

In 2012, the Cook Islands made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of the Cook Islands passed the Employment Relations Act 2012, which sets a minimum age for work in the territory for the first time. The Government established a Committee for Children. It also began developing a new National Plan on Children during the reporting period. Although information is limited, anecdotal evidence suggests that some children may be involved in commercial sexual exploitation in the Cook Islands.

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Although information is limited, anecdotal evidence suggests that some children may be involved in commercial sexual exploitation in the Cook Islands.(1, 2) However, there is no data on the problem and information about the nature and prevalence of the problem remains limited.

Laws and Regulations on the Worst Forms of Child Labor

The Cook Islands is a self-governing territory of New Zealand.(1) The territory follows a combination of its own laws and some of the laws of New Zealand and the United Kingdom that date prior to self-government in 1965.(1, 3) In December 2012, the Cook Islands enacted the Employment Relations Act 2012, which replaces the Industrial and Labor Ordinance of 1964.(4, 5) The new Act attempts to bring local labor laws in closer alignment with international standards on minimum age and dangerous occupations. The new Act prohibits children under 13 years of age from any employment.(5) A school-aged person, defined as 13 to 16 years old, is prohibited from working during normal school hours, for more than 10 hours per week, or for work other than light work. Light work is defined as work that does not threaten the child's health and safety, or hinder the child's education or vocational orientation and training.(6) The new law does not include any provisions regarding hazardous work at night; however, a New Zealand law, the Health & Safety in Employment Act 1992, has these provisions which may still apply. The Employment Relations Act 2012 prohibits children under age 18 from working in hazardous occupations. However, research indicates that a list of hazardous occupations has not been developed.

Forced labor and compulsory labor are criminal acts under the Cook Islands Prohibition of Forced and Compulsory

Labor Ordinance and Amendment Acts.(7-9) Trafficking in persons cross-border is illegal under the Cook Islands Crimes Amendment Act of 2004, but it is not clear that internal trafficking is addressed in the Act.(10, 11)

The Cook Islands Crimes Act of 1969 prohibits prostitution. The Act criminalizes brothel-keeping; living on the earnings of the prostitution of another person; procuring a girl to have sex with a man who is not her husband; and selling, distributing, or otherwise exhibiting indecent documents.(10, 12) The Cook Islands law does not currently address child prostitution or child pornography.(13) In 2010, the Government of the Cook Islands began a comprehensive review of the Crimes Act with the assistance of the Australian Attorney General's Office. The review recommends amendments to many provisions of the Act, including criminalizing child prostitution and child pornography.(1, 13) During the reporting period, the Government consulted with government ministries and NGOs to canvass their views on updating the Act.(13)

No information was found to suggest laws exist prohibiting the use of children for illicit activities.

Defense is responsibility of New Zealand in consultation and at the request of the Cook Islands and at its request.(14) There are no armed forces or military conscription in the Cook Islands. The minimum age for voluntary military recruitment is 17. Children under age 18 are completely protected from engagement in combat.(15-18)

Under the Education Act of 2012, education is compulsory to age 16.(19) The Government provides free primary and secondary schooling.(19-21)

Institutional Mechanisms for Coordination and Enforcement

The Child and Family Division of the Ministry of Internal Affairs holds primary responsibility for monitoring the development and protection of children.(10) Following recommendations from the UN Committee on the Rights of the Child, the Child and Family Division has established a Committee for Children to monitor all aspects of the development of children guided by the CRC.(5, 6) In 2012, the Ministry of Health assumed coordinating responsibility for national efforts to comply with the UN Convention on the Rights of the Child, including its two optional protocols.(6)

The Labor and Consumer Affairs Division of the Government monitors the implementation of child labor laws in the Cook Islands. The Chief Censor has responsibility for issues of pornography.(10) The Ministries of Tourism, Culture,

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Education, Foreign Affairs, Health, and Justice, as well as the police also play roles in protecting children.(10)

Government Policies on the Worst Forms of Child Labor

Past reporting indicated the Government of the Cook Islands collaborated with nongovernmental organizations to develop a National Plan of Action on the Commercial Sexual Exploitation of Children.(10, 22, 23) During the reporting period, the Government decided instead to prioritize the development of a broader National Plan on Children affecting

a wide range of issues. In May 2012, the Government received assistance from UNICEF to develop a national policy on children and a national monitoring mechanism. The policy is still in development.(5)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

A new Social Impact Fund, jointly funded by the Cook Islands and New Zealand governments, was established in 2012 to support NGOs that carry out social programs, including programs for the safety and protection of children.(5)

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in the Cook Islands:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Amend the Cook Islands Crimes Amendment Act 2004 to clarify that the prohibitions extend to internal trafficking in persons.	2011, 2012
	Develop a list of hazardous occupations.	2012
	Amend the Crimes Act to specifically address and apply higher penalties for child prostitution and child pornography.	2012
	Clarify whether a law exists that prohibits the use of children in illicit activities.	2011, 2012
Policies	Continue to develop and implement the National Plan of Action on Children.	2012
Social Programs	Collect, analyze, and disseminate data regarding the prevalence and nature of commercial sexual exploitation of children to guide the development of policies and programs to address the problem.	2009, 2010, 2011, 2012

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