

COOK ISLANDS (2016-2018)¹

THE EFFECTIVE ABOLITION OF CHILD LABOUR

REPORTING	Fulfillment of Government's reporting obligations	YES, for the first time under the 2016 Annual Review (AR). Cook Islands Joined ILO in June 2015.		
	Involvement of Employers' and Workers organizations in the reporting process	2017-2018 ARs: YES, according to the Government: the Cook Islands Chamber of Commerce and the Cook Islands Workers Association have been consulted through consultative meetings and sharing of the report questionnaire.		
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	NO.		
	Workers' organizations	NO.		
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Ratification	Ratification status	Cook Islands has not ratified the Minimum Age Convention, 1973 (No. 138) (C.138) but has ratified the Worst Forms of Child Labour Convention, 1999 (No. 182) (C.182).	
		Ratification intention	2018 AR: The Government reported that C.138 is unlikely to be ratified. 2016 - 2017 ARs: The Government reported that C.138 and C.182 are likely to be ratified.	
	Recognition of the principle and right (prospect(s), means of action, basic legal provisions)	Constitution		
		Policy, Legislation and/or regulations	2016-2018 ARs: According to the Government: there have not yet been changes in law and practices as regards the effective abolition of child labour.	
		Basic legal provisions		
		Judicial decisions		
	Exercise of the principle and right	Compulsory education		
		Minimum age		
		Worst Forms Child Labour		
		Information/ Data collection and dissemination		
Prevention/Monitoring, enforcement and sanctions mechanisms				

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: governments' reports, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention or possible cases that have been submitted to the ILO Committee on Freedom of Association, please see:



COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

<http://webfusion.ilo.org/public/db/standards/normes/libsynd>.

	Involvement of the social partners	
	Promotional activities	2017-2018 ARs: According to the Government: no substantive promotional activities have been made to promote the effective abolish of child labour.
	Special initiatives	2016 - 2017 AR: The Government stated that Cook Island is a recent member of the ILO, and as it is still in the process of familiarizing itself with the whole ILO mechanism, special initiatives and progress are yet to be seen.
CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT	According to the social partners	Employers' organizations
		Workers' organizations
	According to the Government	2018 AR: The Government underlines the lack of data and states that research and data compiling is needed before it can take any further action. 2017 AR: The Government indicated that the challenges related to the effective abolition of child labour as regards Cook Islands are: a) awareness raising; b) data collection; c) capacity building for Government; and d) issues related to social values and cultural acceptances.
TECHNICAL COOPERATION	Request	2017-2018 ARs: The Government identified the following areas of technical cooperation with the ILO: a) Policy advice; b) Capacity-building of responsible government institutions (e.g. labour inspection and administration); c) Training of other officials (e.g. police, judiciary, social workers, teachers); d) Data collection and analysis; e) Strengthening the capacities of employers' and workers' organizations; f) Awareness raising, legal literacy and advocacy; g) Special programme for the elimination of the worst forms of child labour; h) Legal reform; social protection systems; i) Sharing of experience across countries/regions; and j) Inter-institutional coordination.
	Offer	
EXPERT-ADVISERS' RECOMMENDATIONS	NIL.	
GOVERNING BODY RECOMMENDATIONS	<p>2015 AR: At its March 2014 Session, the Governing Body invited the Director-General to: (a) take into account its guidance on key issues and priorities with regard to assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work; and (b) take account of this goal in the Office's resource mobilization initiatives.</p> <p>2013 AR: At its November 2012 Session, the Governing Body requested the Director-General to take full account of the ILO Plan of Action on Fundamental Principles and Rights at Work (2012-2016) and allocate the necessary resources for its implementation. This plan of action is anchored in the universal nature of the fundamental principles and rights at work (FPRW), their inseparable, interrelated and mutually reinforcing qualities and the reaffirmation of their particular importance, both as human rights and enabling conditions. It reflects an integrated approach, which addresses both the linkages among the categories of FPRW and between them, and the other ILO strategic objectives in order to enhance their synergy, efficiency and impact. In this regard, freedom of association and the effective recognition of the right to collective bargaining are particularly emphasized as enabling rights for the achievement of all these strategic objectives.</p> <p>2011 AR: At its March 2010 Session, the Governing Body decided that the recurrent item on the agenda of the 101st Session (2012) of the International Labour Conference should address the ILO strategic objective of promoting and realizing fundamental principles and rights.</p> <p>2009 AR: During its March 2009 Session, the Governing Body included the review of the follow-up to the 1998 ILO Declaration on Fundamental Principles and Rights at Work on the agenda of the 99th Session (2010) of the International Labour Conference.</p>	

<p>INTERNATIONAL LABOUR CONFERENCE RESOLUTION</p>	<p>2013 AR: In June 2012, following the recurrent item discussion on fundamental principles and rights at work, under the ILO declaration on Social Justice for a Fair Globalization, 2008 and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998, the International Labour Conference adopted the Resolution concerning the recurrent discussion on fundamental principles and rights at work. This resolution includes a framework for action for the effective and universal respect, promotion and realization of the FPRW for the period 2012-16. It calls for the Director- General to prepare a plan of action incorporating the priorities laid out in this framework for action for the consideration of the Governing Body at its 316th Session in November 2012.</p> <p>2011 AR: Following a tripartite debate at the Committee on the 1998 Declaration, the 99th Session (2010) of the International Labour Conference adopted a Resolution on the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work on 15 June 2010. The text appended to this Resolution supersedes the Annex to the ILO Declaration on Fundamental Principles and Rights at Work, and is entitled “Annex to the 1998 Declaration (Revised)”. In particular, the Resolution “[notes] the progress achieved by Members in respecting, promoting and realizing fundamental principles and rights at work and the need to support this progress by maintaining a follow-up procedure. For further information, see pages 3-5 of the following link: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_143164.pdf.</p>
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