

In 2015, the Cook Islands made a moderate advancement in efforts to prevent the worst forms of child labor. The Government joined the ILO, finalized a youth policy, and released the results of a study on youth, including their employment activities. The Government continued its participation in the UN Development Assistance Framework for the Pacific Region, which includes youth initiatives related to access to education and security in the Cook Islands. Although research found no evidence that child labor, including its worst forms, exists in the Cook Islands, gaps in the Government's legal framework may make children more vulnerable to engaging in prostitution and pornography or being used in illicit activities.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in the Cook Islands.(1)

Table 1 provides key statistics on children's work and education in the Cook Islands.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		103.5

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(2)

Data were unavailable from Understanding Children's Work Project's analysis, 2015.(3)




II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Cook Islands is a self-governing territory in free association with New Zealand.(4) The territory follows a combination of its own laws and some of the laws of New Zealand and the United Kingdom that were enacted prior to self-government in 1965. There are no armed forces in the Cook Islands.(5, 6) New Zealand is responsible for the Cook Islands' defense at its request and in consultation with the Cook Islands.(5)

Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to the Cook Islands, unless New Zealand acted expressly on behalf of the Cook Islands.(7)

The Cook Islands joined the ILO in June 2015 and has ratified one key international convention concerning child labor (Table 2).

Table 2. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 3).

Table 3. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	13	Article 30 of the Employment Relations Act (9)
Minimum Age for Hazardous Work	Yes	18	Article 73.2 of the Employment Relations Act (9)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 73 of the Employment Relations Act (9); Industrial and Labor Ordinance (1, 10)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced or Compulsory Labor Ordinance (11); Article 109I of the Crimes Amendment Act (12)
Prohibition of Child Trafficking	Yes		Article 109I of the Crimes Amendment Act (12)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	17	Article 33 of the Government of New Zealand's Defense Act (13)
Compulsory Education Age	Yes	16	Article 23.1 of the Education Act (14)
Free Public Education	Yes		Article 22.2 of the Education Act (1, 14)

* No conscription (15)

In 2012, the Cook Islands enacted the Employment Relations Act, which prohibits children younger than age 13 from being employed.(9, 16) The Act also prohibits a school-aged person, defined as ages 13 to 16, from working during normal school hours, working for more than 10 hours a week outside of school hours, or doing work that is not considered light work.(9)

The Crimes Act and the 2004 Amendment prohibit prostitution, but do not address child commercial sexual exploitation, including child pornography.(12, 17, 18) In 2010, the Government began a comprehensive review of the Crimes Act to amend provisions to include criminalizing child prostitution and child pornography.(17, 19, 20) The Act has yet to be modified.(1) A draft Family Law Bill, which will include legislation on child protection, has been pending since 2014.(1)

Laws specifically prohibiting the use of children for illicit activities do not exist.(1)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms in the Cook Islands (Table 4).

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
The Labor and Consumer Affairs Division of the Government	Implement child labor laws in the Cook Islands.(21)
Cook Islands Police Service	Enforce child labor laws.(1)
Ministry of Internal Affairs and Social Services, Employment and Labor Relations Office	Provide child services.(1)

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address the worst forms of child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence a problem, the Government has established policies related to child labor, including its worst forms (Table 5).

Table 5. Policies Related to Child Labor

Policy	Description
Cook Islands National Youth Policy (2015–2020)	Identifies priority areas for youth, including education and work opportunities, health, and youth risk and resilience.(22)
UNDAF for the Pacific Region (2013–2017)	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island countries and territories: the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(23) In the Cook Islands, includes different youth initiatives related to access to education and safety.(23, 24)

In 2015, the Government released a youth study that was published in conjunction with the UN Population Fund. The study indicated that children and young adults ages 15 through 24 were employed as laborers and in restaurants, accommodations, offices, and other areas in the Cook Islands; however the report did not specifically address whether children under age 18 were involved in child labor, including its worst forms.(25)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in the Cook Islands (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO Conventions 138 and 182.	2015
	Raise the minimum age for work to 15 to meet international standards.	2015
	Ensure the Crimes Act addresses and criminalizes commercial child sexual exploitation, including child pornography.	2012 – 2015
	Ensure the Family Law Bill meets international standards for child protection.	2014 – 2015
	Ensure the law prohibits the use of children in illicit activities.	2015
Government Policies	Clarify whether children identified in the youth study were involved in child labor, including its worst forms.	2015

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