

In 2015, Tokelau made no advancement in efforts to prevent the worst forms of child labor. While there is no evidence that child labor, including its worst forms exists in Tokelau, it is unclear whether the Government has laws prohibiting the worst forms of child labor.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in Tokelau.(1) Data on key indicators on children's work and education are not available from the sources used in this report.

II. LEGAL FRAMEWORK FOR 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.(2) New Zealand's ratification of conventions does not apply automatically to Tokelau (Table 1).(1, 2) 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	

The Government has established 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	Unknown		
Minimum Age for Hazardous Work	Yes	18	Rules 52 and 53 of the Schedule of Transtok Tokelau Corporation Rules (3)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Rules 52 and 53 of the Schedule of Transtok Tokelau Corporation Rules (3)
Prohibition of Forced Labor	Unknown		
Prohibition of Child Trafficking	Unknown		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 25 of the Tokelau Crimes, Procedures, and Evidence Rules Act (4)
Prohibition of Using Children in Illicit Activities	Yes		Articles 49–50 of the Tokelau Crimes, Procedures, and Evidence Rules Act (4)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	17	Article 33 of the Government of New Zealand's Defense Act (5)
Compulsory Education Age	Yes	16	Article 63(1) of the Tokelau Crimes, Procedures, and Evidence Rules Act (4, 6)
Free Public Education	Yes		Legislation title unknown (6)

* No conscription (7)

The Schedule of Transtok Tokelau Corporation Rules allows for children between ages 16 and 18 to work on ships as an apprentice and with parental consent. However, this law is not in compliance with international standards because it fails to require that children receive adequate training and does not codify the measures necessary to protect the health, safety and morals of these children.(3) The Government also has not established laws related to forced labor, including debt bondage, child trafficking, and slavery.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government of New Zealand has established institutional mechanisms to address complaints related to child labor in Tokelau (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
New Zealand Ombudsmen	Address complaints related to child labor and support Tokelau.(8, 9)

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 mechanisms to coordinate efforts to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Although there is no evidence of a problem, the Government of Tokelau has established policies related to child labor, including its worst forms (Table 4).

Table 4. Policies Related to Child Labor

Policy	Description
Tokelau National Strategic Plan (2010–2015)	Implements the UNDAF Results Framework for the Pacific Sub-Region Projects 2013–2017, which includes national development strategies and priorities.(10)
UNDAF Pacific Region (2013–2017)	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island countries and territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(10) In Tokelau, includes different youth education initiatives related to environmental, health, and food issues.(11)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

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

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Tokelau (Table 5).

Table 5. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that children between ages 16 and 18 working in hazardous work children receive adequate training in the type of work, and that their health, safety, and morals are protected.	2015
	Establish laws to prohibit forced labor, including debt bondage, child trafficking, and slavery.	2013 – 2015

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