

Although research found no evidence that child labor exists in the Cook Islands, in 2020 the government made moderate advancement in efforts to prevent the worst forms of child labor. During the reporting period, the Cook Islands increased its labor inspectorate budget and, for the first time, published labor law enforcement data. In addition, the first Cook Islands Labor Force Survey was completed in November 2020, providing essential data for the government's efforts to bring its laws into line with international standards. Although the Cook Islands made meaningful efforts in all relevant areas during the reporting period, 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. Table I provides one key indicator on children's education in the Cook Islands. Data on key indicators on children's work are not available from the sources used in this report.

Table I. Statistics on Children's Work and Education

Children	Age	Percent
Primary Completion Rate (%)		120.2







Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (1)

The Government of the Cook Islands completed its first Labor Force Survey in November 2020. The survey was conducted by the Statistics Office of the Ministry of Finance and Economic Management and the Ministry of Internal Affairs' Labor and Consumer Services section, with the ILO providing additional technical and financial support. (2-4)

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. (5,6) 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. (5) The Cook Islands has ratified some key international conventions concerning child labor (Table I).

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 (Table 2). 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.

Cook Islands

MODERATE ADVANCEMENT

Table 3. 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 (7)
Minimum Age for Hazardous Work	Yes	18	Article 73(2) of the Employment Relations Act (7)
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 (7,8)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced or Compulsory Labor Ordinance; Article 109I of the Crimes Amendment Act (9,10)
Prohibition of Child Trafficking	Yes		Article 109I of the Crimes Amendment Act (10)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 36–37 of the Government of New Zealand's Defence Act (11)
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 (12)
Free Public Education	Yes		Article 22.2 of the Education Act (12)

* No conscription (11)

† No standing military (13)

The Employment Relations Act prohibits children younger than age 13 from being employed. (7) The Act also prohibits a school-age 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. (7) However, the legal framework does not determine the sectors in which light work is permitted. (7) The Cook Islands does not criminalize the use of children in illicit activities, particularly in the production and trafficking of drugs. (10) New Zealand is responsible for the defense of the territory at the Cook Islands' request. (11,13) Education is free and compulsory for all child citizens and permanent residents of the Cook Islands at the primary and secondary levels. (12,14)

With the completion of the first Cook Islands Labor Force Survey in November 2020, essential data have been made available for utilization in the government's future efforts to bring its laws into line with international standards. (3,4)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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. However, the Government of the Cook Islands has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3).

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Internal Affairs	Enforces labor laws through the Labor Division and provides child services. Lead agency for implementing the UN CRC. (5)
Cook Islands Police Service	Enforces child labor laws. (5)

Labor law enforcement on the Cook Islands lies with the Ministry of Internal Affairs' Labor Division's four labor inspectors. The Labor Division is responsible for monitoring labor protections and occupational safety and health. (5) The Cook Islands increased its labor inspectorate budget from \$163,232 in 2019 to \$228,500 in 2020. During the reporting period, the Labor Division conducted 55 inspections. (3)

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, including its worst forms.

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 5. Key Policies Related to Child Labor

Policy	Description
Cook Islands National Youth Policy (2015–2020)	Identified priority areas for youth, including education and work opportunities, health, and youth risk and resilience. (15) Research was unable to determine whether activities were undertaken to implement the National Youth Policy during the reporting period. (14)
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 experiences in the legal system, and improves collaboration between the government, parents, and the community. (16) During the reporting period, the Government of the Cook Islands continued to support the National Policy Framework's efforts to protect children from harmful labor exploitation. (3)
United Nations Pacific Strategy (2018–2022)	A multi-national strategic framework program consisting of 14 South Pacific nations. Addresses, develops, and implements strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (17) During the reporting period, the Ministry of Internal Affairs' Child and Family Services office reviewed the Child Protection Policy and Strategic Plan for the Cook Islands in conjunction with UNICEF Pacific. (3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for social 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 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws criminally prohibit the use, procuring, and offering of a child for prostitution, the production of pornography, and pornographic performances.	2012 – 2020
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2020
Government Policies	Publish activities undertaken to implement the Cook Islands National Youth Policy.	2015 – 2020

Cook Islands

MODERATE ADVANCEMENT

REFERENCES

- 1 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2021. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 2 First National Labour Force Survey coming out soon. Cook Islands News. April 18, 2019. <http://www.cookislandsnews.com/item/72512-first-national-labour-force-survey-coming-out-soon/72512-first-national-labour-force-survey-coming-out-soon>
- 3 U.S. Consulate- Auckland. Reporting. January 15, 2021.
- 4 Government of the Cook Islands Internal Affairs. Launch of the Labour Force Survey Report. November 25, 2020. <https://www.intaff.gov.ck/news/launch-of-the-labour-force-survey-report/>
- 5 U.S. Consulate- Auckland. Reporting. January 13, 2020.
- 6 Government of Cook Islands. The Cook Islands. Accessed June 23, 2017. <http://www.ck/govt.htm>
- 7 Government of Cook Islands. Employment Relations Act 2012. Enacted: 2012. Source on file.
- 8 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
- 9 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/
- 10 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/
- 11 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>
- 12 Government of Cook Islands. Education Act 2012, No. 18 of 2012. Enacted: December 12, 2012. http://www.planipolis.iiep.unesco.org/sites/planipolis/files/ressources/cook_islands_education_act_2012.pdf
- 13 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/the-world-factbook/countries/cook-islands/>
- 14 U.S. Consulate- Auckland official. E-mail communication to USDOL official. January 15, 2020.
- 15 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>
- 16 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>
- 17 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