

Although research found no evidence that child labor exists in the Cook Islands, the government made a moderate advancement in efforts to eliminate the worst forms of child labor in 2018. The government ratified ILO Convention C. 182 on the Worst Forms of Child Labor and made meaningful efforts in all relevant areas during the reporting period. However, the government has not established adequate legal protections to prevent the worst forms of child labor. The law does not criminally prohibit the use, procuring, or offering of a child for prostitution, the production of pornography, or pornographic performances, or the use of children for illicit activities, including for the production and trafficking of drugs.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor exists in the Cook Islands.

### II. LEGAL FRAMEWORK FOR CHILD LABOR

The Cook Islands is self-governing in free association with New Zealand, and it 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. (1,2)

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. (2) The Cook Islands has ratified some key international conventions concerning child labor (Table 1).

**Table 1. 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 (Table 2). In 2018, the Cook Islands ratified ILO Convention 182 on the Worst Forms of Child Labor. (3) However, gaps exist in the Cook Islands' legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

**Table 2. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 30 of the Employment Relations Act (4)
Minimum Age for Hazardous Work	Yes	18	Article 73(2) of the Employment Relations Act (4)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 73 of the Employment Relations Act; Articles 52–53 of the Industrial and Labor Ordinance (4,5)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced or Compulsory Labor Ordinance; Article 109I of the Crimes Amendment Act (6,7)
Prohibition of Child Trafficking	Yes		Article 109I of the Crimes Amendment Act (7)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		

# Cook Islands

## MODERATE ADVANCEMENT

**Table 2. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 36–37 of the Government of New Zealand's Defence Act (8)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 23.1 of the Education Act (9)
Free Public Education	Yes		Article 22.2 of the Education Act (9)

\* No conscription (8)

† No standing military (10)

The Employment Relations Act prohibits children younger than age 13 from being employed. (4) 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. (4) However, the legal framework does not determine the activities in which light work is permitted. (4) The Cook Islands does not criminalize the use of children in illicit activities, particularly the production and trafficking of drugs. The law does not criminally prohibit non-state armed groups from recruiting children under age 18. (8) There are no armed forces in the Cook Islands. New Zealand is responsible for the defense of the territory at its request and consultation. (10)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Internal Affairs (INTAFF)	Enforces labor laws through the Labor Division and provides child services. Lead agency for implementing the UN CRC. (2, 11)
Cook Islands Police Service	Enforces child labor laws. (2, 11)

Labor law enforcement on the Cook Islands lies with the Ministry of Internal Affairs' (INTAFF) Labor Division's four labor inspectors. The Labor Division is responsible for monitoring work place entitlements and work safety standards. (2)

#### **Labor Law Enforcement**

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

#### **Criminal Law Enforcement**

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to

address child labor.

## V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, the Government of the Cook Islands has established policies related to child labor (Table 4).

**Table 4. Key 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. (12) This policy was active in 2018. (13)
National Policy Framework for Children (2017–2021)	Provides a framework to protect the rights of children with outcomes focused on their health, education, safety, economic opportunities, and international connectivity. Aims to protect the rights of children by strengthening data collection on children to improve the government's understanding of child abuse and children's experience in the legal system; and to improve collaboration between the government, parents, and the community. (14) This policy was active in 2018. (13)
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (15)

† Policy was approved during the reporting period.

The Cook Islands' National Statistics Office has planned and budgeted its first national ILO-supported Labor Force Survey, to occur in 2019. (2)

## 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.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in the Cook Islands (Table 5).

**Table 5. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2018
	Ensure that the Crimes Act addresses and criminalizes commercial child sexual exploitation, including using, procuring, and offering a child for prostitution, the production of pornography, and pornographic performances.	2012 – 2018
	Ensure that the law prohibits the use of children in illicit activities, including the production and trafficking of drugs.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018

## REFERENCES

- I Government of Cook Islands. The Cook Islands. Accessed June 23, 2017.

# Cook Islands

## MODERATE ADVANCEMENT

- <http://www.ck/govt.htm>.
- 2 U.S. Embassy- Wellington. Reporting. January 10, 2019.
  - 3 ILO NATLEX National Labor Law Database. Ratifications for Cook Islands. Accessed: January 10, 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200\\_COUNTRY\\_ID:103291](https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103291).
  - 4 Government of Cook Islands. Employment Relations Act 2012. Enacted: 2012. Source on file.
  - 5 Government of Cook Islands. Industrial and Labour Ordinance. Enacted: 1964.  
[http://www.vertic.org/media/National\\_Legislation/Cook\\_Islands/CK\\_Industrial\\_Labour\\_Ordinance\\_1964.pdf](http://www.vertic.org/media/National_Legislation/Cook_Islands/CK_Industrial_Labour_Ordinance_1964.pdf).
  - 6 Government of Cook Islands. Prohibition of Forced or Compulsory Labour Ordinance 1960, No. 2 of 1960. Enacted: 1960.  
[http://www.paclii.org/ck/legis/num\\_act/pofoclo1960503/](http://www.paclii.org/ck/legis/num_act/pofoclo1960503/).
  - 7 Government of Cook Islands. Crimes Amendment Act 2004, No. 5 of 2004. Enacted: June 1, 2004.  
[http://www.paclii.org/ck/legis/num\\_act/caa2004162/](http://www.paclii.org/ck/legis/num_act/caa2004162/).
  - 8 Government of New Zealand. Defence Act of 1990, No. 28 of 1990. Enacted: April 1, 1990.  
<http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>.
  - 9 Government of Cook Islands. Education Act 2012, No. 18 of 2012. Enacted: December 12, 2012.
  - 10 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
  - 11 U.S. Embassy- Wellington. Reporting. January 15, 2016.
  - 12 Government of Cook Islands. Cook Islands National Youth Policy: Back to Basics for Youth 15-24 Years. 2015.  
<http://www.intaff.gov.ck/wp-content/uploads/2014/04/CI-National-Youth-Policy-2015-2020.pdf>.
  - 13 U.S. Embassy- Wellington. Email communication to a USDOL official. March 6, 2019.
  - 14 Government of Cook Islands. Te Pito Manava o te Anau: National Policy Framework for Children 2017-2021. 2017.  
<http://www.intaff.gov.ck/wp-content/uploads/2017/09/C-Is-National-Policy-Framework-for-Children-FINAL.pdf>.
  - 15 UN. United Nations Pacific Strategy 2018-2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017.  
[https://www.unicef.org/about/execboard/files/Final\\_UNPS\\_2018-2022\\_Pacific.pdf](https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf).