

*For the 2013 reporting period, no assessment has been made regarding Tokelau's efforts to advance the prevention of the worst forms of child labor because 2013 is the first year suggested actions are included for Tokelau. While there is no evidence of a problem, it is unclear whether the Government has laws prescribing provisions against the worst forms of child labor.*




## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Tokelau.

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Tokelau is a dependent territory of New Zealand; however, international treaties are applied only with the consent of the Government of Tokelau.(1) New Zealand's ratification of conventions does not apply automatically to Tokelau (Table 1).(2, 3) It is unknown which international treaties Tokelau has consented to.

**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	

New Zealand's laws apply to Tokelau. However, they are implemented complementary to Tokelauan domestic law, which applies to the local level.(2) Research has not indicated whether domestic laws ensure that children under 18 are protected from child labor and its worst forms. There are no armed forces in Tokelau as New Zealand is responsible for Tokelau's defense (Table 2).(3)

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Unknown		
Minimum Age for Hazardous Work	Unknown		
List of Hazardous Occupations Prohibited for Children	Unknown		
Prohibition of Forced Labor	Unknown		
Prohibition of Child Trafficking	Unknown		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Tokelau Crimes, Procedures, and Evidence Rules Act of 2003 (4)
Prohibition of Using Children in Illicit Activities	Yes		Tokelau Crimes, Procedures, and Evidence Rules Act of 2003 (4)
Minimum Age for Voluntary Military Service	Yes	17	Minimum Entry Requirements- Army Generic Requirements for New Zealand (5)
Compulsory Education Age	Yes	16	Article 65 of the Tokelau Crimes, Procedures, and Evidence Rules 2003 (4, 6, 7)
Free Public Education	Yes		Government of Tokelau/Legislation name unknown (6, 7)

No information was found on whether the law establishes a minimum age for employment or engagement in hazardous work in Tokelau.

The Tokelau Crimes, Procedures, and Evidences Rules Act of 2003 prohibit prostitution and illicit activities; however, there is no information on age.(4) It is unknown whether or not children are protected from use in illicit activities or protected from all forms of commercial sexual exploitation.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF 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, in Tokelau.

### 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 Tokelau.

### 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 Tokelau.

### 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 Tokelau.

### VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, a suggested action is identified that would advance the continued prevention of child labor, including its worst forms, in Tokelau (Table 3).

**Table 3. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Laws	Clarify whether Tokelau has applicable laws to protect children under 18 against the worst forms of child labor.	2013

#### REFERENCES

1. U.S. Embassy- Wellington official. E-mail communication to USDOL official. May 16, 2014.
2. Angelo, AH. *The Constitution of Tokelau*, Université de la Polynésie Française - Tahiti, [online] [cited March 24, 2014]; <http://www.upf.pf/IMG/pdf/13-RJP15-The-Constitution-of-Tokelau.pdf>.
3. Central Intelligence Agency (CIA). *The World Factbook: Territory of New Zealand: Tokelau*, [online] [cited June 24, 2014]; <https://www.cia.gov/library/publications/the-world-factbook/geos/tl.html>.
4. Government of Tokelau. *Tokelau Crimes, Procedures, and Evidence Rules 2003*, enacted 2003. [http://www.paclii.org/tk/legis/num\\_act/cpaer2003302/](http://www.paclii.org/tk/legis/num_act/cpaer2003302/).
5. New Zealand Defence Force. *Minimum Entry Requirements- Army Generic Requirements for New Zealand*, [online] [cited March 27, 2014]; <http://www.defencecareers.mil.nz/army/joining-up/am-i-eligible/minimum-entry-requirements>.
6. Government of Tokelau. *Education*, [online] [cited February 4, 2014]; <http://www.mfar.govt.nz/Countries/Pacific/Tokelau.php>.
7. UNESCO. "Table 4: Access to Primary Education," in *EFA Global Monitoring Report: Youth and Skills- Putting Education to Work*. Paris; October 16, 2012; <http://www.ibe.unesco.org/en/services/online-materials/world-data-on-education/seventh-edition-2010-11.html>.