

In 2014, Niue made a minimal advancement in efforts to prevent the worst forms of child labor. The Government participated in UNDAF Pacific, which includes youth initiatives related to livelihood opportunities and food security in Niue. While there is no evidence of a child labor problem, the Government has not established adequate legal protection to prevent the worst forms of child labor. Niue's Terrorism Suppression and Transnational Crimes Act of 2006 specifically address trafficking in children. There is no law addressing other forms of commercial sexual exploitation of children, nor is there a law prohibiting hazardous work or activities for children. There is no established minimum age for labor, and research has not identified any laws that prohibit the use of children for drug trafficking or other illicit activities.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

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




II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Niue is a self-governing territory of New Zealand and does not follow New Zealand laws. There are no armed forces in Niue, as New Zealand is responsible for Niue's defense.(2, 3)

Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to Niue, unless it was done expressly on behalf of Niue.(4)

Niue has ratified one key international convention 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, including its worst forms (Table 2).

Table 2. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	No		
Prohibition of Child Trafficking	Yes		Article 37 of the Terrorism Suppression and Transnational Crimes Act 2006 (5)
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	Government of New Zealand's general army requirement at Article 33 of the Defense Act 1990 (6)

Table 2. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Compulsory Education Age	Yes	16	Article 2 and 24 of the Education Act 1989 (7)
Free Public Education	Yes		Article 19 of the Education Act 1989 (7)

* No conscription (8)

In Niue, children under age 16 are prohibited from working in the public sector.(9) The Niue Public Service Regulations prohibit the appointment of permanent employment of any person under age 18.(10) However, children who are not in a permanent employment in public service are vulnerable to child labor, including its worst forms. There are no labor laws and no established minimum age for labor.(1, 9) There also is no law prohibiting hazardous work or activities for children.(1, 9)

The Terrorism Suppression and Transnational Crimes Act makes it an offense to traffic children, and any person convicted of this offense may be imprisoned for a term not to exceed 20 years.(5) Research, however, has not identified whether there are laws that specifically address child prostitution and other forms of commercial sexual exploitation of children, such as pornography. Research also has not identified whether laws exist regarding the use of children for drug trafficking or other illicit activities.

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 to monitor the implementation of child labor laws in Niue (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Niue Police Department	Enforce laws.(1)

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

Even though there is no evidence of a problem, the Government has established institutional mechanisms to address children's rights and protection (Table 4).

Table 4. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role and Description
The National Coordinating Committee for the Convention on the Rights of the Child	Coordinate and monitor implementation of national policies related to children's rights and protections. Chaired by the Minister of Health and includes representatives from the Departments of Education, Crown Law, Community Affairs, Justice, Statistics, and Environment.(1, 9)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 5. Policies Related to Child Labor

Program	Description
United Nations Development Assistance Framework for the UNDAF Pacific (2013–2017)	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Nauru, Niue, Palau, Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(11) In Niue, includes different youth initiatives related to livelihood opportunities and food security.(12)

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, the following actions would advance the continued prevention of child labor, including its worst forms, in Niue (Table 6).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Enact a labor law to include a minimum age for labor and ensure legal protection for working children.	2013 – 2014
	Enact new legislation prohibiting hazardous occupations or activities for children under age 18.	2013 – 2014
	Enact new legislation to protect children from commercial sexual exploitation, drug trafficking, and illicit activities.	2013 – 2014

REFERENCES

1. U.S. Embassy - Wellington. *reporting*, February 3, 2015.
2. *Minimum Entry Requirements- Army Generic Requirements for New Zealand*, Government of New Zealand, [online] [cited August 8, 2013]; <http://www.defencecareers.mil.nz/army/joining-up/am-i-eligible/minimum-entry-requirements>.
3. Central Intelligence Agency. *The World Fact Book: Niue*, Central Intelligence Agency, [online] [cited April 11, 2014]; <https://www.cia.gov/library/publications/the-world-factbook/geos/ne.html>.
4. U.S. Embassy - Wellington official. *E-mail communication to USDOL official* April 27, 2014.
5. Government of Niue. *Terrorism Suppression and Transnational Crimes Act 2006*. 2006. http://www.paclii.org/nu/legis/consol_act/tsatca2006529/.
6. Government of New Zealand. *Defence Act of 1990*, 1990 No 28, enacted April 1, 1990. <http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>
7. Government of Niue. *Education Act 1989*. 1989.
8. Government of New Zealand. *Declaration to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*; November 12, 2001. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>.
9. UN Committee on the Rights of the Child. *Concluding observations on the initial report of Niue, adopted by the Committee at its sixty-second session*. 2013.
10. Government of Niue. *Public Service Regulations 2004*, enacted July 15, 2004. http://www.paclii.org/nu/legis/consol_sub/psr2004261/.
11. United Nations Development Assistance Framework. *United Nations Development Assistance Framework (UNDAF) for the Pacific Region 2013 - 2017*; 2013. http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf.
12. United Nations Development Assistance Framework. *Niue: UNDAF Results Matrix 2013 - 2017*; March 26, 2014. <http://www.pacific.one.un.org/images/stories/undaf%20matrix%20niue%20mar%202014%20draft%20v%206.pdf>.