

Although research found no evidence that child labor exists in the Cook Islands, in 2019, the government made a minimal advancement in efforts to prevent the worst forms of child labor. During the reporting period, the Cook Islands increased its labor inspectorate budget. 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.

The Government of the Cook Islands continues to plan its first Labor Force Survey—originally scheduled to occur in 2019—for 2020. The survey will be 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. (1-3)

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. (1,4) 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. (1) 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). 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 (1)
Minimum Age for Hazardous Work	Yes	18	Article 73(2) of the Employment Relations Act (1)
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 (1,2)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced or Compulsory Labor Ordinance; Article 109I of the Crimes Amendment Act (3,4)
Prohibition of Child Trafficking	Yes		Article 109I of the Crimes Amendment Act (4)
Prohibition of Commercial Sexual Exploitation of Children	No		

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

Standard	Meets International Standards	Age	Legislation
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 (5)
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 (6)
Free Public Education	Yes		Article 22.2 of the Education Act (6)

* No conscription (9)

† No standing military (11)

The Employment Relations Act prohibits children younger than age 13 from being employed. (5) 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. (5) However, the legal framework does not determine the activities in which light work is permitted. (5) The Cook Islands does not criminalize the use of children in illicit activities, particularly the production and trafficking of drugs. (8) Although there are no armed forces in the Cook Islands, the law does not criminally prohibit non-state armed groups from recruiting children under age 18. New Zealand is responsible for the defense of the territory at the Cook Islands' request. (9,11) Education is free and compulsory for all child citizens and permanent residents of the Cook Islands at the primary—starting at age 3—and secondary levels. (2,10)

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 3. 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. (7)
Cook Islands Police Service	Enforces child labor laws. (7)

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. (1) The Cook Islands increased its labor inspectorate budget from \$152,886 in 2018 to \$163,232 in 2019. (2) Research was unable to determine how the increased funding was allocated.

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. (8) Research was unable to determine whether activities were undertaken to implement the National Youth Policy during the reporting period. (9)
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. (10) Research was unable to determine whether activities were undertaken to implement the National Policy Framework for Children during the reporting period.
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. (11) Research was unable to determine whether activities were undertaken to implement the United Nations Pacific Strategy during the reporting period.

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 5. 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 – 2019
	Ensure that the law prohibits the use of children in illicit activities, including the production and trafficking of drugs.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2019
Government Policies	Publish activities undertaken to implement the Cook Islands National Youth Policy.	2015 – 2019
	Publish activities undertaken to implement the National Policy Framework for Children.	2018 – 2019
	Publish activities undertaken to implement the United Nations Pacific Strategy.	2018 – 2019

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