

Cook Islands

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

In 2013, the Cook Islands made no advancement in efforts to prevent the worst forms of child labor. While there is no evidence of a problem, the Government's legal framework is insufficient to protect children from prostitution and pornography, and research could not determine whether laws prohibit internal trafficking or use of children in illicit activities. Also, a list of hazardous occupations prohibited to children has not been developed.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in the Cook Islands.(1-3)




II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

The Cook Islands is a self-governing territory of New Zealand. 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.(1, 4) 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 following convention has been ratified by the Cook Islands (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 relevant 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	Yes	13	Employment Relations Act 2012 (8)
Minimum Age for Hazardous Work	Yes	18	Employment Relations Act 2012 (8)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Prohibition of Forced and Compulsory Labor Ordinance and Amendment Acts (9-11)
Prohibition of Child Trafficking	Yes		Cook Islands Crimes Amendment Act of 2004 (12)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment			
Minimum Age for Voluntary Military Service	Yes	17	Minimum Entry Requirements- Army Generic Requirements for New Zealand (13)
Compulsory Education Age	Yes	16	Education Act of 2012 (14)

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

Standard	Yes/No	Age	Related Legislation
Free Public Education	Yes		Education Act of 2012 (14)

In 2012, the Cook Islands enacted the Employment Relations Act, which prohibits children younger than 13 years of age from being employed.(8, 15) The Act also prohibits a school-aged person, defined as 13 to 16 years old, from working during normal school hours, for more than 10 hours a week outside of school hours, or for work that is not considered light work.(8) Light work is defined in the Act as work that does not threaten the child's health and safety, or hamper the child's education or vocational orientation and training.(8) Under the Act, children under 18 years old are prohibited from working in hazardous occupations.(8) However, research indicates that a list of hazardous occupations has not been developed.

Under the Cook Islands Crimes Amendment Act 2004, trafficking in persons across borders is illegal; however, it is not clear whether internal trafficking is addressed in the Act.(12, 16)

The Cook Islands Crimes Act of 1969 prohibits prostitution but does not address child prostitution or child pornography.(12, 16, 17) In 2010, the Government of the Cook Islands began a comprehensive review of the Crimes Act to amend provisions of the Act, to include criminalizing child prostitution and child pornography.(1, 2, 17) To date, the Act has not yet been modified.(2, 17)

Research could not determine whether laws prohibiting the use of children for illicit activities exist.

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 the Cook Islands (Table 3).

Table 3. 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.(18)

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 coordinating mechanisms to address child labor, including its worst forms, in the Cook Islands.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms, in the Cook Islands.

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

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

VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT 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 4).

Table 4. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Develop and enact a list of hazardous occupations.	2012 – 2013
	Clarify whether the Cook Islands Crimes Amendment Act 2004, prohibitions extend to internal trafficking in persons.	2011 – 2013
	Amend the Crimes Act to address and criminalize child prostitution and child pornography.	2012 – 2013
	Clarify whether a law exists that prohibits the use of children in illicit activities.	2011 – 2013

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