa - VIII Governo Constitucional [Programme- VII Constitutional Government]. / Government of Timor-Leste. 2011. Timor-Leste Strategic Development Plan 2011 – 2030.

**Register the amount of the sum in country currency:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Register the amount of the sum in US Dollars:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_24. State of origin allows citizens willing to emigrate the withdrawal of accumulated social benefits (e.g. unemployment benefits) in a single transfer.**

Answer: No

Code: 0

Explanation: This is not mentioned in the law. The law defining the framework for social security contributions says that the country aims to celebrate coordination treaties with other countries in order to guarantee equality of treatment for those East Timorese citizens living abroad. However, no mention of the possibility of withdrawing accumulated social benefits is made.

Sources: Lei N.º 12 [Law No. 12]. 2016.

## **1.5. Penalties**

**EMIGRATION\_25: Loss of private property.**

**Risk of losing real state in case of emigration:**

Answer: No

Code: 1

Explanation: The Constitution says that every individual has the right to private property and can transfer it during his or her lifetime or on death, in accordance with the law. It also says that requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law. However, no general law on property expropriation was found. Apparently, expropriation of property seems to only be lawful in cases of public utility, the terms being defined by each specific law, such as for electricity infrastructure or mining, for example. No law mentioning the possibility of property expropriation in case of emigration was found.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 54. / Decreto-Lei N.º 13 [Decree-Law No. 13]. 2003. Art. 8, 4. / Primeiro Ministro de Timor Leste Diploma Ministerial N.º 1 [Prime Minister of Timor-Leste Ministerial Diploma No. 1]. 2008. Art. 6.

**Risk of losing bank accounts in case of emigration:**



Answer: No

Code: 1

Explanation: The Constitution says that every individual has the right to private property and can transfer it during his or her lifetime or on death, in accordance with the law. It also says that requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law. However, no general law on property expropriation was found. Apparently, expropriation of property seems to only be lawful in cases of public utility, the terms being defined by each specific law, such as for electricity infrastructure or mining, for example. No law mentioning the possibility of property expropriation in case of emigration was found.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 54. / Decreto-Lei N.º 13 [Decree-Law No. 13]. 2003. Arts. 4 and 8. / Primeiro Ministro de Timor Leste Diploma Ministerial N.º 1 [Prime Minister of Timor-Leste Ministerial Diploma No. 1]. 2008. Art. 6.

#### **EMIGRATION\_26: Re-entry ban.**

##### **Existence of a re-entry ban after residence abroad for nationals by naturalization:**

Answer: No

Code: 1

Explanation: The Constitution explicitly says that everyone has the right to emigrate, leave the national territory, and also the right to return. No re-entry penalties are mentioned.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44.

##### **Re-entry ban applies after how many months of residence abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Existence of a re-entry ban after residence abroad for nationals by birth:**

Answer: No

Code: 1

Explanation: The Constitution explicitly says that everyone has the right to emigrate, leave the national territory, and also the right to return. No re-entry penalties are mentioned.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44.

**Re-entry ban after residence abroad for nationals by birth after how many months of residence abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Existence of a re-entry ban after residence abroad for nationals with dual or multiple nationality:**

Answer: No

Code: 1

Explanation: The Constitution explicitly says that everyone has the right to emigrate, leave the national territory, and also the right to return. No re-entry penalties are mentioned.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 44.

**Re-entry ban after residence abroad for nationals with dual or multiple nationality after how many months of residence abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_27. Existence of sanctions (other than a re-entry ban) for overstaying abroad:**

Answer: No

Code: 1

Explanation: The Constitution explicitly says that everyone has the right to emigrate, leave the national territory, and also the right to return. Therefore there are neither time limits for staying abroad nor sanctions for it.

Sources: Constitutional Assembly, 2002. Constitution of the Democratic Republic of Timor-Leste 2002, TII, S44.

## **1.6. Administration**

**EMIGRATION\_28. Existence of institution/agency with competencies for exit and/or emigration:**

**Existence of institution/agency with competencies for exit and/or emigration:**

Answer: Yes

Code: 1

Explanation: The only agency explicitly dedicated to migration, the “Migration Service” is a body of criminal police, working within the framework of the overall internal security, being its main objectives to control the movement of people across the borders, as well as the presence and activities of foreigners in the national territory from a security perspective. Accordingly, this agency has competency to deal with exit issues but not emigration as a whole.

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009. Art. 1.

**Name of the institution with competencies for exit and/or emigration in original language:**

Answer: Serviço de Migração

Code: Serviço de Migração

Explanation: Not applicable

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009. Art. 1.

**Name of the institution with competencies for exit and/or emigration in English:**

Answer: Migration Service

Code: Migration Service

Explanation: Not applicable

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009. Art. 1.

**Place in the administrative hierarchy:**

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: The agency became a separate Service in its own right within the Ministry of Defense and Security with the promulgation of the Ministry’s organic structure decree law 31/2008

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009. Art. 1.

## 2. Emigrant policies

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### 2.1. Policies of representation

#### 2.1.1. Electoral rights

##### **EMIGRANT\_1. Voting is mandatory for citizens residing abroad:**

Answer: No

Code: 0

Explanation: Voting in Timor-Leste is a right rather than an obligation, the Constitution says it is a 'civic duty' but not a legal obligation. According to the electoral law, citizens abroad can vote (if registered) but are not obliged to, both for presidential and parliamentary elections.

Sources: Constitution of the Democratic Republic of Timor-Leste. Sec. 47. / Lei N.º 8 [Law No. 8]. 2011. Art. 39, 2. / Lei N.º 9 [Law No. 9]. 2017. Art. 37, 2.

##### **Does the country have presidential elections?**

Answer: Yes

Code: 1

##### **Does the country have a bicameral system (e.g. composed of a lower house and an upper house, or an originating chamber and a reviewer chamber)?**

Answer: No, the country only has a Lower House

Code: 2

### *Presidential elections*

##### **EMIGRANT\_2. Can non-resident citizens vote in national presidential elections from abroad?**

Answer: Generally enfranchised

Code: 1

Explanation: Timorese citizens abroad can vote, as long as they are registered to vote and have an up-to-date voter card and a valid passport.

Sources: Lei N.º 8 [Law No. 8]. 2011. Art. 39, 2.

##### **EMIGRANT\_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?**

Answer: Generally enfranchise

Code: 1

Explanation: The law does not say explicitly that non-resident citizens can stand as candidates but says that the only criteria one needs to fully fulfil to be a candidate for presidential elections are being a citizen by birth (original citizenship), being at least thirty-five years of age, and being in full use of their capabilities. Residing in the national territory is not mentioned as a condition.

Sources: Lei N.º 8 [Law No. 8]. 2011. Art. 6.

## *Legislative elections*

### Lower House (National Elections)

#### **EMIGRANT\_4. Can non-resident citizens vote in national legislative elections (Lower House) from abroad?**

Answer: 1

Code: 1

Explanation: Timorese citizens abroad are allowed to vote as long as they are registered to vote and show their voter card. It is important to note that Timor-Leste has a unicameral political system, having only one “house” instead of a distinction between upper and lower house. For simplification matters the single house (Timorese National Parliament) is considered as the lower house in this questionnaire, given that it is directly elected by the citizens.

Sources: Lei N.º 9 [Law No. 9]. 2017. Art. 37, 2. / Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 93.

#### **EMIGRANT\_5. Can non-resident citizens stand as candidates in national legislative elections (Lower House) from abroad?**

Answer: Generally enfranchise

Code: 1

Explanation: All non-resident citizens can stand as candidates. The law says that all citizens who are allowed to vote (active electoral capacity) are also allowed to stand as candidates (passive electoral capacities). Accordingly, Timorese citizens abroad who are allowed to vote because they are registered to vote and have a valid voter card can also stand as candidates. The law does not explicitly say that particularly non-resident citizens are allowed to stand as candidates but it also does not put any obstacles to it.

Sources: Lei N.º 9 [Law No. 9]. 2017. Art. 6.

### Upper House (National Elections)

#### **EMIGRANT\_6. Can non-resident citizens vote in national legislative elections (Upper House) from abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_7. Can non-resident citizens stand as candidates in national legislative elections (Upper House) from abroad?**

Answer: Non applicable (no Upper House elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

*Registration*

**EMIGRANT\_8. Registration in the electoral roll for non-resident citizens:**

Answer: Automatic registration for citizens living abroad

Code: 1

Explanation: Yes, the electoral registration of Timorese citizens living abroad depends on prior consular registration. Even though consular registration per se is not mandatory, once the emigrant registers as a resident of a foreign country in a consulate she/he is automatically and compulsorily registered to the voters list. Registration in the voters list has permanent effects and can only be canceled in particular cases defined by the law.

Sources: Lei N.º 6 [Law No. 6]. 2016. Arts. 3 and 4.

*Remote voting*

**EMIGRANT\_9. Voting methods from abroad:**

**Voting methods available to cast votes from abroad - Electronic voting:**

Answer: No

Code: 0

Explanation: The law says that Timorese abroad need to register to vote with a consular service. No other explicit indication of another type of polling station or voting method is made in the law. The law says that abroad, at least one polling station is put in place in each geographical unit of voter registration that has registered at least 50 voters. If it proves necessary, each polling center can be deployed in more than one polling station.

Sources: Lei N.º 6 [Law No. 6]. 2016. Art. 3. / Lei N.º 7 [Law No. 7]. 2011. Art. 32.

**Voting methods available to cast votes from abroad - Proxy voting:**

Answer: No

Code: 0

Explanation: The law says that Timorese abroad need to register to vote with a consular service. No other explicit indication of another type of polling station or voting method is made in the law. The law says that abroad, at least one polling station is put in place in each geographical unit of voter registration that has registered at least 50 voters. If it proves necessary, each polling center can be deployed in more than one polling station.

Sources: Lei N.º 6 [Law No. 6]. 2016. Art. 3. / Lei N.º 7 [Law No. 7]. 2011. Art. 32.

**Voting methods available to cast votes from abroad - Postal voting:**

Answer: No

Code: 0

Explanation: The law says that Timorese abroad need to register to vote with a consular service. No other explicit indication of another type of polling station or voting method is made in the law. The law says that abroad, at least one polling station is put in place in each geographical unit of voter registration that has registered at least 50 voters. If it proves necessary, each polling center can be deployed in more than one polling station.

Sources: Lei N.º 6 [Law No. 6]. 2016. Art. 3. / Lei N.º 7 [Law No. 7]. 2011. Art. 32.

**Voting methods available to cast votes from abroad - Personal voting in consulates or embassies:**

Answer: Yes

Code: 1

Explanation: The law says that Timorese abroad need to register to vote with a consular service. No other explicit indication of another type of polling station or voting method is made in the law. The law says that abroad, at least one polling station is put in place in each geographical unit of voter registration that has registered at least 50 voters. If it proves necessary, each polling center can be deployed in more than one polling station.

Sources: Lei N.º 6 [Law No. 6]. 2016. Art. 3. / Lei N.º 7 [Law No. 7]. 2011. Art. 32.

**Voting methods available to cast votes from abroad - Ad hoc polling stations:**

Answer: No

Code: 0



Explanation: The law says that Timorese abroad need to register to vote with a consular service. No other explicit indication of another type of polling station or voting method is made in the law. The law says that abroad, at least one polling station is put in place in each geographical unit of voter registration that has registered at least 50 voters. If it proves necessary, each polling center can be deployed in more than one polling station.

Sources: Lei N.º 6 [Law No. 6]. 2016. Art. 3. / Lei N.º 7 [Law No. 7]. 2011. Art 32.

### *Special representation*

#### **EMIGRANT\_10: Emigrant special representation.**

**Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Lower House?**

Answer: 0

Code: 0

Explanation: For both presidential and National Parliament elections there is a single constituency, equivalent to the whole national territory, based in Dili.

Sources:

#### **Number of special seats reserved for non-resident candidates in the Lower House:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Number of special emigrant districts in the Lower House:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Upper House?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of special seats reserved for non-resident candidates in the Upper House:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of special emigrant districts in the Upper House:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

*Remote voting implementation*

**EMIGRANT\_11. External voting has been implemented (non-resident citizens have been able to vote from abroad in the past elections):**

Answer: yes

Code:

Explanation: Reports from the government have shown evidence of implementation in Portugal and Australia.

Sources: Porta-voz Oficial do Governo de Timor-Leste [Official Spokesperson for the Government of Timor-Leste]. "Governo abre condições de participação eleitoral a cidadãos residentes no exterior [Government opens Conditions for Electoral Participation to Citizens Residing Abroad]". Accessed December 4, 2018. <http://timor-leste.gov.tl/?p=17047>.

**EMIGRANT\_12. In case external voting has not been implemented after its adoption, what are the main reasons?**

Answer: N/A

Code: N/A

Explanation: Not applicable

Sources: Not applicable

## 2.1.2. Regulation of political competition abroad

### *Party offices in the state of reception*

#### **EMIGRANT\_13. Offices of political parties are legally allowed abroad:**

Answer: No specific regulation of offices abroad

Code: 0.5|No specific regulation of offices abroad

Explanation: Not regulated; at least, neither explicitly allowed, nor forbidden. The law on political parties says that “Timorese political parties may cooperate with foreign political parties and accede to international organizations of democratic structure and functioning, without prejudice to their independence and capacity for political and constitutional intervention”. This indicates that, in general, having an international presence is allowed but no specific regulation on having external party offices seems to exist.

Sources: Lei N.º 3 [Law No. 3]. 2004. Art. 10.

#### **EMIGRANT\_14. Actual existence of permanent offices of home country parties abroad which target emigrants in order to capture funding for campaigns or political support:**

Answer: Yes

Code: 1

Explanation: This is only clear for Fretilin and CNRT.

Sources: Frente Revolucionária de Timor-Leste Independente (FRETILIN) [The Revolutionary Front for an Independent East Timor (FRETILIN)]. “Esboço Geral de Reestruturação Da Ala Externa Da FRETILIN [General Outline for the Restructuring of the FRETILIN External Wing]”. Access date not available. [http://hdl.handle.net/11002/fms\\_dc\\_139769](http://hdl.handle.net/11002/fms_dc_139769). / Wise, Amanda. 2004. “Nation, Transnation, Diaspora: Locating East Timorese Long-Distance Nationalism”. *Sojourn- Journal of Social Issues in Southeast Asia* 19 (2): 155.

#### **EMIGRANT\_15. Register the list of countries (in English) in which the three biggest political parties of the state of origin have offices abroad (consider parties or political movements with the highest number of votes in the last national legislative election).**

Answer: Australia, Mozambique, Portugal, Macau

Code: Australia, Mozambique, Portugal, Macau

Explanation: FRETILIN: Australia, Mozambique; CNRT: Australia, Portugal, Macau. Main parties: Fretilin (Frente Revolucionária do Timor Leste Independente) / Congresso Nacional para a Reconstrução de Timor-Leste (CNRT) / Partido Democrático (PD). For the other parties this is not clear.

Sources: Wise, Amanda. 2004. "Nation, Transnation, Diaspora: Locating East Timorese Long-Distance Nationalism". *Sojourn- Journal of Social Issues in Southeast Asia* 19 (2): 80-151.

**EMIGRANT\_16. Could external party offices receive public funding from state of origin?**

Answer: Not applicable

Code: Not applicable

Explanation: The sources of funding of the political parties in general include their own revenues and revenues from private actors. Furthermore, it is forbidden to receive funds from the following sources: Public companies; Companies with exclusive or majority ownership of the State; Utility companies; Persons of public utility or engaged in charitable or religious activities; Professional associations, trade unions or employers; Foundations; Foreign governments or foreign legal persons.

Sources: Lei N.º 3 [Law No. 3]. 2004. Art. 22.

*Political campaigns*

**EMIGRANT\_17. Electoral campaigns abroad for home elections are legally regulated:**

Answer: No specific regulation of campaigns abroad

Code: 0.5

Explanation: The law on political campaigns does not explicitly regulate its exercise abroad. In general, the regulation on political campaigns in Timor Leste seems to be guided by the "principle of freedom", which says that: "during the election campaign, no restriction or censorship of political, economic, social and cultural principles and programs may be imposed, except for those in violation of the Constitution and laws in force".

Sources: Decreto do Governo N.º 5 [Government Decree No. 5]. 2017. Art. 8.

**EMIGRANT\_18. Actual existence of campaigns abroad for home elections:**

Answer: No

Code: 0

Explanation: No information was found on this.

Sources: Not applicable

**EMIGRANT\_19. Existence of public funding for electoral campaigns in state of residence:**

Answer: Non applicable

Code: Not applicable

Explanation: The sources of funding of the political parties include their own revenues and revenues from private actors. Furthermore it is forbidden to receive funds from the following sources: Public companies; Companies with exclusive or majority ownership of the State; Utility companies; Persons of public utility or engaged in charitable or religious activities; Professional associations, trade unions or employers; Foundations; Foreign governments or foreign legal persons.

Sources: Lei N.º 3 [Law No. 3]. 2004. Art. 22.

### *Membership in political parties*

#### **EMIGRANT\_20. Emigrant membership to home country political parties:**

Answer: Not regulated

Code: 0.25

Explanation: The law does not particularly regulate emigrant membership to home country political parties. The only regulation on membership says that membership of a political party is voluntary, and each citizen is free to join a political party or not, and that no one may be simultaneously registered in more than one political party. Furthermore, the law says that membership cannot be denied or excluded based on race, sex, ethnicity, religion or social position. This indicates that parties could freely decide to regulate internally membership based on place of residence, though this possibility is not explicitly expressed in the law.

Sources: Lei N.º 3 [Law No. 3]. 2004. Art. 5. / Lei N.º 3 [Law No. 3]. 2004. Art. 18.

### **2.1.3. Consultative bodies**

#### **2.1.4. Consultative bodies at the national level**

#### **EMIGRANT\_21. Existence of a consultative body on emigrant issues:**

Answer: No

Code: 0

Explanation: All responsibility regarding the “defense of the interests of Timorese citizens abroad” lies with the Ministry of Foreign Affairs. The Ministry has some consultative bodies working on general matters of foreign affairs and diplomatic relations. However, none of them covers emigrant matters, neither at a national level nor at a consular level.

Sources: Decreto-Lei N.º 14 [Decree-Law No. 14]. 2018. Art. 18. / Decreto-Lei N.º 17 [Decree-Law No. 14]. 2017. Sec. 2.

#### **EMIGRANT\_22. The consultation is structural or ad hoc:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_23. Composition of the consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_24. Who chairs the consultative body?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_26. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_27. Selection criteria to ensure representativeness**

**Existence of selection criteria to ensure a gender-balanced consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Existence of selection criteria to ensure a geographically-balanced consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

*Consultative bodies at the consular level*

**EMIGRANT\_28. Existence of a consultative body of emigrants at the consular level.**

Answer: No

Code: 0

Explanation: All responsibility regarding the “defense of the interests of Timorese citizens abroad” lies with the Ministry of Foreign Affairs. The Ministry has some consultative bodies working on general matters of foreign affairs and diplomatic relations. However, none of them covers emigrant matters, neither at a national level nor at a consular level.

Sources: Decreto-Lei N.º 14 [Decree-Law No. 14]. 2018. Art. 18. / Decreto-Lei N.º 17 [Decree-Law No. 14]. 2017. Sec. 2.

**EMIGRANT\_29. The consultation is structural or ad hoc:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_30. Composition of the consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_31. Who chairs the consultative body?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_33. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_34. Selection criteria to ensure representativeness**

**Existence of selection criteria to ensure a gender-balanced consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



**Existence of selection criteria to ensure a geographically-balanced consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **2.1.5. Funding of emigrant associations**

**EMIGRANT\_35. Existence of consular support (in kind or financial) to independent emigrant associations**

Answer: No

Code: 0

Explanation: No records found that this exists in Timor Leste.

Sources: Not applicable

## **2.2. Economic Policies**

### **2.2.1. Remittances**

**EMIGRANT\_36. Government program/strategy to attract remittances from emigrants.**

**Existence of a government program to attract remittances from emigrants:**

Answer: No

Code: 0

Explanation: No evidence of a government program/strategy to attract remittances from emigrants was found. However, it is important to point out that according to a review report commissioned by the Australian Government's Department of Foreign Affairs and Trade (DFAT) in Timor-Leste, "the greatest source of revenue after oil and aid is through remittances, with one in five Timorese households receiving payments from overseas".

Sources: Curtain R, and Wilson, B. 2018. Timor-Leste Workforce Development Strategic Review. Australian Government's Department of Foreign Affairs and Trade (DFAT) in Timor-Leste.

**Measures to improve banking channels for remittances:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Existence of fee controls for remittances:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Remittances used for a co-development scheme (if remittances are used by the state of origin to fund development policies):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **2.2.2. Investment**

#### **EMIGRANT\_37. Existence of a government program to attract investments from emigrants (i.e. investment in housing, local enterprises, etc.):**

Answer: No

Code: 0

Explanation: No evidence was found for this, but a scholarly article suggests that there is still no strategy or program to do this.

Sources: Vong Manuel, Patricia Pinto, and Joao Silva. 2017. "Diaspora Tourism: The Case of Timor-Leste". *Tourism* 65 (2): 218–33.

### **2.2.3. Brain circulation networks**

**EMIGRANT\_38. Are there formally constituted networks aiming to build connections between emigrants and the state of origin to share knowledge?**

Answer: No

Code: 0

Explanation: No evidence found for such a network. A short comment piece would seem to suggest that there is no such program yet.

Sources: Claire Millar. "Does Migration Help or Hinder Timor-Leste's Development?". Accessed June 11, 2019. <https://thediplomat.com/2019/03/does-migration-help-or-hinder-timor-lestes-development/>.

## **2.2.4. Return policies**

**EMIGRANT\_39. Recognition of academic and professional qualifications acquired in the state of residence:**

**Recognition in state of origin of academic and professional qualifications emigrants acquired in the state of residence:**

Answer: No

Code: 0

Explanation: Not regulated by law. The education law says that "it is incumbent upon the Government to define and approve by decree-law, the system of equivalence between studies, degrees and diplomas of the Timorese educational system and those of other countries". However, no evidence of the actual existence of such regulating law was found on the online law database of Timor-Leste

Sources: Lei N.º 14 [Law No. 14]. 2008. Art. 60.

**Timeframe for the recognition of academic/professional qualifications obtained abroad. If there are several processes (i.e. automatic, for higher education, for primary education.), register the one with the lengthier timeframe:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_40. Communication campaigns aiming to convince emigrants to return to home country:**

Answer: No

Code: 0

Explanation: No information campaigns aiming to convince emigrants to return to home country were found. However, the National Employment Strategy mentions that it is recommended that the country makes better use of the skills and knowledge that Timorese workers abroad acquired after their return to Timor-Leste. It also says that these workers represent an important potential source of skills and knowledge if they are encouraged to return. This shows that from a policy level, with regard to the labour market, the country is interested in encouraging emigrants to return.

Sources: Resolução do Governo N.º 44 [Government Resolution No. 44]. 2017. Art. 2.

**EMIGRANT\_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:**

Answer: No

Code: 0

Explanation: No particular brain-gain policies directed to emigrants/ return programs for the highly qualified were found. The only evidence of government's efforts to avoid brain drain is a scholarship abroad programme for eligible higher education students. The law says the fellows are obliged, immediately after completing their respective courses, research work or scientific research activities, to return to Timor Leste and engage in remunerated professional activity in the public administration, on an exclusive basis, for a period equal to twice the duration of the scholarships.

Sources: Resolução do Governo N.º 44 [Government Resolution No. 44]. 2017. Art. 2. / Decreto-Lei N.º 30 [Decree-Law No. 30]. 2018.

**EMIGRANT\_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:**

Answer: No

Code: 0

Explanation: The country's limited welfare system does not include welfare provision benefits as an incentive to return to home country.

Sources: Lei N.º 12 [Law No. 12]. 2016.

## **2.3. Social Policies**

### **2.3.1. Retirement benefits**

**EMIGRANT\_43. Retirement benefits after emigration (i.e. pensions):**

Answer: No

Code: 0

Explanation: The law on the social security system does not include any explicit provision with regards to the possibility of maintaining retirement benefits once emigrated to another country.

Sources: Lei N.º 12 [Law No. 12]. 2016.

### **2.3.2. Health care benefits**

#### **EMIGRANT\_44. Health care benefits.**

**Health coverage can be extended abroad (access to health services covered by the healthcare system in country of origin):**

Answer: No

Code: 0

Explanation: The law regulating the national health system does not mention any possibility of extending the health coverage abroad. Either way, the law says that all Timorese citizens are beneficiaries of the national health system, not making any distinction with regards to place of residence.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15.

**Emigrants can keep their health insurance in the state of origin and access health care services when they visit the state of origin:**

Answer: Yes

Code: 1

Explanation: The law regulating the national health system does not mention any possibility of extending the health coverage abroad. Either way, the law says that all Timorese citizens are beneficiaries of the national health system, not making any distinction with regards to place of residence.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15.

**Emigrants can pay for their families' contributions to the public health care scheme of the state of origin:**

Answer: No

Code: 0

Explanation: The law regulating the national health system does not mention any possibility of extending the health coverage abroad. Either way, the law says that all Timorese citizens are beneficiaries of the national health system, not making any distinction with regards to place of residence.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15.

### 2.3.3. Education

#### EMIGRANT\_45. Education programs for emigrants.

**Emigrants can access scholarships awarded by the state of origin in the same conditions as resident citizens:**

Answer: No

Code: 0

Explanation: The country only has a scholarship abroad programme for eligible higher education students in order to “allow adequate training of staff and the construction of a solid workforce in the country”. However, the law says the fellows are obliged, immediately after completing their respective courses, research work or scientific research activities, to engage in remunerated professional activity in the public administration of Timor-Leste, on an exclusive basis, for a period equal to twice the duration of the scholarships.

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2008.

**State of origin has created schools abroad where emigrants can access education provided by the state of origin (i.e. follow the same curricula as schools in country of origin):**

Answer: No

Code: 0

Explanation: No evidence of education programmes for emigrants was found.

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2008.

**State of origin offers language courses to emigrants to learn the language of the state of reception:**

Answer: No

Code: 0

Explanation: No evidence of education programmes for emigrants was found.

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2008.

## 2.4. Cultural policies

### 2.4.1. Visits to country of origin

**EMIGRANT\_46. State of origin organizes visits to the origin country for emigrants on a regular basis:**

Answer: No

Code: 0

Explanation: No, the touristic potential for this is just being suggested recently by scholars, but no state programs exist to organize such visits.

Sources: Vong Manuel, Patricia Pinto, and Joao Albino Silva. 2017. "Diaspora Tourism: The Case of Timor-Leste". *Tourism* 65 (2): 218–33.

## **2.4.2. Language courses for emigrants**

**EMIGRANT\_47. State of origin finances cultural courses for learning the culture and traditions of the country of origin (this could include language courses to learn the language of origin):**

Answer: No

Code: 0

Explanation: No, there is no evidence that the East Timorese state invest in such courses.

Sources: Embassy of the Democratic Republic of Timor-Leste in the People's Republic of China. Accessed June 11, 2019. <http://www.embtimorleste-beijing.com/Default.aspx>.

## **2.5. Obligations**

### **2.5.1. Military service**

**EMIGRANT\_48. Emigrants have the obligation to comply with military service:**

Answer: Military service voluntary for residents and nonresidents

Code: 0.5

Explanation: There is no military conscription in East Timor. Military service is voluntary for citizens between the ages of 18 and 30.

Sources: Lei N.º 16 [Law No. 16]. 2008. Art. 15.

### **2.5.2. Social service**

**EMIGRANT\_49. Emigrants have the obligation to comply with social service:**

Answer: No existence of social service

Code: Not applicable

Explanation: No evidence that this exists in the law of social security.

Sources: Lei N.º 12 [Law No. 12]. 2016. Art. 15.

### **2.5.3. Taxes**

#### **EMIGRANT\_50. Obligation to pay taxes in state of origin**

**Emigrant must pay income taxes in state of origin:**

Answer: No

Code: 0

Explanation: Taxation follows territoriality principle so emigrants do not have to pay income taxes in Timor-Leste, unless they have sources of income (salary, financial funds, organizations, companies or property) in the country.

Sources: Ministerio das Financas [Finance Ministry]. "Income Tax". Accessed June 11, 2019. <https://www.mof.gov.tl/taxation/income-tax/?lang=pt>.

**There are special taxes for emigrants:**

Answer: No

Code: 0

Explanation: Special taxes for emigrants do not exist in Timor-Leste.

Sources: Ministerio das Financas [Finance Ministry]. "Income Tax". Accessed June 11, 2019. <https://www.mof.gov.tl/taxation/income-tax/?lang=pt>.

## **2.6. Administration**

### **2.6.1. Home country administration**

**EMIGRANT\_51. Existence of a home country administration agency/body for emigrants in state of origin.**

**Existence of institution/agency with competencies for emigrant policies:**

Answer: No



Code: 0

Explanation: All responsibility regarding the “defense of the interests of Timorese citizens abroad” lies with the Ministry of Foreign Affairs. In general, the designing and implementation of migration policies in Timor-Leste seems to be divided among different ministries and bodies of public administration, with no apparent clear division as stated by the law. For example, according to the law, the Secretariat of State for Security is responsible for designing, executing, coordinating and evaluating the policy defined and approved by the Council of Ministers for the area of immigration. Meanwhile, the Ministry of Foreign Affairs is responsible for consular functions and “promoting and defending the rights of East Timorese citizens abroad”.

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009. Art. 1. / Decreto-Lei N.º 31 [Decree-Law No. 31]. 2008. Art. 28. / Decreto-Lei N.º 14 [Decree-Law No. 14]. 2018. Art. 18.

**Name of the institution with competencies for emigrant policies in original language:**

Answer: Not applicable

**Name of the institution with competencies for emigrant policies in English:**

Answer: Not applicable

**EMIGRANT\_52. Place in the administrative hierarchy:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **2.6.2. Consular network**

**EMIGRANT\_53: Number of consulates.**

**Number of consular missions deployed by the state of origin (including consular sections in embassies but excluding honorary consulates):**

Answer: 35

Code: 35

Explanation: 35 Embassies with consular missions and general consulates, not counting honorary consulates.

Sources: Government of Timor-Leste. “Timor-Leste Embassies”. Accessed June 11, 2019. <http://timor-leste.gov.tl/?p=142&lang=en>.

**Number of countries in which the state of origin has a consular mission (including consular sections in embassies but excluding honorary consulates):**

Answer: 40

Code: 40

Explanation: There is consular presence in 40 countries (the number is larger than the number of consular missions because some countries e.g. Germany and Ireland only have honorary consulates).

Sources: Government of Timor-Leste. "Timor-Leste Embassies". Accessed June 11, 2019. <http://timor-leste.gov.tl/?p=142&lang=en>.

### **2.6.3. New consular functions**

**EMIGRANT\_54: Extensions to the consular network services.**

**Existence of mobile consulates:**

Answer: No

Code: 0

Explanation: Neither the law describing consular functions nor the official website/program of the Government of Timor-Leste indicate that extended consular functions are in place.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2010. / Conselho de Ministros [Council of Ministers]. 2018. Programa - VIII Governo Constitucional [Program VII- Constitutional Government].

**Consulates open on weekends on a regular basis (e.g. once monthly):**

Answer: No

Code: 0

Explanation: Neither the law describing consular functions nor the official website/program of the Government of Timor-Leste, indicate that any of these new consular functions are in place or planned to be.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2010. / Conselho de Ministros [Council of Ministers]. 2018. Programa - VIII Governo Constitucional [Programme- VII Constitutional Government].

**Consulates offer some services online:**

Answer: No

Code: 0

Explanation: Neither the law describing consular functions nor the official website/program of the Government of Timor-Leste, indicate that any of these new consular functions are in place or planned to be.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2010. / Concelho de Ministros [Council of Ministers]. 2018. Programa - VIII Governo Constitucional [Programme- VII Constitutional Government].

#### **EMIGRANT\_55: Adoption of new consular functions.**

##### **Consulates offer financial consultancy:**

Answer: No

Code: 0

Explanation: Neither the law describing consular functions nor the official website/program of the Government of Timor-Leste, indicate that any of these new consular functions are in place or planned to be.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2010. / Conselho de Ministros [Council of Ministers]. 2018. Programa - VIII Governo Constitucional [Program VII- Constitutional Government].

##### **Consulates offer psychological consultancy:**

Answer: No

Code: 0

Explanation: Neither the law describing consular functions nor the official website/program of the Government of Timor-Leste, indicate that any of these new consular functions are in place or planned to be.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2010. / Concelho de Ministros [Council of Ministers]. 2018. Programa - VIII Governo Constitucional [Programme- VII Constitutional Government].

##### **Consulates offer health services:**

Answer: No

Code: 0

Explanation: Neither the law describing consular functions nor the official website/program of the Government of Timor-Leste, indicate that any of these new consular functions are in place or planned to be.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2010. / Concelho de Ministros [Council of Ministers]. 2018. Programa - VIII Governo Constitucional [Programme- VII Constitutional Government].

#### **2.6.4. Special offices**

**EMIGRANT\_56. Existence of special migrant offices in state of reception created by state of origin (e.g. offices for migrant workers):**

Answer: No

Code: 0

Explanation: No evidence was found that such offices exist.

Sources: Not applicable

### 3. Emigrant citizenship and nationality policies

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**CITNAT: Does the country make a distinction between citizenship and nationality?**

Answer: No, it uses the terms 'nationality' and 'citizenship' indistinctly

Code: 0

Explanation: No distinction. The law on citizenship makes reference to state protection, using the term to cover both legal status and rights.

Sources: Lei N.º 9 [Law No. 9]. 2002.

#### 3.1. Emigrant nationality

##### 3.1.1. Dual nationality for emigrants

**EMINAT\_1. Deprivation of nationality for having acquired a foreign nationality.**

**Loss of nationality for acquisition of foreign citizenship (nationals by birth):**

Answer: Lapse upon acquisition of foreign citizenship

Code: 0

Explanation: A citizen by birth shall lose her/his East Timorese citizenship only if she/he: a) Voluntarily acquires a foreign citizenship and declares his or her will to renounce the East Timorese citizenship; b) is born overseas of East Timorese parents, and as a result he or she also has another citizenship, if when he or she reaches adult status he or she declares his or her will to renounce the East Timorese citizenship.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 14.

**Nationality can be withdrawn only if person resides abroad:**

Answer: 0

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Nationality can be withdrawn only if person was born abroad:**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Nationality can be withdrawn only if person acquires citizenship of other country voluntarily:**

Answer: 0

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Loss of nationality can be prevented:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **3.1.2. Dual nationality only for some countries of residence**

**EMINAT\_2. Dual nationality only tolerable if citizen by birth naturalizes in certain countries.**

**Dual nationality is only tolerable if citizen by birth naturalizes in certain countries with which state of origin has signed treaties:**

Answer: No

Code: 1

Explanation: Even though not explicitly said in the law, dual nationality seems to be generally tolerated, regardless of the destination country. This is because the law on citizenship states the legal approach in case of conflict of citizenships, presuming that East Timorese citizens would be able to have other nationalities.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 30.

**Which countries:**

Answer: Not applicable

Code: Not applicable

Explanation: N/A

Sources: Not applicable

### **3.1.3. Loss of nationality after residence abroad**

**EMINAT\_3: Loss of nationality after residence abroad.**

**Country of origin deprives their national citizens by birth who emigrated of that nationality because of residence abroad:**

Answer: No provision

Code: 1

Explanation: A citizen by birth shall lose her/his East Timorese citizenship only if she/he: a) Voluntarily acquires a foreign citizenship and declares his or her will to renounce the East Timorese citizenship; b) is born overseas of East Timorese parents, and as a result he or she also has another citizenship, if when he or she reaches adult status he or she declares his or her will to renounce the East Timorese citizenship.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 14.

**Nationality can be withdrawn only if person resides abroad for 20 years or more:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Nationality can be withdrawn only if person has another citizenship:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Country of origin deprives their national citizens by naturalization who emigrated of that nationality because of residence abroad:**

Answer: No provision = 1

Code: 1

Explanation: A citizen by birth shall lose her/his East Timorese citizenship only if she/he: a) Voluntarily acquires a foreign citizenship and declares his or her will to renounce the East Timorese citizenship; b) is born overseas of East Timorese parents, and as a result he or she also has another citizenship, if when he or she reaches adult status he or she declares his or her will to renounce the East Timorese citizenship.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 14.

### **3.1.4. Jus sanguinis for emigrants**

**EMINAT\_4: Transfer of nationality to children born abroad.**

**Country of origin permit parents to confer their nationality on their children who are born abroad:**

Answer: Yes

Code: 1

Explanation: Every individual born in a foreign territory, whose birth record specifically mentions that either of her/his parents is a Timorese citizen, is entitled to Timorese citizenship.

Sources: Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004. Sec. 1.

**Transfer of nationality is applicable to:**

Answer: No limit

Code: 0

Explanation: Every individual born in a foreign territory, whose birth record specifically mentions that either of her/his parents is a Timorese citizen, is entitled to Timorese citizenship.

Sources: Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004. Sec. 1.

### **3.1.5. Jus sanguinis across generations**

**EMINAT\_5: Transfer of nationality to children born abroad from former citizens.**

**Country of origin permits children who are born abroad to adopt the nationality of parents who are former citizens**

Answer: No

Code: 0



Explanation: Only children, as long as the child's birth record specifically mentions that either of her/his parents is a Timorese citizen. The law on citizenship and its regulation do not mention any other grounds for nationality transfer across generations.

Sources: Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004. Sec. 1. / Lei N.º 9 [Law No. 9]. 2002. Sec. 8.

**Transfer of nationality is applicable to:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **3.1.6. Renunciation of nationality is possible**

**EMINAT\_6: Voluntary renunciation of nationality abroad is possible.**

**Country of origin provides for a national citizen that resides abroad to voluntarily renounce his/her nationality:**

Answer: Renunciation is possible

Code: 1

Explanation: A person voluntarily loses her/his Timorese citizenship when: (a) Having acquired citizenship of another State, expresses his or her intent to cease to be a Timorese citizen; (b) Having been born overseas to a foreign parent, expresses his or her intent to waive his or her Timorese citizenship.

Sources: Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004. Sec. 16.

**Renunciation abroad is only possible if person has another nationality:**

Answer: Yes, person renouncing has to show prove of another nationality

Code: 1

Explanation: A person voluntarily loses her/his Timorese citizenship when: (a) Having acquired citizenship of another State, expresses his or her intent to cease to be a Timorese citizen; (b) Having been born overseas to a foreign parent, expresses his or her intent to waive his or her Timorese citizenship.

Sources: Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004. Sec. 16.

**Renunciation abroad is only possible if person was born outside of the country or acquired citizenship of the country by naturalization:**

Answer: No

Code: 0

Explanation: A person voluntarily loses her/his Timorese citizenship when: (a) Having acquired citizenship of another State, expresses his or her intent to cease to be a Timorese citizen; (b) Having been born overseas to a foreign parent, expresses his or her intent to waive his or her Timorese citizenship.

Sources: Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004. Sec. 16.

### **3.1.7. Reacquisition of nationality**

**EMINAT\_7. Country of origin provides for reacquisition of nationality for former nationals:**

Answer: Yes

Code: 1

Explanation: When East Timorese citizenship has been lost as a result of a declaration of will by parents when the interested party was under-aged, the affected person may optionally reacquire citizenship after he or she has reached adult status, the person should also have been residing in the national territory for at least one (1) year. Moreover, when East Timorese citizenship has been lost by renunciation, citizenship may be reacquired by deliberation of the Ministry of Justice provided that the individual has established residence in the national territory for at least five (5) years.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 15.

## **3.2. Emigrant citizenship**

### **3.2.1. Citizenship restrictions for dual nationals**

**EMICIT\_1. Conditions or restrictions for the exercise of citizen rights if individual has dual or multiple nationalities (nationals by naturalization):**

Answer: No restrictions

Code: 1

Explanation: Given that the law says that any other citizenship granted to an East Timorese national shall not be recognized nor shall it be effective in the internal legal framework. Meaning that, in the case of conflict between nationalities, for legal purposes, only the East Timorese citizenship is considered "as existing" in the country.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 29.

### 3.2.2. Different citizenship for emigrants

**EMICIT\_2.** Is there a special status for nationals who are located temporarily or permanently outside the national territory such that they fall in an official category that is different to resident nationals/citizens and which carries legal consequences (e.g. Overseas Indians)?

Answer: No

Code: 0

Explanation: The law on citizenship and its regulation do not mention any special status for those located temporarily or permanently outside the national territory.

Sources: Lei N.º 9 [Law No. 9]. 2002. / Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004.

### 3.2.3. Loss or suspension of citizen rights after residence abroad

**EMICIT\_3:** Country deprives their national citizens by birth who emigrated of their citizen rights.

**Does the country deprive their national citizens by birth who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?**

Answer: No

Code: 0

Explanation: Neither the Constitution, the law on electoral rights, nor the citizenship law mention the possibility of suspending rights due to residency abroad.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 47. / Lei N.º 9 [Law No. 9]. 2017. / Lei N.º 9 [Law No. 9]. 2002.

**Conditions for the exercise of citizen rights if individual resides abroad (nationals by birth) \*If it is not specified in the regulation, it is coded as restrictions not conditional to return:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 4. Immigration policies

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### 4.1. General

#### 4.1.1. Number of entry tracks

**IMMIGRATION\_1: How many visa types does the country have?**

Answer: 8

Code: 8

Explanation: a) Courtesy Visa; b) Transit Visa; c) Tourist Visa; d) Airport Stopover Visa; e) Working Visa; f) Business Visa Class I and Class II; g) Temporary Stay Visa; h) Visa to establish residency.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 32, 2.

**IMMIGRATION\_2: Categorical organization of visas**

**Are the visas organized by overarching categories?**

Answer: No

Code: 0

Explanation: No, the 8 visa types are not further categorized. a) Courtesy Visa; b) Transit Visa; c) Tourist Visa; d) Airport Stopover Visa; e) Working Visa; f) Business Visa Class I and Class II; g) Temporary Stay Visa; h) Visa to establish residency.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 32, 2.

**How many categories?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### 4.1.2. Biometric information

**IMMIGRATION\_3: Collection of biometric information.**

**Does the state collect biometric information from all citizens for example for passports?**

Answer: Yes

Code: 1

Explanation: Fingerprints and photograph, for a citizen's national identification documents.

Sources: Decreto-Lei N.º 2. [Decree-Law No. 2]. 2004. Sec. 6. / Lei N.º 11 [Law No. 11]. 2017. Art. 155.

#### **Does the state collect biometric information from immigrants for example for passports?**

Answer: Yes

Code: 1

Explanation: A photograph is required for all visas. In addition to that, some migrants can be requested to have their fingerprints collected and their iris pattern digitalized. The law does not specify in which cases the extra biometric information might be required.

Sources: Decreto-Lei N.º 2. [Decree-Law No. 2]. 2004. Sec. 6. / Lei N.º 11 [Law No. 11]. 2017. Art. 155.

### **4.1.3. Visa waivers**

**IMMIGRATION\_4. Is there in the immigration law a specific provision by which the state can determine that certain countries or individuals under specific circumstances can be exempted from the regular visa procedures that apply to residence and work visas (excluding tourists, and regional migrants) (e.g. entry of Spätaussiedler or Jewish immigrants in Germany)?**

Answer: Yes

Code: 1

Explanation: The law on migration says that the government could exempt persons from a certain nationality from paying visa fees for certain categories of visas (not specified). This can be done through a ministerial communication.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 127, 4.

## **4.2. Documentation**

**IMMIGRATION\_5: Issue of legal compulsory identification documents.**

**Are all immigrants issued legal compulsory identification documents (e.g. residence permit, IDs)?**

Answer: Yes

Code: 1

Explanation: Citizens do have a mandatory legal ID issued by the state but the law regulating civil identification does not mention if they are required to carry at all times. On the other hand, immigrants must carry at all times a document that proves their identity and nationality as well as the conditions of their stay in the national territory. Foreigners should present these documents whenever requested by any authority from the police or the judicial system.

Sources: Decreto-Lei N.º 2 [Decree-Law No. 2]. 2004. Sec. 5. / Lei N.º 11 [Law No. 11]. 2017. Art. 4.

#### **Are they required to carry them at all times?**

Answer: Yes

Code: 1

Explanation: Citizens do have a mandatory legal ID issued by the state but the law regulating civil identification does not mention if they are required to carry at all times. On the other hand, immigrants must carry at all times a document that proves their identity and nationality as well as the conditions of their stay in the national territory. Foreigners should present these documents whenever requested by any authority from the police or the judicial system.

Sources: Decreto-Lei N.º 2 [Decree-Law No. 2]. 2004. Sec. 5. / Lei N.º 11 [Law No. 11]. 2017. Art. 4.

### **4.3. Quotas and restrictions**

#### **4.3.1. General quota**

##### **IMMIGRATION\_6: General quota for immigration.**

#### **Is there a general quota (numerical limit) for immigration?**

Answer: Yes

Code: 0

Explanation: The Government is responsible for periodically issuing a resolution establishing the number of foreigners that can be admitted under a residence visa for work purposes, as well as the sectors in the economy in which these foreigners are not allowed to work. However, no actual government resolution fixing the number was found on the online legislation database of the government.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 5.

#### **Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: The Government is responsible for periodically issuing a resolution establishing the number of foreigners that can be admitted under a residence visa for work purposes, as well as the sectors in the economy in which these foreigners are not allowed to work. However, no actual government resolution fixing the number was found on the online legislation database of the government.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 5.

### 4.3.2. Specific quotas

#### **IMMIGRATION\_7: Quota for high-skilled migrants.**

**Is there a quota (numerical limit) on the number of high-skilled migrants that were allowed to enter the country?**

Answer: No

Code: 1

Explanation: No quota found. Even though the government is responsible for issuing a resolution fixing the number of foreigners allowed to be issued a visa for fixing residence for work purposes no actual government resolution for that was found on the online legislation database of the government. Either way the law does not mention whether the quota is divided between high and low skilled workers. In addition to that, the law does not mention the existence of numerical quotas for standard working visas.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 5. / Lei N.º 11 [Law No. 11]. 2017. Art. 37.

#### **Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **IMMIGRATION\_8: Quota for low-skilled migrants.**

**Is there a quota (numerical limit) on the number of low-skilled migrants that are allowed to enter the country?**

Answer: No

Code: 1

Explanation: Even though the government is responsible for issuing a resolution fixing the number of foreigners allowed to be issued a visa for fixing residence for work purposes no actual government resolution for that was found on the online legislation database of the government. Either way the law

does not mention whether the quota is divided between high and low skilled workers. In addition to that, the law does not mention the existence of numerical quotas for standard working visas.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 5. / Lei N.º 11 [Law No. 11]. 2017. Art. 37.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_9: Quota for refugees.**

**Is there a quota (numerical limit) on the number of refugees?**

Answer: No

Code: 1

Explanation: The law on migration and asylum does not mention the existence of a quota for the overall number of recognized refugees.

Sources: Lei N.º 11 [Law No. 11]. 2017.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_10: Quota for co-ethnics.**

**Is there a quota (numerical limit) on the number of co-ethnics that are allowed to enter the country?**

Answer: Not applicable (no co-ethnic proxy)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **4.3.3. List of excluded persons**

**IMMIGRATION\_11: Categories of excluded persons.**

**Are there categories of excluded persons from immigration?**

Answer: Yes

Code: 0

Explanation: Persons who have been officially condemned for a crime with a sentence of more than 3 years.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 23, 1.

**List of categories of excluded persons:**

Answer: Persons who have been officially condemned for a crime with a sentence of more than 3 years.

Code: Persons who have been officially condemned for a crime with a sentence of more than 3 years.

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 23, 1.

### **4.3.4. List of excluded countries**

**IMMIGRATION\_12: Countries excluded.**

**Is there a list of countries whose nationals are banned for immigration in this country?**

Answer: No

Code: 1

Explanation: The law on migration does not mention nationality as a criterion of entry refusal in Timor-Leste. Furthermore, the online portal of the immigration services of Timor-Leste also does not mention the existence of immigration bans.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 23. / Serviço Migração Timor-Leste [Immigration Service of Timor-Leste]. "Visa to Establish Residence". Accessed 6 September, 2018.  
<http://www.migracao.gov.tl/html/sub0402.php>.

#### **List of countries excluded:**

Answer: Not applicable

Code: Not applicable

Explanation: The law on migration does not mention nationality as a criterion of entry refusal in Timor-Leste. Furthermore, the online portal of the immigration services of Timor-Leste also does not mention the existence of immigration bans.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 23. / Serviço Migração Timor-Leste [Immigration Service of Timor-Leste]. "Visa to Establish Residence". Accessed 6 September, 2018.  
<http://www.migracao.gov.tl/html/sub0402.php>.

## **4.4. Policy incentives**

### **4.4.1. Recognized brokers**

**IMMIGRATION\_13. State has a license system to recognize and authorize immigration brokers (i.e. persons or companies dedicated to facilitate the immigration process for immigrants):**

Answer: No

Code: 0

Explanation: The only public body with competence to deal with official registration of documents is the National Directorate of Registries and Notaries (Direção Nacional dos Registos e Notariado (DNRN)). The law regulating this Directorate does not mention the existence of a license system to recognize and authorize immigration brokers. Either way, no evidence of a (public or private) agency acting as an immigration broker was found online.

Sources: Ministerio da Justiça Diploma Ministerial N.º 4 [Ministry of Justice Ministerial Diploma No. 4]. 2014.

**IMMIGRATION\_14. State offers pecuniary incentives to citizens willing to immigrate:**

Answer: No

Code: 0

Explanation: Neither the migration law nor the official website of Timor-Leste's immigration service indicate the existence of pecuniary incentives to citizens willing to immigrate.

Sources: Lei N.º 11 [Law No. 11]. 2017. / Serviço Migração Timor-Leste [Immigration Service of Timor-Leste]. “Visa to Establish Residence”. Accessed 6 September, 2018. <http://www.migracao.gov.tl/html/sub0402.php>.

## **4.5. Immigration control and penalties**

### **4.5.1. Irregular residence**

**IMMIGRATION\_15: Illegal residence.**

**Is illegal residence in the country considered a criminal offense?**

Answer: No

Code: 1

Explanation: No, irregular residence was considered an administrative offense punishable with removal from the national territory.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 73.

**Is illegal residence considered an administrative offense?**

Answer: Yes

Code: 0

Explanation: Administrative offense punishable with removal from the national territory.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 73.

### **4.5.2. Forged documents**

**IMMIGRATION\_16: Penalties for immigrants with forged documents.**

**Are there penalties for immigrants for forged documents?**

Answer: Yes

Code: 0

Explanation: If a person is found to have given false declarations or presented forged documents during the processes of acquiring a visa or a residence permit, the residency permit will be cancelled. This means that the person's stay in the country will be considered irregular from that point onwards being theoretically subject to removal from the national territory, even though the law does not explicitly mention this causality relation.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66. / Lei N.º 11 [Law No. 11]. 2017. Art. 73.

**Penalty is expulsion:**

Answer: Yes

Code: 2

Explanation: If a person is found to have given false declarations or presented forged documents during the processes of acquiring a visa or a residence permit, the residency permit will be cancelled. This means that the person's stay in the country will be considered irregular from that point onwards being theoretically subject to removal from the national territory, even though the law does not explicitly mention this causality relation.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66. / Lei N.º 11 [Law No. 11]. 2017. Art. 73.

**Penalty is a fine:**

Answer: No

Code: 1

Explanation: No, the penalty was expulsion.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66. / Lei N.º 11 [Law No. 11]. 2017. Art. 73.

**Penalty is detention:**

Answer: No

Code: 1

Explanation: No, the penalty was expulsion.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66. / Lei N.º 11 [Law No. 11]. 2017. Art. 73.

**Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: No, the penalty was expulsion.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66. / Lei N.º 11 [Law No. 11]. 2017. Art. 73.

**IMMIGRATION\_17: Penalties for immigrants with expired documents.**

### **Are there penalties for immigrants with expired documents?**

Answer: Yes

Code: 0

Explanation: In general there is no fine, given that the law says that all foreigners admitted to the national territory are obliged to "maintain the documents they used to enter the country valid", but no mention of potential penalties for expired documents is made in the law. However, a foreigner who requests to renew her/his temporary residency permit more than 30 (thirty) days after the expiry date will be fined between 100 USD and 250 USD.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 145.

### **Penalty is expulsion:**

Answer: No

Code: 1

Explanation: No, the penalty was a fine.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 145.

### **Penalty is a fine:**

Answer: Yes

Code: 2

Explanation: In general there is no fine, given that the law says that all foreigners admitted to the national territory are obliged to "maintain the documents they used to enter the country valid", but no mention of potential penalties for expired documents is made in the law. However, a foreigner who requests to renew her/his temporary residency permit more than 30 (thirty) days after the expiry date will be fined between 100 USD and 250 USD.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 145.

### **Penalty is detention:**

Answer: No

Code: No

Explanation: No, the penalty was a fine.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 145.

### **Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: No, the penalty was a fine.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 145.

### **4.5.3. Aiding undocumented migrants**

**IMMIGRATION\_18: Penalties for aiding undocumented migrants.**

**Are there penalties for aiding undocumented migrants?**

Answer: Yes

Code: 0

Explanation: Yes, whoever aids or facilitates the irregular entry, stay, or exit of a foreigner to the national territory is punished with up to one year of imprisonment. If the support is made with intent of financial profit the sentence can vary from 2 to 5 years of imprisonment. Finally, if the aiding of undocumented migrants is done in a systematic or in partnership with other persons the sentence can vary from 3 to 12 years of imprisonment. The attempt to do so is also punishable.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 135.

**Penalty is a fine:**

Answer: No

Code: 1

Explanation: No, the penalty was imprisonment.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 135.

**Penalty is imprisonment:**

Answer: Yes

Code: 2

Explanation: Yes, whoever aids or facilitates the irregular entry, stay, or exit of a foreigner to the national territory is punished with up to one year of imprisonment. If the support is made with intent of financial profit the sentence can vary from 2 to 5 years of imprisonment. Finally, if the aiding of undocumented migrants is done in a systematic or in partnership with other persons the sentence can vary from 3 to 12 years of imprisonment. The attempt to do so is also punishable.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 135.

#### 4.5.4. Employment obligations

##### **IMMIGRATION\_19: Penalties for employers who hire migrant workers without a legal work permit.**

**Are there sanctions for employers hiring migrant workers without a legal work permit?**

Answer: Yes

Code: 0

Explanation: Whoever hires or mediates the hiring of a foreign worker with improper immigration status can be punished with imprisonment from one month to three years. The attempt to do so is also punishable. However, the law does not specify whether the punishment varies if the employer did so unknowingly. Furthermore, individuals or collective entities that use foreign irregular workforce are subject to a fine that can vary from 750 USD to 1.500 USD per worker.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 136. / Lei N.º 11 [Law No. 11]. 2017. Art. 144.

**Sanction is a fine:**

Answer: Yes

Code: 2

Explanation: Whoever hires or mediates the hiring of a foreign worker with improper immigration status can be punished with imprisonment from one month to three years. The attempt to do so is also punishable. However, the law does not specify whether the punishment varies if the employer did so unknowingly. Furthermore, individuals or collective entities that use foreign irregular workforce are subject to a fine that can vary from 750 USD to 1.500 USD per worker.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 136. / Lei N.º 11 [Law No. 11]. 2017. Art. 144.

**Penalty is imprisonment:**

Answer: Yes

Code: 2

Explanation: Whoever hires or mediates the hiring of a foreign worker with improper immigration status can be punished with imprisonment from one month to three years. The attempt to do so is also punishable. However, the law does not specify whether the punishment varies if the employer did so unknowingly. Furthermore, individuals or collective entities that use foreign irregular workforce are subject to a fine that can vary from 750 USD to 1.500 USD per worker.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 136. / Lei N.º 11 [Law No. 11]. 2017. Art. 144.

#### 4.5.5. Landlord obligations

**IMMIGRATION\_20: Penalties for landlords who rent shelter to migrants without a regular migrant status.**

**Are there penalties for landlords who rent shelter to migrants without a regular migrant status?**

Answer: Yes

Code: 0

Explanation: Although the law does not explicitly defines the punishment for those landlords renting shelter to migrants without a regular status it says the violation of any duty present in the migration law, for which punishment is not expressed in the law, should be punished with a fine varying from 30 USD to 250 USD, plus any other punishment mentioned in the general law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 147.

**Penalty is a fine:**

Answer: Yes

Code: 2

Explanation: Although the law does not explicitly defines the punishment for those landlords renting shelter to migrants without a regular status it says the violation of any duty present in the migration law, for which punishment is not expressed in the law, should be punished with a fine varying from 30 USD to 250 USD, plus any other punishment mentioned in the general law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 147.

**Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: No, the penalty was a fine.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 147.

#### 4.5.6. Airline penalties

**IMMIGRATION\_21: Penalties for airlines carrying immigrants without documentation.**

**Are airlines or other carriers subject to penalties (fines, imprisonment and/or other penalties) for letting travel passengers lacking relevant documentation (such as entry permits or passports)?**

Answer: Yes



Code: 0

Explanation: Yes, airlines and other carriers that transport a foreign whose entry is denied are obliged to return the person as soon as possible, being in charge of costs. In the meantime the foreigner stays in the international zone, under the carrier's responsibility.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 27.

**Sanction is a fine:**

Answer: No

Code: 1

Explanation: No fine or penalty, but airlines and other carriers that transport a foreign whose entry is denied are obliged to return the person as soon as possible, being in charge of costs. In the meantime the foreigner stays in the international zone, under the carrier's responsibility.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 27.

**Penalty is more than a fine:**

Answer: No

Code: 1

Explanation: No fine or penalty, but airlines and other carriers that transport a foreign whose entry is denied are obliged to return the person as soon as possible, being in charge of costs. In the meantime the foreigner stays in the international zone, under the carrier's responsibility.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 27.

## **4.6. Amnesty programs**

**IMMIGRATION\_22: Existence of amnesty program.**

**In the past decade, did any amnesty program for irregular immigrants or any permanent regularization mechanism exist?**

Answer: No

Code: 0

Explanation: In the ten previous years no amnesty programme or temporary regularization for irregular migrants was found. However, seems relevant to note that in 2004, two years after the country's independence, an amnesty programme was put in place to regularize migrants who arrived after 7th of December 1975 (date of the Indonesian Invasion).

Sources: Decreto do Governo N° 4 [Government Decree. No. 4]. 2004.

**The amnesty program is/was:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Being employed is/was a condition to qualify for the amnesty program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**A given duration of stay is/was a condition to qualify for the amnesty program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Having a certain nationality is/was a condition to qualify for the amnesty program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Does a case by case regularization for irregular immigrants existed?**

Answer: No

Code: 0

Explanation: In the ten previous years no amnesty programme or temporary regularization for irregular migrants was found. However, seems relevant to note that in 2004, two years after the country's

independence, an amnesty programme was put in place to regularize migrants who arrived after 7th of December 1975 (date of the Indonesian Invasion).

Sources: Decreto do Governo N° 4 [Government Decree. No. 4]. 2004.

**Being employed is a condition to qualify for the case by case regularization program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**A given duration of stay is a condition to qualify for the case by case regularization program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Having a certain nationality is a condition to qualify for the case by case regularization program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is regularization through marriage possible:**

Answer: No

Code: 0

Explanation: In the ten previous years no amnesty programme or temporary regularization for irregular migrants was found. However, seems relevant to note that in 2004, two years after the country's independence, an amnesty programme was put in place to regularize migrants who arrived after 7th of December 1975 (date of the Indonesian Invasion).

Sources: Decreto do Governo N° 4 [Government Decree. No. 4]. 2004.

**IMMIGRATION\_23. The amnesty defines the types of irregular migrants as:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **4.7. Administration**

**IMMIGRATION\_24\_1: Administration in charge of immigration regulation.**

**Which institution is in charge of immigration regulation (in original language)?**

Answer: Parlamento Nacional

Code: Parlamento Nacional

Explanation: National Parliament – all levels.

Sources: Lei N.º 11 [Law No. 11]. 2017. / Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009.

**Which institution is in charge of immigration regulation (in English language)?**

Answer: National Parliament

**IMMIGRATION\_24\_2: Administration in charge of implementing immigration policies.**

**Which institution is in charge of the implementation of immigration policies (in original language)?**

Answer: Parlamento Nacional

Code: Parlamento Nacional

Explanation: National Parliament – all levels.

Sources: Lei N.º 11 [Law No. 11]. 2017. / Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009.

**Which institution is in charge of immigration regulation (in English language)?**

Answer: National Parliament

**IMMIGRATION\_24\_3: Administration in charge of border control.**

**Which institution is in charge of border control (in original language)?**

Answer: Serviço de Migração

Code: Serviço de Migração

Explanation: Parlamento Nacional, 2017. Lei n° 11/2017 - Lei de Migração e Asilo Government of Timor-Leste, 2009. Decree-Law No. 30/2009 - Organic Law of the Migration Service.

Sources: Migration Service

**Which institution is in charge of border control (in English language)?**

Answer: Migration Service

**IMMIGRATION\_24\_4: Administration in charge of detentions.**

**Which institution is in charge of detentions (in original language)?**

Answer: Serviço de Migração

Code: Serviço de Migração

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. / Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009.

**Which institution is in charge of detentions (in English language)?**

Answer: Migration Service

**4.8. Proxy: Labor migration (high- and low-skilled)**

**IMMIGRATION\_25: Visas applied to labor migration.**

**Is there a labor migration scheme that allows immigrants to enter the country to work in any capacity?**

Answer: Yes

Code: 1

**Is the same visa applied to (1) domestic worker proxy, (2) agricultural worker proxy, and (3) medical doctor proxy?**

Answer: Yes

Code: 1

#### **4.8.1. Domestic workers**

**Is there a visa scheme (entry track) for domestic workers?**

Answer: Yes

Code: 1

Explanation: The New Law on Migration (2017) does not create proper channels that distinguish between high and low-skill labour, even though Art 39° mentions some categories of high-skilled workers (in relation to a visa for temporary stay for researchers, artists, or athletes, for example). According to expert consultations, migrant workers seeking to immigrate to Timor Leste would then apply for a residence visa (Visto de fixação de residência), regardless of their professional sector/activities. Accordingly, the residence visa (Visto de fixação de residência) applies to domestic workers, agricultural workers, as well as medical doctors.

Sources: Patrícia Penélope Mendes Jerónimo Vink. 2018. Aconselhamento - Sistema jurídico de Portugal e Timor Leste [Advice- Legal System of Portugal and Timor-Leste]. GIGA Berlin. / Lei N.º 11 [Law No. 11]. 2017. Arts. 39 and 40.

**IMMIGRATION\_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?**

Answer: No

Code: 1

Explanation: No. In order to be granted a residence visa (Visto de fixação de residência) for working purposes one should demonstrate her/his intention to stay permanently in the country, show that she/he has the necessary means of subsistence and has guaranteed accommodation conditions as well as has no criminal record.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40.

**IMMIGRATION\_27. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating?**

Answer: Yes, required

Code: 0.25

Explanation: Required. A certified copy of the contract of employment or service contract is required to apply for a working visa.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 43, 1.

**IMMIGRATION\_28. Does the country use a national labor market test for covering posts under the domestic worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?**

Answer: Yes

Code: 0.5

Explanation: Yes, according to the migration law the number of foreigners to be admitted under a residence visa for working purposes as well as the sectors of the economy in which they cannot carry on their business, are set periodically by resolution of the Government. The law says that creating job posts for nationals is a priority.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 4 & 5.

**IMMIGRATION\_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in explanation).**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions on nationality.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40.

**IMMIGRATION\_30: Restrictions based on age.**

**Are there age limits for migrant domestic workers in order to be admitted to the country?**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions regarding age.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_31. Is having a certain gender a requisite to be admitted to the country under the domestic worker entry track?**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions regarding gender.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**IMMIGRATION\_32. Is having a certain marital status a requisite to be admitted to the country under the domestic worker track entry track?**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions regarding marital status.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**IMMIGRATION\_33. Do migrant domestic workers need to prove the ability to support themselves?**

Answer: Yes

Code: 0.5

Explanation: Yes. In order to be granted a residence visa (Visto de fixação de residência) for working purposes one should demonstrate that she/he has the necessary means of subsistence. However, the law only defines the specific required amount for temporary visas.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 2.

**IMMIGRATION\_34. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a domestic worker?**

Answer: Neither beneficial, nor required

Code: 1

Explanation: The law does not mention any requirement in relation to knowledge of the host country's language in order to be granted a residence visa (Visto de fixação de residência) for working purposes.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.



**IMMIGRATION\_35. Does the application under the domestic worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.**

Answer: 50

Code: 50

Explanation: Yes. The residence visa (Visto de fixação de residência) for working purposes costs 50 USD.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 128. / Lei N.º 11 [Law No. 11]. 2017. ANEXO I [Attachment I].

**IMMIGRATION\_36. How long is the domestic work permit valid for? Indicate the period in months.**

Answer: 3

Code: 3

Explanation: The residence visa (Visto de fixação de residência), both for family reunion and working purposes, is valid for ninety days and allows multiple entries.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 3.

**IMMIGRATION\_37. Is it possible to renew the work permit granted under the domestic worker entry track?**

Answer: Yes

Code: 1

Explanation: Yes, renewal is possible. In order to extend the stay, the migrant must submit a request for extension to the migration service up to fifteen days before the visa's expiry date. The submission of the extension request freezes the countdown to expiration. This means the migrant is not required to leave the country and her/his visa will not expire before she/he receives a response on the application for extension.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 53.

**IMMIGRATION\_38: Possibility of changing jobs.**

**Is it possible for a migrant worker accepted under the domestic worker entry track to switch employers?**

Answer: Yes

Code: 1

Explanation: Yes, under certain conditions: The migration law says that a foreigner under a working visa in the case of these proxies, a residence visa - Visto de fixação de residência – for working purposes).

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40. / Lei N.º 11 [Law No. 11]. 2017. Art. 49.

**Is it possible for a migrant domestic worker accepted under this entry track to switch professional sectors?**

Answer: Yes

Code: Yes

Explanation: Yes, under certain conditions. The government sets out periodically the sectors of the economy in which migrant workers under a working visa (residence visa - Visto de fixação de residência – for working purposes) cannot carry on their business. This indicates that a migrant worker could only switch sector/profession if the new desired sector is “allowed” to foreigners. Furthermore, the law says that a working visa can be cancelled if the migrant worker executes an activity other than that for which the visa was issued, without being authorized. This indicates that should the migrant request authorization to switch professions she/he should be allowed to do so. No specific regulation on the procedure or other restrictions to switch professions is set out in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40. / Lei N.º 11 [Law No. 11]. 2017. Art. 49.

**Is it possible for a migrant worker accepted under the domestic worker entry track to switch locations?**

Answer: Yes

Code: 1

Explanation: Yes. The migration law only mentions that a working visa (residence visa - Visto de fixação de residência – for working purposes) is tied to a specific employer (“entity”). It does not mention any restrictions on switching locations although it does not mention the possibility explicitly either.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40. / Lei N.º 11 [Law No. 11]. 2017. Art. 49.

**IMMIGRATION\_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?**

Answer: No

Code: 0

Explanation: No. The law on migration says that a working visa can only be cancelled if the foreign worker gave false information to obtain the visa, or if she/he executes an activity other than that for which the visa was issued, without prior authorization. There is no indication in the law that loss of employment results in the withdrawal of a migrant worker's resident permit. Since there is no clear regulation in national law with regards to this matter, it is important to note that in 2003 the Parliament passed a resolution ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. However, the Portuguese version of the Convention (attached to the Parliament resolution) diverges from the English version published by the UN when it

comes to the topic of loss of employment and withdrawal of permit and for that reason is not analyzed in this question.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 49. / Resolução do Parlamento N.º 23 [Parliament Resolution No. 23]. 2003.

**IMMIGRATION\_40. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant domestic workers were equal to those of native workers?**

Answer: Yes

Code: 1

Explanation: Yes. Foreign workers engaged in professional activities enjoy the same rights and are subject to the same duties applicable to national workers.

Sources: Lei N.º 4 [Law No. 4]. 2012. Art. 77. / Lei N.º 11 [Law No. 11]. 2017. Art. 3.

**IMMIGRATION\_41. Is a minimum level of education required to apply to the domestic entry track?**

Answer: Yes

Code: 0

Explanation: Yes, in some cases. For professions that require some sort of habilitation, a proof of professional qualifications is required during the application process. However, law does not specify which sectors or professions might require such proof.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 43, 1.

**IMMIGRATION\_42. Is a test of good health required for migrant domestic worker?**

Answer: No

Code: 1

Explanation: No. The only requirements to obtain a residence visa for working purposes are: demonstrating intention to stay permanently in the national territory, proving having the necessary means of subsistence and guaranteed accommodation conditions, as well as having no criminal record. A test of good health is not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 2.

#### **4.8.2. Agricultural workers**

**Is there a visa scheme (entry track) for agricultural workers?**

Answer: Yes

Code: 1

Explanation: The New Law on Migration (2017) does not create proper channels that distinguish between high and low-skill labour, even though Art 39° mentions some categories of high-skilled workers (in relation to a visa for temporary stay for researchers, artists, or athletes, for example). According to expert consultations, migrant workers seeking to immigrate to Timor Leste would then apply for a residence visa (Visto de fixação de residência), regardless of their professional sector/activities. Accordingly, the residence visa (Visto de fixação de residência) applies to domestic workers, agricultural workers, as well as medical doctors.

Explanation: The New Law on Migration (2017) does not create channels that distinguish between high and low-skill labour, even though Art 39° mentions some categories of high-skilled workers (in relation to a visa for temporary stay for researchers, artists, or athletes, for example). According to expert consultations, migrant workers seeking to immigrate to Timor Leste would then apply for a residence visa (Visto de fixação de residência), regardless of their professional sector/activities. Accordingly, the residence visa (Visto de fixação de residência) applies to domestic workers, agricultural workers, as well as medical doctors.

Sources: Patrícia Penélope Mendes, and Jerónimo Vink. 2018. Aconselhamento - Sistema jurídico de Portugal e Timor Leste [Advice- Legal System of Portugal and Timor-Leste]. GIGA Berlin. / Lei N.º 11 [Law No. 11]. 2017. Arts. 39 and 40.

**IMMIGRATION\_43. Do migrants trying to enter the country under the agricultural worker entry track need to be sponsored by an individual or group?**

Answer: No

Code: 1

Explanation: No. In order to be granted a residence visa (Visto de fixação de residência) for working purposes one should demonstrate her/his intention to stay permanently in the country, show that she/he has the necessary means of subsistence and has guaranteed accommodation conditions as well as has no criminal record.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40.

**IMMIGRATION\_44. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as an agricultural worker?**

Answer: Yes, required

Code: 0.25

Explanation: Required. A certified copy of the contract of employment or service contract is required to apply for a working visa.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 43, 1.

**IMMIGRATION\_45. Does the country use a national labor market test for covering posts under the agricultural worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?**

Answer: Yes

Code: 0.5

Explanation: Yes, according to the migration law the number of foreigners to be admitted under a residence visa for working purposes as well as the sectors of the economy in which they cannot carry on their business, are set periodically by resolution of the Government. The law says that creating job posts for nationals is a priority.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 4 & 5.

**IMMIGRATION\_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions on nationality.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40.

**IMMIGRATION\_47: Restrictions based on age.**

**Are age limits for migrant agricultural workers in order to be admitted to the country?**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions regarding age.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_48. Is having a certain gender a requisite to be admitted to the country under this entry track?**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions regarding gender.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**IMMIGRATION\_49. Is having a certain marital status a requisite to be admitted to the country under the agricultural worker entry track?**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions regarding marital status.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**IMMIGRATION\_50. Do migrant agricultural workers need to prove the ability to support themselves?**

Answer: Yes

Code: 0.5

Explanation: Yes. In order to be granted a residence visa (Visto de fixação de residência) for working purposes one should demonstrate that she/he has the necessary means of subsistence. However, the law only defines the specific required amount for temporary visas.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 2.

**IMMIGRATION\_51. Is knowledge of the host country's language considered beneficial or required for the decision on immigrating as an agricultural worker?**

Answer: Neither beneficial, nor required

Code: 1

Explanation: The law does not mention any requirement in relation to knowledge of the host country's language in order to be granted a residence visa (Visto de fixação de residência) for working purposes.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**IMMIGRATION\_52. Does the application under the agricultural worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.**

Answer: 50 USD

Code: 50 USD

Explanation: Yes. The residence visa (Visto de fixação de residência) for working purposes costs 50 USD.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 128. / Lei N.º 11 [Law No. 11]. 2017. ANEXO I [ATTACHMENT I].

**IMMIGRATION\_53. How long is the work permit valid for? Indicate the period in months.**

Answer: 3

Code: 3

Explanation: The residence visa (Visto de fixação de residência), both for family reunion and working purposes, is valid for ninety days and allows multiple entries.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 3.

**IMMIGRATION\_54. Is it possible to renew the work permit granted under the agricultural worker entry track?**

Answer: Yes

Code: 1

Explanation: Yes, renewal is possible. In order to extend the stay, the migrant must submit a request for extension to the migration service up to fifteen days before the visa's expiry date. The submission of the extension request freezes the countdown to expiration. This means the migrant is not required to leave the country and her/his visa will not expiry before she/he receives a response on the application for extension.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 53.

**IMMIGRATION\_55: Possibility of changing jobs.**

**Is it possible for a migrant agricultural worker accepted under this entry track to switch employers?**

Answer: Yes

Code: 1

Explanation: Yes, under certain conditions: The migration law says that a foreigner under a working visa in the case of these proxies, a residence visa - Visto de fixação de residência – for working purposes).

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40. / Lei N.º 11 [Law No. 11]. 2017. Art. 49.

**Is it possible for a migrant agricultural worker accepted under this entry track to switch professional sectors?**

Answer: Yes

Code: 1

Explanation: Yes, under certain conditions. The government sets out periodically the sectors of the economy in which migrant workers under a working visa (residence visa - Visto de fixação de residência – for working purposes) cannot carry on their business. This indicates that a migrant worker could only switch sector/profession if the new desired sector is “allowed” to foreigners. Furthermore, the law says that a working visa can be cancelled if the migrant worker executes an activity other than that for which the visa was issued, without being authorized. This indicates that should the migrant request authorization to switch professions she/he should be allowed to do so. No specific regulation on the procedure or other restrictions to switch professions is set out in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40. / Lei N.º 11 [Law No. 11]. 2017. Art. 49.

**Is it possible for a migrant agricultural worker accepted under this entry track to switch locations?**

Answer: Yes

Code: 1

Explanation: Yes. The migration law only mentions that a working visa (residence visa - Visto de fixação de residência – for working purposes) is tied to a specific employer (“entity”). It does not mention any restrictions on switching locations although it does not mention the possibility explicitly either.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40. / Lei N.º 11 [Law No. 11]. 2017. Art. 49.

**IMMIGRATION\_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?**

Answer: No

Code: 0

Explanation: No. The law on migration says that a working visa can only be cancelled if the foreign worker gave false information to obtain the visa, or if she/he executes an activity other than that for which the visa was issued, without prior authorization. There is no indication in the law that loss of employment results in the withdrawal of a migrant worker's resident permit. Since there is no clear regulation in national law with regards to this matter, it is important to note that in 2003 the Parliament passed a resolution ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. However, the Portuguese version of the Convention (attached to the Parliament resolution) diverges from the English version published by the UN when it comes to the topic of loss of employment and withdrawal of permit and for that reason is not analyzed in this question.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 49. / Resolução do Parlamento N.º 23 [Parliament Resolution No. 23]. 2003.

**IMMIGRATION\_57. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant agricultural workers were equal to those of native workers?**

Answer: Yes

Code: 1



Explanation: Yes. Foreign workers engaged in professional activities enjoy the same rights and are subject to the same duties applicable to national workers.

Sources: Lei N.º 4 [Law No. 4]. 2012. Art. 77. / Lei N.º 11 [Law No. 11]. 2017. Art. 3.

**IMMIGRATION\_58. Is a minimum level of education required to apply to the agricultural worker entry track?**

Answer: No

Code: 1

Explanation: Yes, in some cases. For professions that require some sort of habilitation, a proof of professional qualifications is required during the application process. However, law does not specify which sectors or professions might require such proof.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 43, 1.

**IMMIGRATION\_59. Is a test of good health required for migrant agricultural workers?**

Answer: No

Code: 1

Explanation: No. The only requirements to obtain a residence visa for working purposes are: demonstrating intention to stay permanently in the national territory, proving having the necessary means of subsistence and guaranteed accommodation conditions, as well as having no criminal record. A test of good health is not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 2.

### **4.8.3. Medical doctors**

**Is there a visa scheme (entry track) for medical doctors?**

Answer: Yes

Code: 1

Explanation: The New Law on Migration (2017) does not create proper channels that distinguish between high and low-skill labour, even though Art 39º mentions some categories of high-skilled workers (in relation to a visa for temporary stay for researchers, artists, or athletes, for example). According to expert consultations, migrant workers seeking to immigrate to Timor Leste would then apply for a residence visa (Visto de fixação de residência), regardless of their professional sector/activities. Accordingly, the residence visa (Visto de fixação de residência) applies to domestic workers, agricultural workers, as well as medical doctors.

Sources: Patrícia Penélope Mendes Jerónimo Vink. 2018. Aconselhamento - Sistema jurídico de Portugal e Timor Leste [Advice- Legal System of Portugal and Timor Leste]. GIGA Berlin. / Lei N.º 11 [Law No. 11]. 2017. Arts. 39 and 40.

**IMMIGRATION\_60. Do migrants trying to enter the country under the medical doctor entry track, needed to be sponsored by an individual or group?**

Answer: No

Code: 1

Explanation: No. In order to be granted a residence visa (Visto de fixação de residência) for working purposes one should demonstrate her/his intention to stay permanently in the country, show that she/he has the necessary means of subsistence and has guaranteed accommodation conditions as well as has no criminal record.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40.

**IMMIGRATION\_61. Are a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as a medical doctor?**

Answer: Yes, required

Code: 0.25

Explanation: Required. A certified copy of the contract of employment or service contract is required to apply for a working visa.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 43, 1.

**IMMIGRATION\_62. Does the country use a national labor market test for covering posts under the medical doctor proxy (i.e. employers seeking to hire an immigrant had to prove that no native worker could do the job)?**

Answer: Yes

Code: 0.5

Explanation: Yes, according to the migration law the number of foreigners to be admitted under a residence visa for working purposes as well as the sectors of the economy in which they cannot carry on their business, are set periodically by resolution of the Government. The law says that creating job posts for nationals is a priority.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 4 & 5.

**IMMIGRATION\_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions on nationality.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40.

**IMMIGRATION\_64: Restrictions based on age.**

**Are there age limits for migrant medical doctors to be admitted to the country?**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions regarding age.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_65. Is having a certain gender a requisite to be admitted to the country under the medical doctor entry track?**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions regarding gender.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**IMMIGRATION\_66. Is having a certain marital status a requisite to be admitted to the country under the medical doctor entry track?**

Answer: No

Code: 1

Explanation: No, the law does not mention any restrictions regarding marital status.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**IMMIGRATION\_67. Do migrant medical doctors need to prove the ability to support themselves?**

Answer: Yes

Code: 0.5

Explanation: Yes. In order to be granted a residence visa (Visto de fixação de residência) for working purposes one should demonstrate that she/he has the necessary means of subsistence. However, the law only defines the specific required amount for temporary visas.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 2.

**IMMIGRATION\_68. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a medical doctor?**

Answer: Neither beneficial, nor required

Code: 1

Explanation: Beneficial. The law does not mention any requirement in relation to knowledge of the host country's language in order to be granted a residence visa (Visto de fixação de residência) for working purposes.

Sources: Lei N.º 11 [Law No. 11]. 2017. Arts. 40 and 41.

**IMMIGRATION\_69. Does the application under the medical doctor entry track cost a fee? Register the fee in US Dollars. If application did not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.**

Answer: 50

Code: 50

Explanation: Yes. The residence visa (Visto de fixação de residência) for working purposes costs 50 USD.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 128. / Lei N.º 11 [Law No. 11]. 2017. ANEXO I [ATTACHMENT I].

**IMMIGRATION\_70. How long is the medical doctor work permit valid for? Indicate the period in months.**

Answer: 3

Code: 3

Explanation: The residence visa (Visto de fixação de residência), both for family reunion and working purposes, is valid for ninety days and allows multiple entries.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 3.

**IMMIGRATION\_71. Is it possible to renew the work permit granted under the medical doctor entry track?**

Answer: Yes

Code: 1

Explanation: Yes, renewal is possible. In order to extend the stay, the migrant must submit a request for extension to the migration service up to fifteen days before the visa's expiry date. The submission of the extension request freezes the countdown to expiration. This means the migrant is not required to leave the country and her/his visa will not expire before she/he receives a response on the application for extension.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 53.

## **IMMIGRATION\_72: Possibility of changing jobs.**

### **Is it possible for a migrant medical doctor to switch employers?**

Answer: Yes

Code: 1

Explanation: Yes, under certain conditions: The migration law says that a foreigner under a working visa in the case of these proxies, a residence visa - Visto de fixação de residência – for working purposes).

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40. / Lei N.º 11 [Law No. 11]. 2017. Art. 49.

### **Is it possible for a migrant medical doctor to switch professional sectors?**

Answer: Yes

Code: 1

Explanation: Yes, under certain conditions. The government sets out periodically the sectors of the economy in which migrant workers under a working visa (residence visa - Visto de fixação de residência – for working purposes) cannot carry on their business. This indicates that a migrant worker could only switch sector/profession if the new desired sector is “allowed” to foreigners. Furthermore, the law says that a working visa can be cancelled if the migrant worker executes an activity other than that for which the visa was issued, without being authorized. This indicates that should the migrant request authorization to switch professions she/he should be allowed to do so. No specific regulation on the procedure or other restrictions to switch professions is set out in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40. / Lei N.º 11 [Law No. 11]. 2017. Art. 49.

### **Is it possible for a migrant medical doctor to switch locations?**

Answer: Yes

Code: 1

Explanation: The migration law only mentions that a working visa (residence visa - Visto de fixação de residência – for working purposes) is tied to a specific employer (“entity”). It does not mention any restrictions on switching locations although it does not mention the possibility explicitly either.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40. / Lei N.º 11 [Law No. 11]. 2017. Art. 49.

**IMMIGRATION\_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?**

Answer: No

Code: 0

Explanation: No. The law on migration says that a working visa can only be cancelled if the foreign worker gave false information to obtain the visa, or if she/he executes an activity other than that for which the visa was issued, without prior authorization. There is no indication in the law that loss of employment results in the withdrawal of a migrant worker's resident permit. Since there is no clear regulation in national law with regards to this matter, it is important to note that in 2003 the Parliament passed a resolution ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. However, the Portuguese version of the Convention (attached to the Parliament resolution) diverges from the English version published by the UN when it comes to the topic of loss of employment and withdrawal of permit and for that reason is not analyzed in this question.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 49. / Resolução do Parlamento N.º 23 [Parliament Resolution No. 23]. 2003.

**IMMIGRATION\_74. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant medical doctors were equal to those of native workers?**

Answer: Yes

Code: 1

Explanation: Yes. Foreign workers engaged in professional activities enjoy the same rights and are subject to the same duties applicable to national workers.

Sources: Lei N.º 4 [Law No. 4]. 2012. Art. 77. / Lei N.º 11 [Law No. 11]. 2017. Art. 3.

**IMMIGRATION\_75. Is a minimum level of education required to apply to the medical doctor entry track?**

Answer: Yes

Code: 0

Explanation: Yes, in some cases. For professions that require some sort of habilitation, a proof of professional qualifications is required during the application process. However, law does not specify which sectors or professions might require such proof.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 43, 1.

**IMMIGRATION\_76. Is a test of good health required for migrant medical doctors?**

Answer: No

Code: 0

Explanation: No. The only requirements to obtain a residence visa for working purposes are: demonstrating intention to stay permanently in the national territory, proving having the necessary means of subsistence and guaranteed accommodation conditions, as well as having no criminal record. A test of good health is not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 2.

## **4.9. Proxy: Refugees**

### **4.9.1. Existence of track**

#### **IMMIGRATION\_77. Does the country grant refugee status?**

Answer: Yes

Code: 1

Explanation: Yes. The law establishes that the right of asylum is guaranteed to foreigners and stateless persons persecuted or seriously threatened with persecution as a result of an activity carried out in the State of their nationality or of their habitual residence in favor of democracy, social and national liberation, peace between peoples, freedom and the rights of the human person.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 91.

#### **IMMIGRATION\_78. Are certain countries deemed safe third countries (i.e. could persons arriving through these countries be precluded from claiming asylum)?**

Answer: Yes

Code: 0

Explanation: Yes. The law mentions the arrival through safe countries as a potential reason for being excluded from the right of claiming asylum. However, neither the law nor the website of the Immigration Service provide a list of such countries.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 104, 1.

#### **IMMIGRATION\_79: Safe countries of origin.**

**Are certain countries deemed safe countries of origin (i.e. refugee claims arising out of persecution in those countries could be precluded)?**

Answer: Yes

Code: 0

Explanation: Yes. The law mentions holding nationality from a safe country as a potential reason for being excluded from the right of claiming asylum. However, neither the law nor the website of the Immigration Service provide a list of such countries.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 104, 1.

#### **How many countries?**

Answer: Not applicable

Code: Not applicable

Explanation: The law mentions holding nationality from a safe country as a potential reason for being excluded from the right of claiming asylum. However, neither the law nor the website of the Immigration Service provide a list of such countries.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 104, 1.

### **4.9.2. Restrictions**

#### **IMMIGRATION\_80: Refugee status restricted for certain nationalities.**

##### **Is refugee status restricted to certain nationalities?**

Answer: No

Code: 1

Explanation: No. The right to claim asylum and obtain refugee status is guaranteed to all foreigners and stateless that fulfill the standard conditions.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 91.

##### **Which nationalities?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **IMMIGRATION\_81: Restrictions based on age.**

##### **Are there age limits for potential refugees to be admitted to the country?**

Answer: No



Code: 1

Explanation: No. Age is not listed as a relevant element at the time of the examination of the request.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 103.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is being below a certain age limit beneficial for the decision on whether someone gains access to refugee status?**

Answer: No

Code: 1

Explanation: No. Age is not listed as a relevant element at the time of the examination of the request.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 103.

**Below which age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_82. Is having a certain gender a requisite to be granted refugee status?**

Answer: No

Code: 0

Explanation: No. Gender is not listed as a relevant/required element at the time of the examination of the request.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 103.

**IMMIGRATION\_83. Is having a certain marital status a requisite to be granted refugee status?**

Answer: No

Code: 0

Explanation: No. Marital status is not listed as a relevant/required element at the time of the examination of the request. However, the effects of asylum are extended to the spouse and to minor children adopted or dependents, whenever the applicant so requests.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 103. / Lei N.º 11 [Law No. 11]. 2017. Art. 95.

### **4.9.3. Place of application**

#### **IMMIGRATION\_84: Place of application**

**Can asylum seekers file an application for asylum from outside the destination country's territory?**

Answer: No

Code: 0

Explanation: The law does not mention the possibility of filing an asylum application from outside the destination country's territory. Instead, it says that a foreigner or stateless person who enters the national territory in order to obtain asylum must submit his request to any police authority within seventy-two hours from the date of entry into the country and may do so orally or in writing. The admissibility of asylum applications filed at border posts by foreigners or stateless persons who do not meet the legal requirements necessary for entry into national territory is subject to the same regime.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 100, 1. / Lei N.º 11 [Law No. 11]. 2017. Art. 108.

**Can asylum seekers file an application for asylum at the border/ports of entry of country's territory?**

Answer: Yes

Code: 1

Explanation: The law does not mention the possibility of filing an asylum application from outside the destination country's territory. Instead, it says that a foreigner or stateless person who enters the national territory in order to obtain asylum must submit his request to any police authority within seventy-two hours from the date of entry into the country and may do so orally or in writing. The admissibility of asylum applications filed at border posts by foreigners or stateless persons who do not meet the legal requirements necessary for entry into national territory is subject to the same regime.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 100, 1. / Lei N.º 11 [Law No. 11]. 2017. Art. 108.

**Can asylum seekers file an application for asylum on the destination country's territory?**

Answer: Yes

Code: 1

Explanation: The law does not mention the possibility of filing an asylum application from outside the destination country's territory. Instead, it says that a foreigner or stateless person who enters the national territory in order to obtain asylum must submit his request to any police authority within seventy-two hours from the date of entry into the country and may do so orally or in writing. The admissibility of asylum applications filed at border posts by foreigners or stateless persons who do not meet the legal requirements necessary for entry into national territory is subject to the same regime.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 100, 1. / Lei N.º 11 [Law No. 11]. 2017. Art. 108.

#### **4.9.4. Permit validity**

##### **IMMIGRATION\_85. How long is the initial residence permit for recognized refugees valid for?**

Answer: Temporary, between 12 and 24 months

Code: 5

Explanation: The law on migration does not specify the length of the initial residence permit for recognized refugees. Given that in order to access permanent residence one must have lived at least 6 years in the country, it is possible to infer that the initial permit for recognized refugees has a temporary character. In general, temporary residence permit in Timor-Leste are valid for two years, and renewable for equal periods.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 59. / Lei N.º 11 [Law No. 11]. 2017. Art. 64.

##### **IMMIGRATION\_86: Permit renewal.**

###### **Is it possible to renew a temporary residence permit?**

Answer: Yes

Code: 1

Explanation: The law on migration does not specify the length of the initial residence permit for recognized refugees. Given that in order to access permanent residence one must have lived at least 6 years in the country, it is possible to infer that the initial permit for recognized refugees has a temporary character. In general, temporary residence permit in Timor-Leste are valid for two years, and renewable for equal periods.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 59. / Lei N.º 11 [Law No. 11]. 2017. Art. 64.

###### **Is it possible to apply for a permanent resident permit for recognized refugees?**

Answer: Yes, possible to apply for a permanent permit after 5-6 years

Code: 3

Explanation: Possible to apply for a permanent permit. There are no special provisions in the law for refugees applying to permanent residence. Accordingly, as long as a recognized refugee, just like any

other migrant, has had a temporary residence permit for at least six years and fulfills the lodging social conduct requirements, he/she has the possibility of applying for a permanent permit.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64.

**IMMIGRATION\_87. Can a recognized refugee lose his or her status as a refugee when the threatening situation in his or her country of origin ceases?**

Answer: Yes

Code: 0

Explanation: Yes. The cessation of the grounds for granting the right of asylum is mentioned in the law as a reason for losing the right of asylum.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 116.

#### **4.9.5. Maximum timeframe for application resolution**

**IMMIGRATION\_88: Timeframe for resolution.**

**Is there a maximum of days to process the application of asylum seekers?**

Answer: Yes

Code: 1

Explanation: Yes. After the request is accepted, there's an instruction period (60 days), a period for UNHCR revision (5 working days), and a period for government decision (8 working days). The maximum number of days is then 60 calendar days plus 13 working days.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 113.

**What is the maximum of days?**

Answer: 73

Code: 73

Explanation: After the request is accepted, there's an instruction period (60 days), a period for UNHCR revision (5 working days), and a period for government decision (8 working days). The maximum number of days is then 60 calendar days plus 13 working days.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 113.

#### **4.9.6. Possibility to change migratory status**

**IMMIGRATION\_89. If an application on refugee status is rejected, does the applicant have the right to appeal?**

Answer: Yes

Code: 1

Explanation: Yes. If an application on refugee status was rejected the applicant has fifteen (15) working days to appeal. The decision then goes through a litigation procedure, which has suspensive effect.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 114, 2.

**IMMIGRATION\_90. Is it possible for recognized refugees to change their migratory status?**

Answer: Yes

Code: 1

Explanation: The migration law does not explicitly mention the possibility of recognized refugees changing their migratory status, however, it does not explicitly restrict it either. The fact that Timor-Leste only offers two types of residence permits (temporary or permanent) indicates that such status change would not make much difference in practice given that all temporary permits need to fulfill the same residence requirement (time) in order to access permanent residence.

Sources Lei N.º 11 [Law No. 11]. 2017. Art. 55. / Lei N.º 11 [Law No. 11]. 2017. Art. 64.

#### **4.9.7. Detention**

**IMMIGRATION\_91: Detention**

**Are asylum seekers detained while their claims are being processed?**

Answer: Yes, always

Code: 0

Explanation: Asylum seekers are detained during the process and remain in special facilities. When the application is filed at the border the applicant remains in the international zone of the border post while awaiting notification of the decision of acceptance or refusal of the application (process to decide if the government will process the application or not). The asylum seeker who was her/his request for application refused (i.e. the government has not accepted to even process it) and appeals to the decision, is placed in a temporary reception center in the national territory, while waiting for a court decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 111, 1 & 2. / Lei N.º 11 [Law No. 11]. 2017. Art. 74. / Lei N.º 11 [Law No. 11]. 2017.

**Are asylum seekers detained after their claims are processed?**

Answer: Yes, under certain circumstances

Code: 1

Explanation: After the process, yes under circumstances. Once the grace period has ended, the applicant is be subject to the general provisions set in the Migration Law, which only mentions detention before expulsion if the foreigner fails to leave the national territory within the determined period. The law does not mention the type of facilities for this case

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 111, 1 & 2. / Lei N.º 11 [Law No. 11]. 2017. Art. 74. / Lei N.º 11 [Law No. 11]. 2017.

Sources:

#### **4.9.8. Status after rejection**

**IMMIGRATION\_92. What is the status of asylum seekers whose applications are rejected?**

Answer: Issued a temporary certificate and then deportation

Code: 2

Explanation: In case of a rejected application, the asylum seekers may remain in the country for a transitional period, which shall not exceed 20 working days. Should the applicant not appeal or lose the appeal, a final negative decision is confirmed and a process of expulsion or extradition is initiated. During the application process, asylum seekers are granted a temporary residence permit valid for a period of 60 days from the date of submission of the application and renewable for periods of 30 days until the final decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 115. / Lei N.º 11 [Law No. 11]. 2017. Art. 112.

**IMMIGRATION\_93. Do asylum seekers have the possibility to work during the process of application?**

Answer: No

Code: 0

Explanation: Not regulated by law. The migration law says that asylum seekers whose asylum request is being processed are granted a “provisional residence permit” (autorização de residência provisória) valid for a period of 60 days from the date of submission of the application and renewable for periods of 30 days until final decision the same. However, the law does not say if such permit entitles its holder to work.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 112.

#### **4.9.9. Translation and interpretation**

**IMMIGRATION\_94. Does the state provide official translation or interpretation for the process of asylum seekers?**

Answer: Yes

Code: 1

Explanation: All declarations and notifications are given to the applicant in one official language of the country and in one language that she/he understands. The law explicitly mentions that interpretation is an available resource for all foreigners staying in the international zone of the border post.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 109, 2. / Lei N.º 11 [Law No. 11]. 2017. Art. 26.

## **4.10. Proxy: Co-ethnics**

### **4.10.1. General**

**IMMIGRATION\_95. Existence of co-ethnics in 2017 (i.e. group(s) of immigrants that were granted easier access).**

**Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?**

Answer: No

Code: 0

Explanation: No. Although the Constitution says that Timor-Leste maintains privileged ties with Portuguese-speaking countries, the citizens of such countries are not granted easier access to immigration or citizenship.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Art. 8, 3.

**Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?**

Answer: No

Code: 0

Explanation: Although the Constitution says that Timor-Leste maintains privileged ties with Portuguese-speaking countries, the citizens of such countries are not granted easier access to immigration or citizenship.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Art. 8, 3.

**IMMIGRATION\_96. Register the name of the group(s).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.2. Reasons for co-ethnicity**

**IMMIGRATION\_97. Reasons for co-ethnicity.**

##### **Shared language:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Shared religion:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Shared ancestry:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Citizen of former colony:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



**III treatment by country in the past:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Self-declaration: avowal to be of country's ethnicity:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Other:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_98. May converts apply?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_99. If ancestry is sufficient to claim entitlement to preferential immigration rights, what is the degree of ancestry required?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.3. Language test**

**IMMIGRATION\_100. What is the required level of language skills?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.4. Place of residence**

**IMMIGRATION\_101. Does the applicant have to reside in a specific country to be entitled to easier access and right to permanent settlement? (If yes, specify country in the explanation).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.5. Place of application**

**IMMIGRATION\_102. Place of application.**

**Can applicants file an application from outside the territory of the host country?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can applicants file an application on host country's territory?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.6. Date of birth**

**IMMIGRATION\_103. Do applicants need to be born before or after a certain date to be eligible?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.7. Permit validity**

**IMMIGRATION\_104. If citizenship is not granted right away/after a shorter period, how long is the resident permit valid for?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_105. Permit renewal.**

**Is it possible to renew a temporary residence permit for co-ethnics?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is it possible to apply for a permanent resident permit for co-ethnics?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 5. Immigrant policies

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### 5.1. Permanent residence

#### 5.1.1. Eligibility

##### **IMMIGRANT\_1: General existence of a permanent residence scheme.**

Answer: Yes

Code: 1

Explanation: The permanent residence permit has no limit of validity. The respective residence title (physical document) should be submitted for renewal whenever there is a change in any of the data appearing on it.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 63.

##### **IMMIGRANT\_2: Existence of a permanent residence scheme for different proxies. Do asylum seekers have access to permanent residence?**

Answer: No

Code: 0

Explanation: Asylum seekers are only granted a special interim residence permit that is only valid until the final decision on their asylum application. Since they do not fulfill the 'regular temporary residency' criterion they cannot access permanent residency.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 112.

##### **Do refugees have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: Yes, after ten (10) consecutive years of regular residency in Timor-Leste or having held a temporary residence permit for at least six (6) years, and if fulfilling some other conditions mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64.

##### **Do co-ethnics have access to permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: Yes, after ten (10) consecutive years of regular residency in Timor-Leste or having held a temporary residence permit for at least six (6) years, and if fulfilling some other conditions mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64.

**Do agricultural workers have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: Yes, after ten (10) consecutive years of regular residency in Timor-Leste or having held a temporary residence permit for at least six (6) years, and if fulfilling some other conditions mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64.

**Do medical doctors have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: Yes, after ten (10) consecutive years of regular residency in Timor-Leste or having held a temporary residence permit for at least six (6) years, and if fulfilling some other conditions mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64.

**IMMIGRANT\_3: Required time of habitual residence.**

**How many months of habitual residence are required from asylum seekers for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**How many months of habitual residence are required from refugees for accessing permanent residence?**

Answer: 72

Code: 72

Explanation: Ten (10) consecutive years of regular residency in Timor-Leste or having held a temporary residence permit for at least six (6) years.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64.

**How many months of habitual residence are required from co-ethnics for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**How many months of habitual residence are required from domestic workers for accessing permanent residence?**

Answer: 72

Code: 72

Explanation: Ten (10) consecutive years of regular residency in Timor-Leste or having held a temporary residence permit for at least six (6) years.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64.

**How many months of habitual residence are required from agricultural workers for accessing permanent residence?**

Answer: 72

Code: 72

Explanation: Ten (10) consecutive years of regular residency in Timor-Leste or having held a temporary residence permit for at least six (6) years.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64.

**How many months of habitual residence are required from medical doctors for accessing permanent residence?**

Answer: 72

Code: 72

Explanation: Ten (10) consecutive years of regular residency in Timor-Leste or having held a temporary residence permit for at least six (6) years.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64.

#### **IMMIGRANT\_4: Periods of absence allowed.**

**Are periods of absence allowed before granting of permanent status for asylum seekers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e.g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are periods of absence allowed before granting of permanent status for refugees? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: 6

Code: 6

Explanation: Generally, anyone holding a temporary residence permit risks losing their permit if there are absent from the national territory without justified reasons, for a period equal (or over) six consecutive months or, in the space of two years, for ten non-consecutive months.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66.

**Are periods of absence allowed before granting of permanent status for co-ethnics? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable



Sources: Not applicable

**Are periods of absence allowed before granting of permanent status for domestic workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: 6

Code: 6

Explanation: Generally, anyone holding a temporary residence permit risks losing their permit if there are absent from the national territory without justified reasons, for a period equal (or over) six consecutive months or, in the space of two years, for ten non-consecutive months.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66.

**Are periods of absence allowed before granting of permanent status for agricultural workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: 6

Code: 6

Explanation: Generally, anyone holding a temporary residence permit risks losing their permit if there are absent from the national territory without justified reasons, for a period equal (or over) six consecutive months or, in the space of two years, for ten non-consecutive months.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66.

**Are periods of absence allowed before granting of permanent status for medical doctors? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: 6

Code: 6

Explanation: Generally, anyone holding a temporary residence permit risks losing their permit if there are absent from the national territory without justified reasons, for a period equal (or over) six consecutive months or, in the space of two years, for ten non-consecutive months.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66.

**IMMIGRANT\_5. Result of a regularization process.**

**The regularization process leads to:**

Answer: temporal residence permit

Code: 0.25

Explanation: There is no mention of a regularization process in the Migration Law. However, a government decree from 2004 (no longer valid) on the regularization of migrants who arrived after 7th of December 1975 (date of the Indonesian Invasion), says that a foreigner who wishes to regularize her/his situation must apply for a residence visa (Visto de fixação de residência) in order to apply for a temporary residence permit, or other appropriate visa. This precedent in law, although no longer in force, indicates that the standard procedure for regularization of migrants in Timor-Leste should lead to a temporary residence permit.

Sources: Lei N.º 11 [Law No. 11]. 2017. / Decreto do Governo N.º 4 [Government Decree No. 4]. 2004.

**IMMIGRANT\_6: Language test.**

**Is there a language requirement for asylum seekers to access permanent residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there a language requirement for refugees to access permanent residence?**

Answer: no requirement

Code: 1

Explanation: The law on migration does not mention any language requirements for accessing permanent residency. Furthermore, no proof of language proficiency is listed in the required documents section.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64. / Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**Is there a language requirement for co-ethnics to access permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there a language requirement for domestic workers to access permanent residence?**

Answer: no requirement

Code: 1

Explanation: The law on migration does not mention any language requirements for accessing permanent residency. Furthermore, no proof of language proficiency is listed in the required documents section.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64. / Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**Is there a language requirement for agricultural workers to access permanent residence?**

Answer: no requirement

Code: 1

Explanation: The law on migration does not mention any language requirements for accessing permanent residency. Furthermore, no proof of language proficiency is listed in the required documents section.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64. / Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**Is there a language requirement for medical doctors to access permanent residence?**

Answer: no requirement

Code: 1

Explanation: The law on migration does not mention any language requirements for accessing permanent residency. Furthermore, no proof of language proficiency is listed in the required documents section.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64. / Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**IMMIGRANT\_7: Economic resources.**

**Is there an economic resources requirement for applying to permanent residence for asylum seekers?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there an economic resources requirement for applying to permanent residence for refugees?**

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: The migration law says that in order to access permanent residency a foreigner must have maintained throughout her/his entire previous residence period adequate means of subsistence (and accommodation). The applicant is also required to prove that she/he is capable of continuing to maintain it. No relation to social assistance as a baseline is made. The law also does not mention the accepted (or excluded) sources of income.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64, 1.

**Is there an economic resources requirement for applying to permanent residence for co-ethnics?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there an economic resources requirement for applying to permanent residence for domestic workers?**

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: The migration law says that in order to access permanent residency a foreigner must have maintained throughout her/his entire previous residence period adequate means of subsistence (and accommodation). The applicant is also required to prove that she/he is capable of continuing to maintain it. No relation to social assistance as a baseline is made. The law also does not mention the accepted (or excluded) sources of income.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64, 1.

**Is there an economic resources requirement for applying to permanent residence for agricultural workers?**

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: The migration law says that in order to access permanent residency a foreigner must have maintained throughout her/his entire previous residence period adequate means of subsistence (and accommodation). The applicant is also required to prove that she/he is capable of continuing to maintain it. No relation to social assistance as a baseline is made. The law also does not mention the accepted (or excluded) sources of income.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64, 1.

**Is there an economic resources requirement for applying to permanent residence for medical doctors?**

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: The migration law says that in order to access permanent residency a foreigner must have maintained throughout her/his entire previous residence period adequate means of subsistence (and accommodation). The applicant is also required to prove that she/he is capable of continuing to maintain it. No relation to social assistance as a baseline is made. The law also does not mention the accepted (or excluded) sources of income.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 64, 1.

**IMMIGRANT\_8: Cost of application.**

**What is the cost of the application of permanent residence in the original currency (include the cost of issuance if any)?**

Answer: 150

Code: 150

Explanation: 150 USD, as of 2017.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 128. / Lei N.º 11 [Law No. 11]. 2017. ANEXO I [ATTACHMENT I].

**What is the cost of the application of permanent residence in the USD (include the cost of issuance if any)?**

Answer: 150

Code: 150

Explanation: 150 USD, as of 2017.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 128. / Lei N.º 11 [Law No. 11]. 2017. ANEXO I [ATTACHMENT I].

**IMMIGRANT\_9: Employer sponsorship.**

**Do asylum seekers have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do refugees have to be sponsored by an employer?**

Answer: no, sponsorship is not required

Code: 1

Explanation: The law only mentions the possibility of sponsorship for transit visas, tourist visas and business visas class I.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 15, 2.

**Do co-ethnics have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic have to be sponsored by an employer?**

Answer: no, sponsorship is not required

Code: 1

Explanation: The law only mentions the possibility of sponsorship for transit visas, tourist visas and business visas class I.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 15, 2.

**Do agricultural workers have to be sponsored by an employer?**

Answer: no, sponsorship is not required

Code: 1

Explanation: The law only mentions the possibility of sponsorship for transit visas, tourist visas and business visas class I.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 15, 2.

**Do medical doctors have to be sponsored by an employer?**

Answer: no, sponsorship is not required

Code: 1

Explanation: The law only mentions the possibility of sponsorship for transit visas, tourist visas and business visas class I.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 15, 2.

### **5.1.2. Security of status**

**IMMIGRANT\_10: Maximum length of application procedure.**

**Maximum length of application procedure for asylum seekers in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for asylum seekers:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for refugees in months:**

Answer: 998

Code: 998

Explanation: No regulation on maximum length. The law on migration only regulates the documentation required to apply for permanent residency and does not define the duration of the application procedure.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**Maximum length of application procedure for refugees:**

Answer: No regulation on maximum length

Code: 0

Explanation: No regulation on maximum length. The law on migration only regulates the documentation required to apply for permanent residency but does to define the duration of the application procedure.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**Maximum length of application procedure for co-ethnics in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for co-ethnics:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for domestic workers in months:**

Answer: 998

Code: 998

Explanation: No regulation on maximum length. The law on migration only regulates the documentation required to apply for permanent residency and does not define the duration of the application procedure.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 65

**Maximum length of application procedure for domestic workers:**

Answer: no regulation on maximum length

Code: 0

Explanation: No regulation on maximum length. The law on migration only regulates the documentation required to apply for permanent residency but does to define the duration of the application procedure.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 65.



**Maximum length of application procedure for agricultural workers in months:**

Answer: 998

Code: 998

Explanation: No regulation on maximum length. The law on migration only regulates the documentation required to apply for permanent residency and does not define the duration of the application procedure.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**Maximum length of application procedure for agricultural workers:**

Answer: no regulation on maximum length

Code: 0

Explanation: No regulation on maximum length. The law on migration only regulates the documentation required to apply for permanent residency but does not define the duration of the application procedure.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**Maximum length of application procedure for medical doctors in months:**

Answer: 998

Code: 998

Explanation: No regulation on maximum length. The law on migration only regulates the documentation required to apply for permanent residency and does not define the duration of the application procedure.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**Maximum length of application procedure for medical doctors:**

Answer: No regulation on maximum length

Code: 0

Explanation: No regulation on maximum length. The law on migration only regulates the documentation required to apply for permanent residency but does not define the duration of the application procedure.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 65.

**IMMIGRANT\_11: Grounds for rejection.**

**Not fulfilling the original conditions that were required to access original permit is a ground for rejecting permanent residence application:**

Answer: no

Code: 0

Explanation: A person can have her/his residency permit cancelled if he/she: has been subject of an expulsion decision; has been sentenced by a decision to an effective prison sentence of more than one year for an intentional crime; has made false declarations or provided false documents in the procedures for granting visas or residence permits; has been absent from the national territory for no reasoned reasons, for a longer period than the one accepted by law; has married a Timorese citizen for the sole purpose of obtaining a residence permit.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 66.

#### **IMMIGRANT\_12: Legal guarantees.**

**Rejection of applications must be reasoned:**

Answer: yes

Code: 1

Explanation: After receiving a notification of the decision the foreigner has fifteen working days to appeal. If the appeal is negative the person has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Rejected applicants have the right to appeal:**

Answer: yes

Code: 1

Explanation: After receiving a notification of the decision the foreigner has fifteen working days to appeal. If the appeal is negative the person has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 69.

#### **IMMIGRANT\_13: Expulsion is precluded for victims of violence or crime.**

**Expulsion is precluded for immigrants of all categories who are victims of violence or crime:**

Answer: no

Code: 0

Explanation: There are not special provisions for immigrants victims of violence or crime. However, the country shall grant a renewable temporary residence permit (6 months), to a foreign citizen who is or has been victim of human trafficking or of networks to assist illegal immigration, even if the migrant

has entered the country irregularly or does not fulfill the conditions to obtain a residence permit. Furthermore, when the residence permit has been granted under the family reunification scheme, in case of conviction for a crime of domestic violence, a residence permit may be granted to the spouse, ascendant or descendant who so requests.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 61. / Lei N.º 11 [Law No. 11]. 2017. Art. 67, 4.

## **5.2. Policies of representation**

### **IMMIGRANT\_14: Regulation of electoral rights.**

**Subnational electoral rights can be regulated at the subnational level:**

Answer: no

Code: 0

Explanation: Electoral rights have a national character defined in the Constitution with no distinction between administrative levels.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Art. 47.

### **5.2.1. Electoral rights**

#### **IMMIGRANT\_15: Voting eligibility for non-citizens.**

**Does the country have presidential elections?**

Answer: yes

Code: 1

**Does the country have a bicameral system (composed of a Lower House and an Upper House)?**

Answer: no, the country only has a lower house

Code: 2

**Can non-citizen residents vote in national presidential elections?**

Answer: generally disenfranchised

Code: 0

Explanation: Only national citizens (over 17 years old) have active electoral rights at all levels.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Art. 47.  
/ Lei N.º 9 [Law No. 9]. 2017. Art. 4, 1.

**Can non-citizen residents vote in national legislative elections (Lower House)?**

Answer: generally disenfranchised

Code: 0

Explanation: Only national citizens (over 17 years old) have active electoral rights at all levels.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Art. 47.  
/ Lei N.º 9 [Law No. 9]. 2017. Art. 4, 1.

**Can non-citizen residents vote in national legislative elections (Upper House)?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_16: Residence duration-based requirements for active electoral rights.**

**Previous residence required for being eligible to vote in presidential elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Previous residence required for being eligible to vote in lower house elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Previous residence required for being eligible to vote in upper house elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_17: Registration in the electoral roll for non-citizen residents.**

**Registration in the electoral roll for non-citizen residents:**

Answer: not applicable (non-citizen residents cannot vote)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_18: Passive electoral rights for non-citizen residents.**

**Can non-citizen residents stand as candidates in national presidential elections?**

Answer: generally disenfranchised

Code: 0

Explanation: Only those with active electoral capacity have passive electoral rights. This means that only national citizens who have the right to vote can be elected/run for office.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Art. 47.  
/ Lei N.º 9 [Law No. 9]. 2017. Art. 6.

**Can non-citizen residents stand as candidates in national legislative elections (Lower House)?**

Answer: generally disenfranchised

Code: 0

Explanation: Only those with active electoral capacity have passive electoral rights. This means that only national citizens who have the right to vote can be elected/run for office.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Art. 47.  
/ Lei N.º 9 [Law No. 9]. 2017. Art. 6.

**Can non-citizen residents stand as candidates in national legislative elections (Upper House)?**

Answer not applicable (no presidential elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **IMMIGRANT\_19: Residence duration-based restrictions for passive electoral rights.**

##### **Previous residence required for being eligible to stand as candidate in presidential elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Previous residence required for being eligible to stand as candidate in lower house elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **5.2.2. Regulation of participation in parties**

#### **IMMIGRANT\_20: Emigrant membership to home country political parties.**

##### **Non-citizen resident membership to state or reception political parties:**

Answer: not regulated

Code: 0.25

Explanation: The law does not explicitly mention any restriction on party membership based on nationality. The law on political parties says that membership of a political party is voluntary, and each citizen is free to join a political party or not. No one may be simultaneously registered in more than one political party. The law on migration says that foreigners are allowed to join associations, particularly for cultural, religious, recreational, sporting, and charitable or assistance purposes, and to attend meetings commemorating their national dates. It does not mention anything about political associations.

Sources: Lei N.º 3 [Law No. 3]. 2004. Art. 5. / Lei N.º 11 [Law No. 11]. 2017. Art. 7.

### **5.2.3. Consultative bodies**

**IMMIGRANT\_21: Existence of a consultative body of immigrants acting at the national level.**  
**Existence of a consultative body on immigrant issues:**

Answer: no

Code: 0

Explanation: The Ministry of Defense and Security contemplates an organisational structure based on the bodies and services operating in the fields of national defense, military cooperation, public security, criminal investigation and immigration. The only public body relating to migrants in Timor-Leste seems to be the Migration Service (Serviço de Migração). This body controls the movements of persons upon arrival and departure of the country, while also controlling and monitoring the presence of foreigners in the national territory. It is a criminal police agency of the Ministry of Defense and Security and does not have any immigrant consultative branch. No evidence of existence of any other agency focused on providing information for and/or protecting the rights

Sources: Decreto-Lei N.º 31 [Decree-Law No. 31]. 2008. / Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009.

**IMMIGRANT\_22: Structural or ad hoc consultation.**

**The consultation is:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_23: Composition of the consultative body.**

**Composition of the consultative body:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_24: Leadership of the consultative body.**

**Who chairs the consultative body?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_25: Right of initiative to make its own reports or recommendations.**

**The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_26: Right to get a response from the government to recommendation.**

**Beyond consultation on policies affecting immigrants the body has the right to get a response from national authorities to its advice/recommendations:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_27: Selection criteria to ensure representativeness.**

**Existence of selection criteria to ensure a gender-balanced consultative body:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Existence of selection criteria to ensure a geographic-balanced consultative body:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



## **5.3. Economic policies**

### **5.3.1. Access to labor market**

**IMMIGRANT\_28: Migrant access to labor market.**

**Can asylum seekers access the labor market?**

Answer: no

Code: 0

Explanation: Not regulated by law. The migration law says that asylum seekers whose application is being processed received a provisional residence permit but does not regulate the rights and obligations of those under this category, including access to the labour market.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 112.

**Can refugees access the labor market?**

Answer: no

Code: 0

Explanation: The migration establishes that a recognized refugee receives “refugee status”. This status grants to refugees access to the rights that other foreigners enjoy. These rights include the access to the labor market (Art. 6) under the limitations included in the law (i.e. labor market test).

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 984.

**Can co-ethnics access the labor market?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can domestic workers access the labor market?**

Answer: no

Code: 0

Explanation: Foreigners have access to the labor market. However, the law on migration also establishes that the government periodically publishes resolutions establishing sectors of the economy in which foreign workers are not allowed to work.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 65.

#### **Can agricultural workers access the labor market?**

Answer: no

Code: 0

Explanation: Foreigners have access to the labor market. However, the law on migration also establishes that the government periodically publishes resolutions establishing sectors of the economy in which foreign workers are not allowed to work.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 65.

#### **Can medical doctors access the labor market?**

Answer: no

Code: 0

Explanation: Foreigners have access to the labor market. However, the law on migration also establishes that the government periodically publishes resolutions establishing sectors of the economy in which foreign workers are not allowed to work.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 65.

#### **Can permanent residents access the labor market?**

Answer: yes, equal access

Code: 1

Explanation: Yes, equal access. Although the law does not explicitly mention that permanent residents are guaranteed equal access the labour market with the same conditions as nationals, no mention of any restrictions is made either.

Sources: Lei N.º 11 [Law No. 11]. 2017. Sec. III.

#### **IMMIGRANT\_29: Migrant access to self-employment.**

##### **Can asylum seekers access self-employment?**

Answer: no answer

Code: Not applicable

Explanation: Not regulated by law. The migration law says that asylum seekers whose application is being processed received a provisional residence permit but does not regulate the rights and obligations of those under this category, including access to the labour market.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 112.

#### **Can refugees access self-employment?**

Answer: no answer

Code: Not applicable

Explanation: The migration establishes that a recognized refugee receives “refugee status”. This status grants to refugees access to the rights that other foreigners enjoy. These rights include the access to the labor market (Art. 6) under the limitations included in the law (i.e. labor market test).

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 94.

#### **Can co-ethnics access self-employment?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can domestic workers access self-employment?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: They have access, but under certain conditions. The law on migration says that the government periodically publishes resolutions establishing sectors of the economy in which foreigners are not allowed to work. However, no actual example of such resolutions was found. Furthermore, the law says that whenever a foreigner applies for a residency visa for working purposes (Visto de fixação de residência), the goal of creating jobs for nationals, focusing on their qualifications is a criterion taken into account. This applies for both job contracts and self-employment.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 5. / Lei N.º 11 [Law No. 11]. 2017. Art. 40, 4.

#### **Can agricultural workers access self-employment?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: They have access, but under certain conditions. The law on migration says that the government periodically publishes resolutions establishing sectors of the economy in which foreigners are not allowed to work. However, no actual example of such resolutions was found. Furthermore, the

law says that whenever a foreigner applies for a residency visa for working purposes (Visto de fixação de residência), the goal of creating jobs for nationals, focusing on their qualifications is a criterion taken into account. This applies for both job contracts and self-employment.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 5. / Lei N.º 11 [Law No. 11]. 2017. Art. 40, 4.

#### **Can medical doctors access self-employment?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: They have access, but under certain conditions. The law on migration says that the government periodically publishes resolutions establishing sectors of the economy in which foreigners are not allowed to work. However, no actual example of such resolutions was found. Furthermore, the law says that whenever a foreigner applies for a residency visa for working purposes (Visto de fixação de residência), the goal of creating jobs for nationals, focusing on their qualifications is a criterion taken into account. This applies for both job contracts and self-employment.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 40, 5. / Lei N.º 11 [Law No. 11]. 2017. Art. 40, 4.

#### **Can permanent residents access self-employment?**

Answer: yes, equal access

Code: 1

Explanation: Yes, equal access. Although the law does not explicitly mention that permanent residents are guaranteed equal access to the labour market with the same conditions as nationals, no mention of any restrictions is made either.

Sources: Lei N.º 11 [Law No. 11]. 2017. Sec. III.

#### **IMMIGRANT\_30: Migrant access to civil service.**

##### **Can asylum seekers access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can refugees access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: The access to this profession is not guaranteed to be equal to those of Argentine nationals because in Argentina the possibility to become a teacher is regulated on a federal basis in the so called "Estatutos del docente". As an example, in the case of the province of Buenos Aires it is possible after five years of residence, but in the case of the province of Mendoza it is not. Art. 57 of Law 10579 of the province of Buenos Aires states states: "To apply for admission to the teaching profession as head teacher, the applicant must meet the following requirements: a) (Text according to Law 13936) To be an Argentine native, by choice, naturalized or foreigner, in these last two cases to have resided in the country for at least five years and to be fluent in Spanish.". In contrast, Art. 16 of Law 4.934 of the Province of Mendoza states: "In order to enter the teaching profession, the applicant must comply with the following general conditions: a) To be Argentine native, by choice or naturalized, and to master the Spanish language".

Sources: Ley N° 10579 [Law 10579]. 1987. Art. 59. / Ley N° 4.934 [Law 4.934]. 1987. Art.16.

### **Can co-ethnics access employment in schools (primary and secondary)?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that "not being restricted to access public sector employment" is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can agricultural workers access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can medical doctors access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can permanent residents access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can asylum seekers access employment in public administration?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can refugees access employment in public administration?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can co-ethnics access employment in public administration?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access employment in public administration?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can agricultural workers access employment in public administration?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can medical doctors access employment in public administration?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.



### **Can permanent residents access employment in public administration?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can asylum seekers access employment in the police?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can refugees access employment in the police?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

#### **Can co-ethnics access employment in the police?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can domestic workers access employment in the police?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

#### **Can agricultural workers access employment in the police?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

#### **Can medical doctors access employment in the police?**

Answer: no

Code: 0

No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can permanent residents access employment in the police?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Quotas for preferential hiring of asylum seekers exist:**

Answer: no

Code: 0

Explanation: No such provision in main regulations.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Quotas for preferential hiring of refugees exist:**

Answer: no

Code: 0

Explanation: No such provision in main regulations.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

**Quotas for preferential hiring of co-ethnics exist:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Quotas for preferential hiring of domestic workers exist:**

Answer: no

Code: 0

Explanation: No such provision  
Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

**Quotas for preferential hiring of agricultural workers exist:**

Answer: no

Code: 0

Explanation: No such provision

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

**Quotas for preferential hiring of medical doctors:**

Answer: no

Code: 0

Explanation: No such provision

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

**Quotas for preferential hiring of permanent residents:**

Answer: no

Code: 0

Explanation: No such provision

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can asylum seekers access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can refugees access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. Art. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can co-ethnics access employment in the armed forces?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Art. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can agricultural workers access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. Art. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can medical doctors access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs

in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. 2009. Arts. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4.

### **Can permanent residents access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No access. The law regulating public service in Timor-Leste says that candidates to permanent job posts in the public administration must be citizens of Timor-Leste. This applies to officials and agents of the Public Administration in the country and abroad. For the purposes of this law, ministries, state secretariats and autonomous agencies for the provision of services are considered to be organs of the Public Administration. The law also applies to civilian personnel of the defense and police forces and administrative staff of the Presidency of the Republic, National Parliament, courts, and defense and prosecution offices. Moreover, this also applies to accessing jobs in schools, given that “not being restricted to access public sector employment” is a requirement to applying for a teaching career.

Sources: Lei N.º 8 [Law No. 8]. 2004. Art. 14, 1. / Lei N.º 5 [Law No. 5]. Art. 1 and 2. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 31, 4 in main regulations.

## **5.3.2. Access to support**

### **IMMIGRANT\_31: Public employment services.**

#### **Can asylum seekers access public employment services?**

Answer: No answer

Code: Not applicable

Explanation: No provision in main regulations. Access to labour market not regulated by law. The migration law says that asylum seekers whose application is being processed received a provisional residence permit but does not regulate the rights and obligations of those under this category, including access to the labour market.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 112.

#### **Can refugees access public employment services?**

Answer: No answer

Code: Not applicable

Explanation:

Yes, equal access as nationals, but not explicitly. In Timor-Leste the Secretariat of State for Vocational Training and Employment Policy (Secretaria de Estado para a Política de Formação Profissional e

Emprego -SEPFOPE) is the public body responsible for promoting programs and activities in the areas of work, vocational training and employment. Its organic law does not explicitly mention that migrant workers have equal access to public employment services but it does not put any restrictions. The fact that migrant workers can access counselling and mediation services provided by the Secretariat indicates that they can access other services too and therefore have the same access as nationals.

Sources: Decreto-Lei N.º 27 [Decree-Law No. 27]. 2015. Art. 2. / Decreto-Lei N.º 27 [Decree-Law No. 27]. 2015. Art. 17.

#### **Can co-ethnics access public employment services?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can domestic workers access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: Yes, equal access as nationals, but not explicitly. In Timor-Leste the Secretariat of State for Vocational Training and Employment Policy (Secretaria de Estado para a Política de Formação Profissional e Emprego -SEPFOPE) is the public body responsible for promoting programs and activities in the areas of work, vocational training and employment. Its organic law does not explicitly mention that migrant workers have equal access to public employment services but it does not put any restrictions. The fact that migrant workers can access counselling and mediation services provided by the Secretariat indicates that they can access other services too and therefore have the same access as nationals.

Sources: Decreto-Lei N.º 27 [Decree-Law No. 27]. 2015. Art. 2. / Decreto-Lei N.º 27 [Decree-Law No. 27]. 2015. Art. 17.

#### **Can agricultural workers access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: Yes, equal access as nationals, but not explicitly. In Timor-Leste the Secretariat of State for Vocational Training and Employment Policy (Secretaria de Estado para a Política de Formação Profissional e Emprego -SEPFOPE) is the public body responsible for promoting programs and activities in the areas of work, vocational training and employment. Its organic law does not explicitly mention that migrant workers have equal access to public employment services but it does not put any restrictions. The fact that migrant workers can access counselling and mediation services provided by the Secretariat indicates that they can access other services too and therefore have the same access as nationals.



Sources: Decreto-Lei N.º 27 [Decree-Law No. 27]. 2015. Art. 2. / Decreto-Lei N.º 27 [Decree-Law No. 27]. 2015. Art. 17.

### **Can medical doctors access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: Yes, equal access as nationals, but not explicitly. In Timor-Leste the Secretariat of State for Vocational Training and Employment Policy (Secretaria de Estado para a Política de Formação Profissional e Emprego -SEPFOPE) is the public body responsible for promoting programs and activities in the areas of work, vocational training and employment. Its organic law does not explicitly mention that migrant workers have equal access to public employment services but it does not put any restrictions. The fact that migrant workers can access counselling and mediation services provided by the Secretariat indicates that they can access other services too and therefore have the same access as nationals.

Sources: Decreto-Lei N.º 27 [Decree-Law No. 27]. 2015. Art. 2. / Decreto-Lei N.º 27 [Decree-Law No. 27]. 2015. Art. 17.

### **Can permanent residents access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: Yes, equal access as nationals. There seems to be no restrictions regarding access to all kinds of support for permanent residents.

Sources: Lei N.º 11 [Law No. 11]. 2017. Sec. III.

## **IMMIGRANT\_32: Recognition of qualifications.**

### **Recognition of qualifications acquired abroad by asylum seekers:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: The education law says that "it is incumbent upon the Government to define and approve by decree-law, the system of equivalence between studies, degrees and diplomas of the Timorese educational system and those of other countries". However, no evidence of the actual existence of such regulating law was found on the online law database of Timor-Leste

Sources: Lei N.º 14 [Law No. 14]. 2008. Art. 60.

### **Recognition of qualifications acquired abroad by refugees:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: Explanation: The education law says that “it is incumbent upon the Government to define and approve by decree-law, the system of equivalence between studies, degrees and diplomas of the Timorese educational system and those of other countries”. However, no evidence of the actual existence of such regulating law was found on the online law database of Timor-Leste

Sources: Lei N.º 14 [Law No. 14]. 2008. Art. 60.

#### **Recognition of qualifications acquired abroad by co-ethnics:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Recognition of qualifications acquired abroad by domestic workers:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: The education law says that “it is incumbent upon the Government to define and approve by decree-law, the system of equivalence between studies, degrees and diplomas of the Timorese educational system and those of other countries”. However, no evidence of the actual existence of such regulating law was found on the online law database of Timor-Leste.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art. 60.

#### **Recognition of qualifications acquired abroad by agricultural workers:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: The education law says that “it is incumbent upon the Government to define and approve by decree-law, the system of equivalence between studies, degrees and diplomas of the Timorese educational system and those of other countries”. However, no evidence of the actual existence of such regulating law was found on the online law database of Timor-Leste.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art. 60.

#### **Recognition of qualifications acquired abroad by medical doctors:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: The education law says that “it is incumbent upon the Government to define and approve by decree-law, the system of equivalence between studies, degrees and diplomas of the Timorese educational system and those of other countries”. However, no evidence of the actual existence of such regulating law was found on the online law database of Timor-Leste.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art. 60.

#### **Recognition of qualifications acquired abroad by permanent residents:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: The education law says that “it is incumbent upon the Government to define and approve by decree-law, the system of equivalence between studies, degrees and diplomas of the Timorese educational system and those of other countries”. However, no evidence of the actual existence of such regulating law was found on the online law database of Timor-Leste

Sources: Lei N.º 14 [Law No. 14]. 2008. Art. 60.

### **5.3.3. Worker's rights**

#### **IMMIGRANT\_33: Membership in trade unions.**

##### **Can asylum seekers be members and participate in trade union associations and work-related negotiation bodies?**

Answer: No answer

Code: Not applicable

Explanation: Law does not regulate access to labour market for asylum seekers and consequently does not regulate their membership in trade unions either. The migration law says that asylum seekers whose application is being processed received a provisional residence permit but does not regulate the rights and obligations of those under this category, including access to the labour market.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 112.

##### **Can refugees be members and participate in trade union associations and work-related negotiation bodies?**

Answer: No answer

Code: Not applicable

Explanation: The labour law says that all workers and employers, without any discrimination and without prior authorization, may form and join organizations for the purpose of promoting and defending their rights and interests.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 112.

**Can co-ethnic be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can domestic workers be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The labour law says that all workers and employers, without any discrimination and without prior authorization, may form and join organizations for the purpose of promoting and defending their rights and interests.

Sources: Lei N.º 4 [Law No. 4]. 2012. Art. 78.

**Can agricultural workers be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The labour law says that all workers and employers, without any discrimination and without prior authorization, may form and join organizations for the purpose of promoting and defending their rights and interests.

Sources: Lei N.º 4 [Law No. 4]. 2012. Art. 78.

**Can medical doctors be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The labour law says that all workers and employers, without any discrimination and without prior authorization, may form and join organizations for the purpose of promoting and defending their rights and interests.

Sources: Lei N.º 4 [Law No. 4]. 2012. Art. 78.

**Can permanent residents be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The labour law says that all workers and employers, without any discrimination and without prior authorization, may form and join organizations for the purpose of promoting and defending their rights and interests.

Sources: Lei N.º 4 [Law No. 4]. 2012. Art. 78.

**IMMIGRANT\_34: Job transferability.**

**Can asylum seekers change their employer without risking their immigration status?**

Answer: No answer

Code: Not applicable

Explanation: Law does not regulate access to labour market for asylum seekers.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 112.

**Can refugees change their employer without risking their immigration status?**

Answer: No answer

Code: Not applicable

Explanation: Not regulated Law does not regulate access to labour market for refugees at all. The migration law says that a recognized refugee receives “refugee status” but does not regulate the rights and obligations of those under this category, including access to the labour market. Migrant workers must request formal authorization from the public service responsible for the migration in order to change her/his employer; otherwise, their visa will be canceled.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 94.

**Can co-ethnics change their employer without risking their immigration status?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can domestic workers change their employer without risking their immigration status?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but only under certain circumstances. The migrant worker must request formal authorization from the public service responsible for the migration in order to change her/his employer; otherwise, their visa will be canceled.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 6, 3.

**Can agricultural workers change their employer without risking their immigration status?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but only under certain circumstances. The migrant worker must request formal authorization from the public service responsible for the migration in order to change her/his employer; otherwise, their visa will be canceled.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 6, 3.

**Can medical doctors change their employer without risking their immigration status?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but only under certain circumstances. The migrant worker must request formal authorization from the public service responsible for the migration in order to change her/his employer; otherwise, their visa will be canceled.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 6, 3.

**Can permanent residents change their employer without risking their immigration status?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but only under certain circumstances. The migrant worker must request formal authorization from the public service responsible for the migration in order to change her/his employer; otherwise, their visa will be canceled.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 6, 3.

**IMMIGRANT\_35: Right to redress.**

**Do asylum seekers have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The labour law says that “conflicts arising from individual and collective labor relations can be resolved by the parties, through conciliation, mediation or arbitration, through the Mediation and Conciliation Service and the Labor Arbitration Council, before the intervention of the courts”. The same law says that foreign workers engaged in professional activities shall enjoy the same rights and be subject to the same duties applicable to national workers, under the terms of the labour law. This indicates that all foreign workers have access to complaining mechanisms in the case of a contract breach the same way that nationals do.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 97. / Lei N.º 11 [Law No. 11]. 2017. Art. 77.

**Do refugees have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The labour law says that “conflicts arising from individual and collective labor relations can be resolved by the parties, through conciliation, mediation or arbitration, through the Mediation and Conciliation Service and the Labor Arbitration Council, before the intervention of the courts”. The same law says that foreign workers engaged in professional activities shall enjoy the same rights and be subject to the same duties applicable to national workers, under the terms of the labour law. This indicates that all foreign workers have access to complaining mechanisms in the case of a contract breach the same way that nationals do.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 97. / Lei N.º 11 [Law No. 11]. 2017. Art. 77.

**Do co-ethnics have the right to redress if the terms of their employment contracts have been violated?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The labour law says that “conflicts arising from individual and collective labor relations can be resolved by the parties, through conciliation, mediation or arbitration, through the Mediation and Conciliation Service and the Labor Arbitration Council, before the intervention of the courts”. The same law says that foreign workers engaged in professional activities shall enjoy the

same rights and be subject to the same duties applicable to national workers, under the terms of the labour law. This indicates that all foreign workers have access to complaining mechanisms in the case of a contract breach the same way that nationals do.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 97. / Lei N.º 11 [Law No. 11]. 2017. Art. 77.

**Do agricultural workers have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The labour law says that “conflicts arising from individual and collective labor relations can be resolved by the parties, through conciliation, mediation or arbitration, through the Mediation and Conciliation Service and the Labor Arbitration Council, before the intervention of the courts”. The same law says that foreign workers engaged in professional activities shall enjoy the same rights and be subject to the same duties applicable to national workers, under the terms of the labour law. This indicates that all foreign workers have access to complaining mechanisms in the case of a contract breach the same way that nationals do.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 97. / Lei N.º 11 [Law No. 11]. 2017. Art. 77.

**Do medical doctors have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The labour law says that “conflicts arising from individual and collective labor relations can be resolved by the parties, through conciliation, mediation or arbitration, through the Mediation and Conciliation Service and the Labor Arbitration Council, before the intervention of the courts”. The same law says that foreign workers engaged in professional activities shall enjoy the same rights and be subject to the same duties applicable to national workers, under the terms of the labour law. This indicates that all foreign workers have access to complaining mechanisms in the case of a contract breach the same way that nationals do.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 97. / Lei N.º 11 [Law No. 11]. 2017. Art. 77.

**Do permanent residents have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The labour law says that “conflicts arising from individual and collective labor relations can be resolved by the parties, through conciliation, mediation or arbitration, through the Mediation and Conciliation Service and the Labor Arbitration Council, before the intervention of the courts”. The same law says that foreign workers engaged in professional activities shall enjoy the same rights and be subject to the same duties applicable to national workers, under the terms of the labour law. This indicates that all foreign workers have access to complaining mechanisms in the case of a contract breach the same way that nationals do.



Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 97. / Lei N.º 11 [Law No. 11]. 2017. Art. 77.

#### **5.3.4. Property rights**

##### **IMMIGRANT\_36: Property rights.**

##### **Can asylum seekers acquire property in the state of reception?**

Answer: No answer

Code: Not applicable

Explanation: No answer given in questionnaire

Sources: Not applicable

##### **Can refugees acquire property in the state of reception?**

Answer: No answer

Code: Not applicable

Explanation: No answer given in questionnaire.

Sources: Not applicable

##### **Can co-ethnics acquire property in the state of reception?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Can domestic workers acquire property in the state of reception?**

Answer: No answer

Code: Not applicable

Explanation: No answer given in questionnaire.

Sources: Not applicable

**Can agricultural workers acquire property in the state of reception?**

Answer: No answer

Code: Not applicable

Explanation: No answer given in questionnaire

Sources: Not applicable

**Can medical doctors acquire property in the state of reception?**

Answer: No answer

Code: Not applicable

Explanation: No answer given in questionnaire

Sources: Not applicable

**Can permanent residents acquire property in the state of reception?**

Answer: No answer

Code: Not applicable

Explanation: No answer given in questionnaire.

Source: Not applicable

## **5.4. Social policies**

### **5.4.1. Family reunification**

**Can asylum seekers bring their families to their country of residence?**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Can refugees bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Can co-ethnics bring their families to their country of residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can domestic workers bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Can agricultural workers bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Can medical doctors bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Can permanent residents bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

### *Eligibility*

**IMMIGRANT\_37: Resident requirement for ordinary legal residents.**

**Residence requirement for ordinary legal residents (asylum seekers). In months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (asylum seekers):**

Answer: no residence requirement

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (refugees). In months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (refugees):**

Answer: no residence requirement

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (co-ethnics). In months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (domestic workers). In months:**

Answer: 0

Code: 0

Explanation: No residence requirement. The law does not mention any time of residence as a requirement to request family reunification. The only requirement is to be a regular resident or recognized refugee.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70.

**Residence requirement for ordinary legal residents (domestic workers):**

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. The law does not mention any time of residence as a requirement to request family reunification. The only requirement is to be a regular resident or recognized refugee.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70.

**Residence requirement for ordinary legal residents (agricultural workers). In months:**

Answer: 0

Code: 0

Explanation: No residence requirement. The law does not mention any time of residence as a requirement to request family reunification. The only requirement is to be a regular resident or recognized refugee.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70.

**Residence requirement for ordinary legal residents (agricultural workers):**

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. The law does not mention any time of residence as a requirement to request family reunification. The only requirement is to be a regular resident or recognized refugee.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70.

**Residence requirement for ordinary legal residents (medical doctors). In months:**

Answer: 0

Code: 0

Explanation: No residence requirement. The law does not mention any time of residence as a requirement to request family reunification. The only requirement is to be a regular resident or recognized refugee.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70.

**Residence requirement for ordinary legal residents (medical doctors):**

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. The law does not mention any time of residence as a requirement to request family reunification. The only requirement is to be a regular resident or recognized refugee.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70.

**Residence requirement for ordinary legal residents (permanent residents). In months:**

Answer: 0

Code: 0

Explanation: No residence requirement. The law does not mention any time of residence as a requirement to request family reunification. The only requirement is to be a regular resident or recognized refugee.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70.

**Residence requirement for ordinary legal residents (permanent residents):**

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. The law does not mention any time of residence as a requirement to request family reunification. The only requirement is to be a regular resident or recognized refugee.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70.

**IMMIGRANT\_38: Family members considered for reunification.**

**Family member eligible for reunification (asylum seekers): Spouse.**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (asylum seekers): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (asylum seekers): Children.**

Answer: yes

Code: 1

Explanation:

Sources:

**Family member eligible for reunification (asylum seekers): Parents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (asylum seekers): Grandparents.**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (refugees): Spouse.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (refugees): Children.**



Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (refugees): Parents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (refugees): Grandparents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (co-ethnics): Spouse.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Partner in a civil union or long-term relationship.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Children.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Parents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Grandparents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (domestic workers): Spouse.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.° 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (domestic workers): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (domestic workers): Children.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (domestic workers): Parents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (domestic workers): Grandparents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (agricultural workers): Spouse.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (agricultural workers): Children.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (agricultural workers): Parents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (agricultural workers): Grandparents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (medical doctors): Spouse.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (medical doctors): Children.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (medical doctors): Parents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (medical doctors): Grandparents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (permanent residents): Spouse.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (permanent residents): Children.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (permanent residents): Parents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

**Family member eligible for reunification (permanent residents): Grandparents.**

Answer: yes

Code: 1

Explanation: The law says that dependents who are foreign spouses, children (including adopted or incapacitated), as well as members of the direct ascending line are eligible for family reunification. Partners in a civil union or long-term relationship are not mentioned in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 70, 1.

*Security of status*

**IMMIGRANT\_39: Length of application procedure.**

**Length of application procedure in months (asylum seekers).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure (asylum seekers).**

Answer: no regulation of maximum length

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure in months (refugees).**

Answer: Not applicable

Code: Not applicable

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 71.

**Length of application procedure (refugees).**

Answer: no regulation of maximum length

Code: 0

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 71.

**Length of application procedure in months (co-ethnics).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure (co-ethnics).**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure in months (domestic workers).**

Answer: Not applicable

Code: Not applicable

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.



Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 71.

**Length of application procedure (domestic workers).**

Answer: no regulation of maximum length

Code: 0

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 71.

**Length of application procedure in months (agricultural workers).**

Answer: Not applicable

Code: Not applicable

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 71.

**Length of application procedure (agricultural workers).**

Answer: no regulation of maximum length

Code: 0

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 71.

**Length of application procedure in months (medical doctors).**

Answer: Not applicable

Code: Not applicable

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 71.

**Length of application procedure (medical doctors).**

Answer: no regulation of maximum length

Code: 0

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 71.

**Length of application procedure in months (permanent residents).**

Answer: Not applicable

Code: Not applicable

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.

Sources: Not applicable

**Length of application procedure (permanent residents).**

Answer: no regulation of maximum length

Code: 0

Explanation: The law only mentions the required documents as well as describes the procedure. No mention of a timeline or maximum length is made.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 71.

**IMMIGRANT\_40: Duration of permit.**

**Duration of validity of permit (asylum seekers):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Duration of validity of permit (refugees):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Even though the law does not explicitly describe the character of the permit, the official website of the Immigration Service of Timor-Leste says that in the context of a family reunification

process the permit is issued with the same validity and with the same justification as the resident relative.

Sources: Lei N.º 11 [Law No. 11]. 2017. Ch. VI. / Immigration Service of Timor-Leste. "Reagrupamento Familiar [Family Reunification]". Accessed November 20, 2018. <https://www.migracao.gov.tl/pt/html/sub0403.php>.

#### **Duration of validity of permit (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Duration of validity of permit (domestic workers):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Even though the law does not explicitly describe the character of the permit, the official website of the Immigration Service of Timor-Leste says that in the context of a family reunification process the permit is issued with the same validity and with the same justification as the resident relative.

Sources: Lei N.º 11 [Law No. 11]. 2017. Ch. VI. / Immigration Service of Timor-Leste. "Reagrupamento Familiar [Family Reunification]". Accessed 20 November, 2018. <https://www.migracao.gov.tl/pt/html/sub0403.php>.

#### **Duration of validity of permit (agricultural workers):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Even though the law does not explicitly describe the character of the permit, the official website of the Immigration Service of Timor-Leste says that in the context of a family reunification process the permit is issued with the same validity and with the same justification as the resident relative.

Sources: Lei N.º 11 [Law No. 11]. 2017. Ch. VI. / Immigration Service of Timor-Leste. " 2018. Reagrupamento Familiar [Family Reunification]". Accessed November 20, 2018. <https://www.migracao.gov.tl/pt/html/sub0403.php>.

#### **Duration of validity of permit (medical doctors):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Even though the law does not explicitly describe the character of the permit, the official website of the Immigration Service of Timor-Leste says that in the context of a family reunification process the permit is issued with the same validity and with the same justification as the resident relative.

Sources: Lei N.º 11 [Law No. 11]. 2017. Ch. VI. / Immigration Service of Timor-Leste. "Reagrupamento Familiar [Family Reunification]". Accessed November 20, 2018. <https://www.migracao.gov.tl/pt/html/sub0403.php>.

**Duration of validity of permit (permanent residents):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Even though the law does not explicitly describe the character of the permit, the official website of the Immigration Service of Timor-Leste says that in the context of a family reunification process the permit is issued with the same validity and with the same justification as the resident relative.

Sources: Lei N.º 11 [Law No. 11]. 2017. Ch. VI. / Immigration Service of Timor-Leste. "Reagrupamento Familiar [Family Reunification]". Accessed November 20, 2018. <https://www.migracao.gov.tl/pt/html/sub0403.php>.

**IMMIGRANT\_41: Grounds for rejection, withdrawing or refusing to renew status.**

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (asylum seekers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (asylum seekers):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Break-up of family relationship is a ground for rejecting family reunification application (asylum seekers):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (refugees):**

Answer: yes

Code: 1

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):**

Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Break-up of family relationship is a ground for rejecting family reunification application (refugees):**

Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Break-up of family relationship is a ground for rejecting family reunification application (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (domestic workers):**

Answer: yes

Code: 1

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.° 11 [Law No. 11]. 2017. Art. 72, 1.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (domestic workers):**

Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Break-up of family relationship is a ground for rejecting family reunification application (domestic workers):**

Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (agricultural workers):**

Answer: yes

Code: 1

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):**

Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the

lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):**

Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):**

Answer: yes

Code: 1

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):**

Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):**



Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):**

Answer: yes

Code: 1

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):**

Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):**

Answer: no

Code: 0

Explanation: The law says that rejection of the application can happen when the applicant does not meet the accommodation and means of subsistence requirement; when the family member is prohibited to enter the national territory; or for reasons of public order or security. However, the

lodging and income requirements do not apply for refugees. No mention of grounds for withdrawing or refusing to renew status is made in the law.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 1.

**IMMIGRANT\_42: Special circumstances.**

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (asylum seekers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (asylum seekers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of existing links with country of origin (asylum seekers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of physical or emotional violence (asylum seekers):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (refugees):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of solidity of duration of sponsor's residence in country (refugees):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of existing links with country of origin (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of physical or emotional violence (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (domestic workers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (domestic workers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (domestic workers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (domestic workers):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (agricultural workers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 2.

**IMMIGRANT\_43: Legal guarantees and redress in case of refusal or withdrawal.**

**Legal guarantee in case of refusal or withdrawal: reasoned decision (asylum seekers):**

Answer: yes

Code: 1

Explanation: After receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: right to appeal (asylum seekers):**

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (asylum seekers):**

Answer: yes

Code: 1

Explanation: After receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.



**Legal guarantee in case of refusal or withdrawal: reasoned decision (refugees):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: right to appeal (co-ethnic):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (co-ethnic):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: reasoned decision (domestic workers):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: right to appeal (domestic workers):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (domestic workers):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (agricultural workers):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):**

Answer: yes

Code: 1

Explanation: In the process of family reunification legal guarantees and redress in case of refusal or withdrawal are the same as the ones applied for permanent residency procedures. Meaning that after receiving a notification of the decision the applicant has fifteen working days to appeal. If the appeal is negative she/he has again another fifteen working days to appeal from this decision.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 72, 4. / Lei N.º 11 [Law No. 11]. 2017. Art. 69.

**IMMIGRANT\_44: Right to autonomous permit.**

**Right to autonomous residence permit for partners and children at age of majority (asylum seekers):**

Answer: no answer

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Right to autonomous residence permit for partners and children at age of majority (refugees):**

Answer: right after reunification

Code: 1

Explanation: In cases of judicial separation of persons and property, divorce, widowhood, death of the resident relative, or conviction for domestic violence, an (autonomous) residence permit may be granted to family member.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 67, 4.

**Right to autonomous residence permit for partners and children at age of majority (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Right to autonomous residence permit for partners and children at age of majority (domestic workers):**

Answer: right after reunification

Code: 1

Explanation: In cases of judicial separation of persons and property, divorce, widowhood, death of the resident relative, or conviction for domestic violence, an (autonomous) residence permit may be granted to family member.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 67, 4.

**Right to autonomous residence permit for partners and children at age of majority (agricultural workers):**

Answer: right after reunification

Code: 1

Explanation: In cases of judicial separation of persons and property, divorce, widowhood, death of the resident relative, or conviction for domestic violence, an (autonomous) residence permit may be granted to family member.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 67, 4.

**Right to autonomous residence permit for partners and children at age of majority (medical doctors):**

Answer: right after reunification

Code: 1

Explanation: In cases of judicial separation of persons and property, divorce, widowhood, death of the resident relative, or conviction for domestic violence, an (autonomous) residence permit may be granted to family member.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 67, 4.

**Right to autonomous residence permit for partners and children at age of majority (permanent residents):**

Answer: right after reunification

Code: 1

Explanation: In cases of judicial separation of persons and property, divorce, widowhood, death of the resident relative, or conviction for domestic violence, an (autonomous) residence permit may be granted to family member.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 67, 4.

## **5.4.2. Education**

### **IMMIGRANT\_45: Access to education.**

#### **Children of asylum seekers have access to compulsory education:**

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: The education law says that basic education is universal, compulsory, free of charge, and lasts for nine years. There is no link between compulsory education and residence stated in the law.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 11, 1.

#### **Children of refugees have access to compulsory education:**

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: The education law says that basic education is universal, compulsory and free of charge and lasts for nine years. There is no link between compulsory education and residence stated in the law.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 11, 1.

#### **Children of co-ethnics have access to compulsory education:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Children of domestic workers have access to compulsory education:**

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: The education law says that basic education is universal, compulsory and free of charge and lasts for nine years. There is no link between compulsory education and residence stated in the law.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 11, 1.

**Children of agricultural workers have access to compulsory education:**

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: The education law says that basic education is universal, compulsory and free of charge and lasts for nine years. There is no link between compulsory education and residence stated in the law.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 11, 1.

**Children of medical doctors have access to compulsory education:**

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: The education law says that basic education is universal, compulsory and free of charge and lasts for nine years. There is no link between compulsory education and residence stated in the law.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 11, 1.

**Children of permanent residents have access to compulsory education:**

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: The education law says that basic education is universal, compulsory and free of charge and lasts for nine years. There is no link between compulsory education and residence stated in the law.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 11, 1.

**IMMIGRANT\_46: Access to higher education.**

**Asylum seekers and their children have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals



Code: 0.5

Explanation: Higher education in Timor-Leste includes university education and technical education. The law says that in general, qualified individuals with a high school education or equivalent, who show proof of their ability to attend the courses can access higher education. The law does not explicitly mention the possibility of migrants accessing it, however it does not mention any restriction either.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 17, 1. / Lei N.º 14 [Law No. 14]. 2008. Art 18, 1.

**Refugees have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Higher education in Timor-Leste includes university education and technical education. The law says that in general, qualified individuals with a high school education or equivalent, who show proof of their ability to attend the courses can access higher education. The law does not explicitly mention the possibility of migrants accessing it, however it does not mention any restriction either.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 17, 1. / Lei N.º 14 [Law No. 14]. 2008. Art 18, 1.

**Co-ethnics have access to higher education:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Domestic workers have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Higher education in Timor-Leste includes university education and technical education. The law says that in general, qualified individuals with a high school education or equivalent, who show proof of their ability to attend the courses can access higher education. The law does not explicitly mention the possibility of migrants accessing it, however it does not mention any restriction either.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 17, 1. / Lei N.º 14 [Law No. 14]. 2008. Art 18, 1.

**Agricultural workers have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Higher education in Timor-Leste includes university education and technical education. The law says that in general, qualified individuals with a high school education or equivalent, who show proof of their ability to attend the courses can access higher education. The law does not explicitly mention the possibility of migrants accessing it, however it does not mention any restriction either.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 17, 1. / Lei N.º 14 [Law No. 14]. 2008. Art 18, 1.

#### **Medical doctors have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Higher education in Timor-Leste includes university education and technical education. The law says that in general, qualified individuals with a high school education or equivalent, who show proof of their ability to attend the courses can access higher education. The law does not explicitly mention the possibility of migrants accessing it, however it does not mention any restriction either.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 17, 1. / Lei N.º 14 [Law No. 14]. 2008. Art 18, 1.

#### **Permanent residents have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Higher education in Timor-Leste includes university education and technical education. The law says that in general, qualified individuals with a high school education or equivalent, who show proof of their ability to attend the courses can access higher education. The law does not explicitly mention the possibility of migrants accessing it, however it does not mention any restriction either.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 17, 1. / Lei N.º 14 [Law No. 14]. 2008. Art 18, 1.

#### **IMMIGRANT\_47: Support for language instruction.**

##### **Provision of education support in language(s) of instruction for migrant pupils:**

Answer: no

Code: 0

Explanation: The law explicitly says that the teaching languages of the Timorese educational system are Tetum and Portuguese and no mention of other language support is made in the law.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art 8.

#### **IMMIGRANT\_48: Intercultural education.**

**Intercultural education is included in pre-service training in order to qualify as a teacher:**

Answer: no

Code: 0

Explanation: In Timor-Lest the Compulsory Professions Competency Framework establishes the set of capacities that each teacher must possess and develop in order to enter, progress and access in the Career. None of the categories of required competencies required by law for teacher training and professional development include any explicit element related to migrant pupils. It only mentions a general statement about being aware of the differences between students. Furthermore, the National Curriculum for primary and secondary education does not include any intercultural aspect.

Sources: Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Sec. I. / Decreto-Lei N.º 23 [Decree-Law No. 23]. 2010. Art. 16.

#### **IMMIGRANT\_49: Integration in teachers' syllabus.**

**Migration and integration are obligatory topics in professional development training:**

Answer: no

Code: 0

Explanation: The only purposes mentioned in law for in-service professional development are performance evaluation; career development; placement procedures for teachers; and access to management and leadership positions. No mention of training related to migration and integration is made.

Sources: Decreto-Lei N.º 23 [Decree-Law No. 23]. Art. 23.

### **5.4.3. Health care**

#### **IMMIGRANT\_50: Conditions for inclusion in the health care system**

**Conditions for inclusion of asylum seekers in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Some conditions for inclusion. All foreign citizens residing in Timor-Leste are beneficiaries of its universal health system coverage as long as there is a reciprocity regime to Timorese citizens in their country of origin. Stateless persons residing in the country are unconditionally included. Neither the law on migration nor the health system law mention any special provisions for permanent residents. This indicates that those are also subject to the reciprocity regime given that there seems to be no special regulation.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15. / Lei N.º 11 [Law No. 11]. 2017. Sec. III.

**Conditions for inclusion of refugees in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Some conditions for inclusion. All foreign citizens residing in Timor-Leste are beneficiaries of its universal health system coverage as long as there is a reciprocity regime to Timorese citizens in their country of origin. Stateless persons residing in the country are unconditionally included. Neither the law on migration nor the health system law mention any special provisions for permanent residents. This indicates that those are also subject to the reciprocity regime given that there seems to be no special regulation.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15. / Lei N.º 11 [Law No. 11]. 2017. Sec. III.

**Conditions for inclusion of co-ethnics in the health care system:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Conditions for inclusion of domestic workers in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Some conditions for inclusion. All foreign citizens residing in Timor-Leste are beneficiaries of its universal health system coverage as long as there is a reciprocity regime to Timorese citizens in their country of origin. Stateless persons residing in the country are unconditionally included. Neither the law on migration nor the health system law mention any special provisions for permanent residents. This indicates that those are also subject to the reciprocity regime given that there seems to be no special regulation.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15. / Lei N.º 11 [Law No. 11]. 2017. Sec. III.

**Conditions for inclusion of agricultural workers in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Some conditions for inclusion. All foreign citizens residing in Timor-Leste are beneficiaries of its universal health system coverage as long as there is a reciprocity regime to Timorese citizens in their country of origin. Stateless persons residing in the country are unconditionally included. Neither the law on migration nor the health system law mention any special provisions for permanent residents. This indicates that those are also subject to the reciprocity regime given that there seems to be no special regulation.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15. / Lei N.º 11 [Law No. 11]. 2017. Sec. III.

**Conditions for inclusion of medical doctors in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Some conditions for inclusion. All foreign citizens residing in Timor-Leste are beneficiaries of its universal health system coverage as long as there is a reciprocity regime to Timorese citizens in their country of origin. Stateless persons residing in the country are unconditionally included. Neither the law on migration nor the health system law mention any special provisions for permanent residents. This indicates that those are also subject to the reciprocity regime given that there seems to be no special regulation.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15. / Lei N.º 11 [Law No. 11]. 2017. Sec. III.

**Conditions for inclusion of permanent residents in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Some conditions for inclusion. All foreign citizens residing in Timor-Leste are beneficiaries of its universal health system coverage as long as there is a reciprocity regime to Timorese citizens in their country of origin. Stateless persons residing in the country are unconditionally included. Neither the law on migration nor the health system law mention any special provisions for permanent residents. This indicates that those are also subject to the reciprocity regime given that there seems to be no special regulation.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15. / Lei N.º 11 [Law No. 11]. 2017. Sec. III.

**IMMIGRANT\_51: Coverage of health care services.**

**Health care coverage for asylum seekers.**

Answer: no answer

Code: Not applicable

Explanation: There is no information regarding asylum seekers, who are on a provisional residential permit. The law mentions foreign residents as beneficiaries and does not include any restrictions to the care they are entitled once they are covered by the universal system.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15.

**Health care coverage for refugees.**

Answer:

Code:

Explanation:

Sources:

#### **Health care coverage for co-ethnics.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Health care coverage for domestic workers.**

Answer: same coverage as nationals

Code: 1

Explanation: The law mentions foreign residents as beneficiaries and does not include any restrictions to the care they are entitled once they are covered by the universal system.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15.

#### **Health care coverage for agricultural workers.**

Answer: same coverage as nationals

Code: 1

Explanation: The law mentions foreign residents as beneficiaries and does not include any restrictions to the care they are entitled once they are covered by the universal system.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15.

#### **Health care coverage for medical doctors.**

Answer: same coverage as nationals

Code: 1

Explanation: The law mentions foreign residents as beneficiaries and does not include any restrictions to the care they are entitled once they are covered by the universal system.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15.

#### **Health care coverage for permanent residents.**

Answer: same coverage as nationals

Code: 1

Explanation: The law mentions foreign residents as beneficiaries and does not include any restrictions to the care they are entitled once they are covered by the universal system.

Sources: Lei N.º 10 [Law No. 10]. 2004. Art. 15.

#### **5.4.4. Unemployment benefits**

##### **IMMIGRANT\_52: Unemployment benefits.**

###### **Access of asylum seekers to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: Not applicable given that Timor Leste does not have a general unemployment benefit regime. In consultation with experts, it was found that following independence, in 2002, the government tried to put in place a social security scheme for civil servants but the project has not been extended to other sectors and did/does not include unemployment benefits.

Sources: Carolo Daniel. 2018. Dúvidas sobre segurança social em Timor Leste [Questions about Social Security in Timor-Leste].

###### **Access of refugees to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: Not applicable given that Timor Leste does not have a general unemployment benefit regime. In consultation with experts, it was found that following independence, in 2002, the government tried to put in place a social security scheme for civil servants but the project has not been extended to other sectors and did/does not include unemployment benefits.

Sources: Carolo Daniel. 2018. Dúvidas sobre segurança social em Timor Leste [Questions about Social Security in Timor-Leste].

###### **Access of co-ethnics to unemployment benefits as compared to citizen residents:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Access of domestic workers to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: Not applicable given that Timor Leste does not have a general unemployment benefit regime. In consultation with experts, it was found that following independence, in 2002, the government tried to put in place a social security scheme for civil servants but the project has not been extended to other sectors and did/does not include unemployment benefits.

Sources: Carolo Daniel. 2018. Dúvidas sobre segurança social em Timor Leste [Questions about Social Security in Timor-Leste].

**Access of agricultural workers to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: Not applicable given that Timor Leste does not have a general unemployment benefit regime. In consultation with experts, it was found that following independence, in 2002, the government tried to put in place a social security scheme for civil servants but the project has not been extended to other sectors and did/does not include unemployment benefits.

Sources: Carolo Daniel. 2018. Dúvidas sobre segurança social em Timor Leste [Questions about Social Security in Timor-Leste].

**Access of medical doctors to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: Not applicable given that Timor Leste does not have a general unemployment benefit regime. In consultation with experts, it was found that following independence, in 2002, the government tried to put in place a social security scheme for civil servants but the project has not been extended to other sectors and did/does not include unemployment benefits.

Sources: Carolo Daniel. 2018. Dúvidas sobre segurança social em Timor Leste [Questions about Social Security in Timor-Leste].

**Access of permanent residents to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: Not applicable given that Timor Leste does not have a general unemployment benefit regime. In consultation with experts, it was found that following independence, in 2002, the



government tried to put in place a social security scheme for civil servants but the project has not been extended to other sectors and did/does not include unemployment benefits.

Sources: Carolo Daniel. 2018. Dúvidas sobre segurança social em Timor Leste [Questions about Social Security in Timor-Leste].

#### **5.4.5. Retirement benefits**

##### **IMMIGRANT\_53: Retirement benefits.**

###### **Access of asylum seekers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: The law on retirement benefits says that everyone included in the general national social security scheme is entitled to the benefit. The social security system has a general equality principle towards beneficiaries, which protects against discrimination based on nationality. The law says that all workers undertaking a contract of paid employment for either a determined or undetermined amount of time are obliged to be included in the general social security regime.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2017. Art. 3. / Lei N.º 12 [Law No. 12]. 2016. Art. 6.

###### **Access of refugees to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: The law on retirement benefits says that everyone included in the general national social security scheme is entitled to the benefit. The social security system has a general equality principle towards beneficiaries, which protects against discrimination based on nationality. The law says that all workers undertaking a contract of paid employment for either a determined or undetermined amount of time are obliged to be included in the general social security regime.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2017. Art. 3. / Lei N.º 12 [Law No. 12]. 2016. Art. 6.

###### **Access of co-ethnics to retirement benefits as compared to citizen residents:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

###### **Access of domestic workers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: The law on retirement benefits says that everyone included in the general national social security scheme is entitled to the benefit. The social security system has a general equality principle towards beneficiaries, which protects against discrimination based on nationality. The law says that all workers undertaking a contract of paid employment for either a determined or undetermined amount of time are obliged to be included in the general social security regime.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2017. Art. 3. / Lei N.º 12 [Law No. 12]. 2016. Art. 6.

#### **Access of agricultural workers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: The law on retirement benefits says that everyone included in the general national social security scheme is entitled to the benefit. The social security system has a general equality principle towards beneficiaries, which protects against discrimination based on nationality. The law says that all workers undertaking a contract of paid employment for either a determined or undetermined amount of time are obliged to be included in the general social security regime.

Sources: Decreto-Lei N.º 17 [Decree-Law No. 17]. 2017. Art. 3. / Lei N.º 12 [Law No. 12]. 2016. Art. 6.

#### **Access of medical doctors to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: The law on retirement benefits says that everyone included in the general national social security scheme is entitled to the benefit. The social security system has a general equality principle towards beneficiaries, which protects against discrimination based on nationality. The law says that all workers undertaking a contract of paid employment for either a determined or undetermined amount of time are obliged to be included in the general social security regime.

Sources: Governo de Timor-Leste, 2017. Decreto-Lei n.º 17/2017 - Regime Jurídico das Pensões de Invalidez e Velhice no Âmbito do Regime Contributivo de Segurança Social, CI, SI, Art 3º. / Parlamento Nacional, 2016. Lei n.º 12/2016 de 14 de Novembro - Lei de Criação do Regime Contributivo de Segurança Social, CI, Art 6º.

#### **Access of permanent residents to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. For foreigners permanently staying in the country the law does not apply limiting conditions. On the contrary, the law on social security has a general equality principle towards beneficiaries, which protects against discrimination based on nationality.

Sources: Lei N.º 12 [Law No. 12]. 2016. Art. 6.

## **5.5. Cultural policies**

### **IMMIGRANT\_54: Funding for bilingual education.**

**Is there public funding for bilingual education in the language of majoritarian migrant groups? 2008.**

Answer: no

Code: 0

Explanation: The law explicitly says that the teaching languages of the Timorese educational system are Tetum and Portuguese and no mention of other language support is made in the law.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art. 8.

### **IMMIGRANT\_55: Funding for media on main migrant group's language.**

**Is there public funding for media in the language of the main migrant group?**

Answer: no

Code: 0

Explanation: The law explicitly says that the teaching languages of the Timorese educational system are Tetum and Portuguese and no mention of other language support is made in the law.

Sources: Lei N.º 14 [Law No. 14]. 2008. Art. 8.

## **5.6. Mobility policies**

### **5.6.1. Identity documents**

#### **IMMIGRANT\_56: Confiscation of identification documents.**

**Do asylum seekers have the right not to have their identity document confiscated by any-one (excluding public authorities)?**

Answer: no

Code: 0

Explanation: The law on migration does not explicitly mention one's right to not have identity documents confiscated.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4.

**Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: The law on migration does not explicitly mention one's right to not have identity documents confiscated.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4.

**Do co-ethnics have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: The law on migration does not explicitly mention one's right to not have identity documents confiscated.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4.

**Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: The law on migration does not explicitly mention one's right to not have identity documents confiscated.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4.

**Do medical doctors have the right not to have their identity document confiscated by any-one (excluding public authorities)?**

Answer: no

Code: 0

Explanation: The law on migration does not explicitly mention one's right to not have identity documents confiscated.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4.

**Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: The law on migration does not explicitly mention one's right to not have identity documents confiscated.

Sources: Lei N.º 11 [Law No. 11]. 2017. Art. 4.

## **5.6.2. Freedom of movement**

**IMMIGRANT\_57: Freedom of movement within country.**

**Do asylum seekers have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: Yes, unrestrictedly. Neither the migration law nor the official website of the Immigration Service of Timor Leste mention any restriction related to place of residence when it comes to asylum seekers.

Sources: Lei N.º 11 [Law No. 11]. 2017. Ch. VIII.

**Do refugees have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: Yes, unrestrictedly. Neither the migration law nor the official website of the Immigration Service of Timor Leste mention any restriction related to place of residence when it comes to refugees.

Sources: Lei N.º 11 [Law No. 11]. 2017. Ch. VIII.

**Do co-ethnics have the right to move freely within the country?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right to move freely within the country?**

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: The migration law does not mention any particular restrictions with regards to place of residence for those under a residence visa (visa to establish residence - Visto de fixação de residência). However, the official website of the Immigration Service of Timor Leste says that this visa “may also be restricted to residence in a specific region of the country for a period up to five years”.

Sources: Lei N.º 11 [Law No. 11]. 2017. / Serviço Migração Timor-Leste [Immigration Service of Timor-Leste]. “Visa to Establish Residence”. Accessed September 6, 2018.  
<http://www.migracao.gov.tl/html/sub0402.php>. / Lei N.º 11 [Law No. 11]. 2017. Art. 40.

**Do agricultural workers have the right to move freely within the country?**

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: The migration law does not mention any particular restrictions with regards to place of residence for those under a residence visa (visa to establish residence - Visto de fixação de residência). However, the official website of the Immigration Service of Timor Leste says that this visa “may also be restricted to residence in a specific region of the country for a period up to five years”.

Sources: Lei N.º 11 [Law No. 11]. 2017. / Serviço Migração Timor-Leste [Immigration Service of Timor-Leste]. “Visa to Establish Residence”. Accessed September 6, 2018.  
<http://www.migracao.gov.tl/html/sub0402.php>. / Lei N.º 11 [Law No. 11]. 2017. Art. 40.

**Do medical doctors have the right to move freely within the country?**

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: The migration law does not mention any particular restrictions with regards to place of residence for those under a residence visa (visa to establish residence - Visto de fixação de residência). However, the official website of the Immigration Service of Timor Leste says that this visa “may also be restricted to residence in a specific region of the country for a period up to five years”.

Sources: Lei N.º 11 [Law No. 11]. 2017. / Serviço Migração Timor-Leste [Immigration Service of Timor-Leste]. “ 2018. Visa to Establish Residence”. Accessed September 6, 2018. <http://www.migracao.gov.tl/html/sub0402.php>. / Lei N.º 11 [Law No. 11]. 2017. Art. 40.

**Do permanent residents have the right to move freely within the country?**

Answer: not applicable

Code: Not applicable

Explanation: Yes, unrestrictedly. Neither the migration law nor the official website of the Immigration Service of Timor Leste mention any restriction related to place of residence when it comes to permanent residents

Sources: Lei N.º 11 [Law No. 11]. 2017. Sec. III.

**IMMIGRANT\_58: Freedom to move outside the country.**

**Do asylum seekers have the right to leave the country?**

Answer: no answer

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (asylum seekers):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do refugees have the right to leave the country?**

Answer: no answer

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (refugees):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do co-ethnics have the right to leave the country?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (co-ethnics):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right to leave the country?**

Answer: no answer

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (domestic workers):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



**Do agricultural workers have the right to leave the country?**

Answer: no answer

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (agricultural workers):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do medical doctors have the right to leave the country?**

Answer: no answer

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (medical doctors):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do permanent residents have the right to leave the country?**

Answer: no answer

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (permanent residents):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **5.6.3. Obligations**

#### **5.6.4. Military service**

**IMMIGRANT\_59: Military service.**

**Do asylum seekers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no military conscription in East Timor. Military service is voluntary for citizens between the ages of 18 and 30.

Sources: Lei N.º 16 [Law No. 16]. 2008.

**Do refugees have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no military conscription in East Timor. Military service is voluntary for citizens between the ages of 18 and 30.

Sources: Lei N.º 16 [Law No. 16]. 2008.

**Do co-ethnics have the obligation to comply with military service?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Do domestic workers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no military conscription in East Timor. Military service is voluntary for citizens between the ages of 18 and 30.

Sources: Lei N.º 16 [Law No. 16]. 2008.

#### **Do agricultural workers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no military conscription in East Timor. Military service is voluntary for citizens between the ages of 18 and 30.

Sources: Lei N.º 16 [Law No. 16]. 2008.

#### **Do medical doctors have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no military conscription in East Timor. Military service is voluntary for citizens between the ages of 18 and 30.

Sources: Lei N.º 16 [Law No. 16]. 2008.

#### **Do permanent residents have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no military conscription in East Timor. Military service is voluntary for citizens between the ages of 18 and 30.

Sources: Lei N.º 16 [Law No. 16]. 2008.

### **5.6.5. Social service**

**IMMIGRANT\_60: Social service.**

**Do asylum seekers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: The Timorese Constitution does not mention the existence of social services as a civic duty. Furthermore, the law regulating the acquisition of educational degrees does not mention social service as a requirement to obtain a degree.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. / Lei N.º 14 [Law No. 14]. 2008.

**Do refugees have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: The Timorese Constitution does not mention the existence of social services as a civic duty. Furthermore, the law regulating the acquisition of educational degrees does not mention social service as a requirement to obtain a degree.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. / Lei N.º 14 [Law No. 14]. 2008.

**Do co-ethnics have the obligation to comply with social service?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: The Timorese Constitution does not mention the existence of social services as a civic duty. Furthermore, the law regulating the acquisition of educational degrees does not mention social service as a requirement to obtain a degree.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. / Lei N.º 14 [Law No. 14]. 2008.

**Do agricultural workers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: The Timorese Constitution does not mention the existence of social services as a civic duty. Furthermore, the law regulating the acquisition of educational degrees does not mention social service as a requirement to obtain a degree.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. / Lei N.º 14 [Law No. 14]. 2008.

#### **Do medical doctors have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: The Timorese Constitution does not mention the existence of social services as a civic duty. Furthermore, the law regulating the acquisition of educational degrees does not mention social service as a requirement to obtain a degree.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. / Lei N.º 14 [Law No. 14]. 2008.

#### **Do permanent residents have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: The Timorese Constitution does not mention the existence of social services as a civic duty. Furthermore, the law regulating the acquisition of educational degrees does not mention social service as a requirement to obtain a degree.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. / Lei N.º 14 [Law No. 14]. 2008.

### **5.6.6. Taxes**

#### **IMMIGRANT\_61: Income taxes.**

#### **Do asylum seekers have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes. All remuneration earned as a salary in the context of a formal working contract is taxable. Furthermore, for taxing purposes the gross income of a resident person includes income from all sources within and outside Timor Leste.

Sources: Lei N.º 8 [Law No. 8]. 2008. Art. 20. / Lei N.º 8 [Law No. 8]. 2008. Art. 28, 4.

**Do refugees have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes. All remuneration earned as a salary in the context of a formal working contract is taxable. Furthermore, for taxing purposes the gross income of a resident person includes income from all sources within and outside Timor Leste.

Sources: Lei N.º 8 [Law No. 8]. 2008. Art. 20. / Lei N.º 8 [Law No. 8]. 2008. Art. 28, 4.

**Do co-ethnics have to pay income taxes in state of reception?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes. All remuneration earned as a salary in the context of a formal working contract is taxable. Furthermore, for taxing purposes the gross income of a resident person includes income from all sources within and outside Timor Leste.

Sources: Lei N.º 8 [Law No. 8]. 2008. Art. 20. / Lei N.º 8 [Law No. 8]. 2008. Art. 28, 4.

**Do agricultural workers have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes. All remuneration earned as a salary in the context of a formal working contract is taxable. Furthermore, for taxing purposes the gross income of a resident person includes income from all sources within and outside Timor Leste.

Sources: Lei N.º 8 [Law No. 8]. 2008. Art. 20. / Lei N.º 8 [Law No. 8]. 2008. Art. 28, 4.

**Do medical doctors have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes. All remuneration earned as a salary in the context of a formal working contract is taxable. Furthermore, for taxing purposes the gross income of a resident person includes income from all sources within and outside Timor Leste.

Sources: Lei N.º 8 [Law No. 8]. 2008. Art. 20. / Lei N.º 8 [Law No. 8]. 2008. Art. 28, 4.

#### **Do permanent residents have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes. All remuneration earned as a salary in the context of a formal working contract is taxable. Furthermore, for taxing purposes the gross income of a resident person includes income from all sources within and outside Timor Leste.

Sources: Lei N.º 8 [Law No. 8]. 2008. Art. 20. / Lei N.º 8 [Law No. 8]. 2008. Art. 28, 4.

## **5.7. Administration**

### **IMMIGRANT\_62: Existence of immigrant integration agency in state of reception.**

#### **Existence of institution/agency with competencies for immigrant policies:**

Answer: yes

Code: 1

Explanation: The Migration Service (Serviço de Migração) controls the movements of persons upon arrival and departure of the country, while also controlling and monitoring the presence of foreigners in the national territory, meaning it is the authority in charge of issues of resident migrants. It is a criminal police agency of the Ministry of Defense and Security. Its competences include: collaborating for the enforcement of migrant labour law, developing research and advising the Government on the economic and social impact of migration policies; deciding on visa applications, extensions of stay, asylum, family reunification and other documents. Other competences relate to security matters. No evidence of existence of any other agency focused on providing information for and/or protecting the rights and interests of migrants was found.

Sources: Decreto-Lei N.º 30 [Decree-Law No. 30]. 2009.

#### **Name of the institution with competencies for immigrant policies in original language:**

Answer: Serviço de Migração

#### **Name of the institution with competencies for immigrant policies in English:**

Answer: Migration Service

**Access to antidiscrimination body.**

**Migrants can access antidiscrimination bodies and prerogatives (e.g. make official complaints to an Ombudsperson) regardless of migrant status (they might be explicitly mentioned as eligible, or not; what we care about is that they are not explicitly excluded, for instance, by statements that restrict access to nationals):**

Answer: Antidiscrimination body does not exist

Code: Not applicable

Explanation: There are no specific antidiscrimination bodies focusing on migrants. Racism and xenophobia in general are not recurrent topics in Timorese law. The Constitution mentions that no one shall be discriminated against on grounds of colour, race, ethnical origin, and language but no mention of an Ombudsperson or the creation of antidiscrimination bodies and prerogatives is mentioned in the law.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 16, 2.



## 6. Immigrant citizenship and nationality

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### 6.1. Immigrant nationality

#### 6.1.1. Immigrant dual nationality

**IMNAT\_1: Renunciation of previous nationality.**

**Does the country require applicants to naturalization by residence to renounce their previous nationality?**

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

**Citizenship can be withdrawn only if person resides outside the country:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are there exceptions?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMNAT\_1\_1: Sanctions.**

**Are there sanctions for naturalized persons who are later found to have the nationality of the country or origin despite there being a procedure and having pledged to renounce it?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **6.1.2. Emigrant dual nationality for immigrants who naturalized**

**IMNAT\_2: Emigrant dual nationality for naturalized immigrants.**

**Does the country deprive their national citizens by naturalization of nationality (or provide for the involuntary loss of it) for having acquired a foreign one (i.e. of their place of residence) and, if so, under which conditions?**

Answer: No provision

Code: 1

Explanation: No. The only grounds for losing nationality that was acquired by naturalization are serving the army of a foreign state (unless authorized by the government), performing functions of sovereignty in favour of a foreign state without government authorization, being definitely convicted for a criminal offence against the external security of the East Timorese State, and acquiring citizenship through forged documents, using fraudulent means or otherwise deceiving competent authorities.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 14, 2.

### **6.1.3. Loss of nationality after residence abroad for naturalized immigrants**

**IMNAT\_3: Loss after residence abroad for naturalized immigrants.**

**For national citizens by naturalization who emigrated, does the country deprive them of their nationality (or provide for the involuntary loss of it) because of residence abroad**

Answer: No provision

Code: 1

Explanation: No. The only grounds for losing nationality that was acquired by naturalization are serving the army of a foreign state (unless authorized by the government), performing functions of sovereignty in favour of a foreign state without government authorization, being definitely convicted for a criminal offence against the external security of the East Timorese State, and acquiring citizenship through forged documents, using fraudulent means or otherwise deceiving competent authorities.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 14, 2.

**After how many years abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **6.1.4. Unrestrictive jus soli**

**IMNAT\_4: Unrestrictive jus soli.**

**Does the country provide for a child to acquire nationality by birth in the territory irrespective of the birthplace of the parents?**

Answer: No

Code: 0

Explanation: No. In order to acquire nationality by birth in the territory the person has to be either born to a parent born in Timor-Leste, and in her/his birth record is mentioned the Timorese citizenship of either of her/his parents; or to a foreign parent, with the condition that after turning 17 years old, declares her/his intention of becoming a Timorese citizen; or finally if in the person's birth record is mentioned her/his parents' unknown citizenship, no mention is made of his or her parentage, or the proof of his or her statelessness is mentioned.

Sources: Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004. Sec. 1.

#### **6.1.5. Qualified jus soli**

**IMNAT\_5: Qualified jus soli.**

**Does the country provide for children to acquire nationality by birth in the territory only if their parents were also born there?**

Answer: Yes

Code: 1

Explanation: As long as one parent was born in Timor Leste and in the child's birth record is mentioned the Timorese citizenship of either of her/his parents.

Sources: Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004. Sec. 1.

#### **6.1.6. Standard naturalization procedure for immigrants due to residence**

**IMNAT\_6: Ordinary naturalization.**

**Does the country provide for standard naturalization procedure for immigrants due to residence in it?**

Answer: Yes, provision for standard naturalization based on residence

Code: 1

Explanation: : The Minister of Justice may grant East Timorese citizenship to a foreigner who so requests and cumulatively meets the following conditions on the date of request: a) To be an adult in light of the law of Timor-Leste and the State of origin; b) To be a usual and regular resident of Timor-Leste for at least ten (10) years prior to 7 December 1975 or after 20 May 2002; c) To be able to speak one of the official languages; d) To meet moral and civic standards for integration into the East Timorese society; e) To be able to manage oneself and provide for one's subsistence; f) To know the history and culture of Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

**Number of years of residence required for naturalization:**

Answer: 10

Code: 10

Explanation: : The Minister of Justice may grant East Timorese citizenship to a foreigner who so requests and cumulatively meets the following conditions on the date of request: a) To be an adult in light of the law of Timor-Leste and the State of origin; b) To be a usual and regular resident of Timor-Leste for at least ten (10) years prior to 7 December 1975 or after 20 May 2002; c) To be able to speak one of the official languages; d) To meet moral and civic standards for integration into the East Timorese society; e) To be able to manage oneself and provide for one's subsistence; f) To know the history and culture of Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

**Number of continuous years of residence required for naturalization:**

Answer: 10

Code: 10

Explanation: : The Minister of Justice may grant East Timorese citizenship to a foreigner who so requests and cumulatively meets the following conditions on the date of request: a) To be an adult in light of the law of Timor-Leste and the State of origin; b) To be a usual and regular resident of Timor-Leste for at least ten (10) years prior to 7 December 1975 or after 20 May 2002; c) To be able to speak one of the official languages; d) To meet moral and civic standards for integration into the East Timorese society; e) To be able to manage oneself and provide for one's subsistence; f) To know the history and culture of Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

**Permanent residence status is required for naturalization:**

Answer: No

Code: 0

Explanation: : The Minister of Justice may grant East Timorese citizenship to a foreigner who so requests and cumulatively meets the following conditions on the date of request: a) To be an adult in light of the law of Timor-Leste and the State of origin; b) To be a usual and regular resident of Timor-Leste for at least ten (10) years prior to 7 December 1975 or after 20 May 2002; c) To be able to speak one of the official languages; d) To meet moral and civic standards for integration into the East Timorese society; e) To be able to manage oneself and provide for one's subsistence; f) To know the history and culture of Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

**Renunciation of previous nationality is required:**

Answer: No renunciation requirement

Code: 0

Explanation: No renunciation requirement. The Minister of Justice may grant East Timorese citizenship to a foreigner who so requests and cumulatively meets the following conditions on the date of request: a) To be an adult in light of the law of Timor-Leste and the State of origin; b) To be a usual and regular resident of Timor-Leste for at least ten (10) years prior to 7 December 1975 or after 20 May 2002; c) To be able to speak one of the official languages; d) To meet moral and civic standards for integration into the East Timorese society; e) To be able to manage oneself and provide for one's subsistence; f) To know the history and culture of Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

**Language condition for naturalization:**

Answer: Without tests or certification and discretionary assessment of level of competence or with certification and specified level of competence at A2

Code: 0.5

Explanation: : The Minister of Justice may grant East Timorese citizenship to a foreigner who so requests and cumulatively meets the following conditions on the date of request: a) To be an adult in light of the law of Timor-Leste and the State of origin; b) To be a usual and regular resident of Timor-Leste for at least ten (10) years prior to 7 December 1975 or after 20 May 2002; c) To be able to speak one of the official languages; d) To meet moral and civic standards for integration into the East Timorese society; e) To be able to manage oneself and provide for one's subsistence; f) To know the history and culture of Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

**Civil knowledge is a requisite for naturalization:**

Answer: Language general cultural integration/assimilation condition, also if assessed informally during an interview

Code: 0.25

Explanation: : The Minister of Justice may grant East Timorese citizenship to a foreigner who so requests and cumulatively meets the following conditions on the date of request: a) To be an adult in

light of the law of Timor-Leste and the State of origin; b) To be a usual and regular resident of Timor-Leste for at least ten (10) years prior to 7 December 1975 or after 20 May 2002; c) To be able to speak one of the official languages; d) To meet moral and civic standards for integration into the East Timorese society; e) To be able to manage oneself and provide for one's subsistence; f) To know the history and culture of Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

**Clean criminal record is a requisite:**

Answer: Specific good character clause applying only to naturalization applicants OR no crimes carrying sentences of less than 1 years

Code: 0.75

Explanation: : The Minister of Justice may grant East Timorese citizenship to a foreigner who so requests and cumulatively meets the following conditions on the date of request: a) To be an adult in light of the law of Timor-Leste and the State of origin; b) To be a usual and regular resident of Timor-Leste for at least ten (10) years prior to 7 December 1975 or after 20 May 2002; c) To be able to speak one of the official languages; d) To meet moral and civic standards for integration into the East Timorese society; e) To be able to manage oneself and provide for one's subsistence; f) To know the history and culture of Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

**Economic resources as requisite for naturalization:**

Answer: Includes employment condition or no welfare dependency ONLY at time of application

Code: 0.75

Explanation: : The Minister of Justice may grant East Timorese citizenship to a foreigner who so requests and cumulatively meets the following conditions on the date of request: a) To be an adult in light of the law of Timor-Leste and the State of origin; b) To be a usual and regular resident of Timor-Leste for at least ten (10) years prior to 7 December 1975 or after 20 May 2002; c) To be able to speak one of the official languages; d) To meet moral and civic standards for integration into the East Timorese society; e) To be able to manage oneself and provide for one's subsistence; f) To know the history and culture of Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

### **6.1.7. Socialization based acquisition of citizenship**

**IMNAT\_7: Naturalization by socialization.**

**Does the country provide for acquisition of nationality of minors who reside for a certain period or schooling in the country?**

Answer: No provision

Code: 0

Explanation: The only provision for acquisition of nationality by minors is given to an under-aged or disabled child of a father or mother with acquired East Timorese citizenship provided that the parents so request. Furthermore, the child may choose for another citizenship when he or she reaches adult status. No provision related to residence or schooling time is given by the law.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

### **6.1.8. Special procedure for immigrants with very long residence in country**

**IMNAT\_8: Long residence.**

**Does the country provide for acquisition of nationality by a person who has resided there for a very long time (e.g. more or equal of 12 years)?**

Answer: No

Code: 0

Explanation: The law does not mention any special provision for acquisition of nationality by persons who have resided in the country for a very long time. The only naturalization procedure related to time of residence is the standard one (10 years).

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12.

### **6.1.9. Preferential naturalization for immigrants from specific countries**

**IMNAT\_9: Preferential naturalization by country.**

**Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific country?**

Answer: No

Code: 0

Explanation: No preferential treatment for nationals of a specific country for acquisition of nationality is mentioned in the law.

Sources: Lei N.º 9 [Law No. 9]. 2002. Ch. III.

### **6.1.10. Cultural affinity/Ethnic ties**

**IMNAT\_10: Preferential naturalization due to cultural or ethnic ties.**

**Does the country provide for acquisition of nationality by a person who has an affinity with its culture or is somehow defined as co-ethnic?**

Answer: No

Code: 0

Explanation: No preferential treatment for persons with cultural affinity or co-ethnics is mentioned in the law of naturalization.

Sources: Lei N.º 9 [Law No. 9]. 2002. Ch. III.

### **6.1.11. Spousal transfer**

**IMNAT\_11: Spousal transfer.**

**Does the country provide for acquisition of nationality by the spouse or registered partner of a person who is already a national citizen?**

Answer: Yes

Code: 1

Explanation: A foreigner who marries an East Timorese citizen may acquire East Timorese citizenship provided that he or she so requests and cumulatively meets the following conditions on the date of request: a) To be married for more than five (5) years; b) To be a resident of the national territory for at least two (2) years; c) To be able to speak one of the official languages. Furthermore, a foreigner who loses her/his or her previous citizenship because of getting married to an East Timorese citizen shall be granted East Timorese citizenship. A declaration of nullity or annulment of marriage does not impinge upon citizenship acquired by the spouse who got married in good faith. No distinction between those marrying someone who acquired citizenship or who had the citizenship by birth is made in the law.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 11.

### **6.1.12. Filial transfer**

**IMNAT\_12: Filial transfer.**

**Does the country provide for acquisition of nationality by the child of a person who is already a national citizen?**

Answer: Yes

Code: 1

Explanation: East Timorese citizenship may be granted to an under-aged or disabled child of a father or mother with acquired East Timorese citizenship provided that the parents so request and the child may choose for another citizenship when she/he reaches adult status.



Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 9.

### **6.1.13. Special naturalization for refugees**

**IMNAT\_13: Refugees.**

**Does the country facilitate the acquisition of nationality by a refugee in its territory?**

Answer: No

Code: 0

Explanation: Neither the asylum law nor the citizenship law give provisions to facilitate the acquisition of nationality by a refugee in Timor-Leste.

Sources: Lei N.º 9 [Law No. 9]. 2002. Ch. III. / Lei N.º 11 [Law No. 11]. 2017. Ch. VIII.

### **6.1.14. Naturalization for special achievements/talents**

**IMNAT\_14: Special talents.**

**Does the country provide for the acquisition of nationality by a person in account of special achievements/talents?**

Answer: Yes

Code: 1

Explanation: The National Parliament may grant East Timorese citizenship to a person who has rendered high and relevant services to the Nation.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 13.

### **6.1.15. Naturalization due to investment/financial assets**

**IMNAT\_15: Special talents.**

**Does the country provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?**

Answer: No

Code: 0

Explanation: No provision for acquiring nationality due to investment or special financial assets is mentioned in the law.

Sources: Lei N.º 9 [Law No. 9]. 2002. Ch. III.

### **6.1.16. Transfer to other relatives**

**IMNAT\_16: Transfer to other relatives.**

**Does the country provide for the acquisition of nationality by a relative other than the spouse or child of a person who is already a citizen?**

Answer: No

Code: 0

Explanation: No. The law does not mention cases in which nationality can be transferred to other relatives rather than the spouse or child.

Sources: Lei N.º 9 [Law No. 9]. 2002. Ch. III.

### **6.1.17. Nationality for the stateless**

**IMNAT\_17: Stateless.**

**Does the country facilitate the naturalization of a stateless person in its territory?**

Answer: No

Code: 0

Explanation: No. Only for the stateless children born in the country. Other than that, no provision facilitating the naturalization of a stateless person in Timor-Leste was found in the law.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 8, 1. / Lei N.º 9 [Law No. 9]. 2002. Ch. III.

### **6.1.18. Nationality for regularized immigrants**

**IMNAT\_18: Regularization.**

**Does the country make any differentiation in terms of naturalization procedures regarding persons that have benefited from regularization programs ((i.e. is there any special naturalization scheme for regularized immigrants)?**

Answer: Not applicable (i.e. no regularization)

Code: Not applicable

Explanation: Acquisition of nationality through naturalization follows one standard procedure, counting the time of regular residence in the country.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12

### **6.1.19. Naturalization possible even if applicant had irregular status before**

**IMNAT\_19: Irregular status.**

**Does the country provide for a person who has or has had irregular migrant status who can however prove having had resided long enough in the country to apply for naturalization(i. e. is ever having been an irregular migrant an impediment to regularize)?**

Answer: No

Code: 0

Explanation: Only time of regular usual residence is accounted for in the process of acquiring nationality through naturalization.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 12, 1

## **6.2. Immigrant citizenship**

### **6.2.1. Restrictions on citizenship for naturalized immigrants**

**IMCIT\_1: Restrictions for naturalized immigrants.**

**Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized (even if they only have that one nationality)?**

Answer: No

Code: 0

Explanation: The Constitution says that all citizens are equal before the law, shall exercise the same rights and shall be subject to the same duties. Furthermore, neither the law on citizenship nor its regulation mention any restriction of citizenship to naturalized immigrants.

Sources: Constitution of the Democratic Republic of Timor-Leste. 2002. Sec. 16, 1. / Lei N.º 9 [Law No. 9]. 2002. / Decreto-Lei N.º 1 [Decree-Law No. 1]. 2004.

**For how long are the restrictions applied?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Do the restrictions apply to electoral rights?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Do the restrictions apply to public office posts?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Other type of restrictions**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized**

#### **IMCIT\_2. Loss or suspension of citizenship.**

**Does the country deprive their national citizens by naturalization who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad.**

Answer: No

Code: 0

Explanation: No. In addition to the voluntary loss of citizenship, a person shall lose her/his East Timorese citizenship acquired by naturalization only if this person: a) Serves in the army of a foreign State, unless the service is specifically authorised by an agreement entered into with the State concerned; b) Without permission from the Government, exercises functions of sovereignty in favour of a foreign State; c) Is definitely convicted for a criminal offence against the external security of the East Timorese State; d) Acquires citizenship through forged documents, using fraudulent means or otherwise deceiving competent authorities.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 14.

#### **Are these rights recovered upon return?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **6.2.3. Restrictions on citizenship for naturalized immigrants who are dual nationals**

#### **IMCIT\_3: Restrictions for naturalized immigrants who are dual nationals.**

**Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized and have another/other nationality/ies?**

Answer: No

Code: 0

Explanation: The law does not specify any provisions for the particular treatment of dual nationals who became citizens by naturalization. However, the law does mention that any other citizenship granted to an East Timorese national shall not be recognized nor shall it be effective in the internal legal framework. Meaning that, in the case of conflict between nationalities, for legal purposes, only the East Timorese citizenship is considered "as existing" in the country.

Sources: Lei N.º 9 [Law No. 9]. 2002. Sec. 29.

#### **For how long are the restrictions applied?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to electoral rights?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to public office post?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Other type of restrictions (beyond electoral and public office posts).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable