

**Article 22 of the Constitution of the ILO**

Report for the period 1 June 2007 to 31 May 2009  
on Tokelau made by the Government of New Zealand  
on the

**ABOLITION OF FORCED LABOUR CONVENTION, 1957 (No 105)**

***I Please give a list of the legislation and administrative regulations, etc., which apply the provisions of the Convention. Where this has not already been done, please forward copies of the said legislation, etc., to the International Labour Office with this report.***

***Please give any available information concerning the extent to which these laws and regulations have been enacted or modified to permit, or as a result of, ratification.***

The situation has not changed in Tokelau since previous reports. Forced labour is not currently and has not been a factor in Tokelau. The population of Tokelau in March 2009 was 1,466 (based on most recent census data of 2006).

The Report for the period 1 June 2003 to 1 May 2005 on the Forced Labour Convention, 1930 (No 29) and the comments from the Committee of Experts on this Convention contain information on the communal nature of labour arrangements in Tokelau. These arrangements have not changed.

Tokelau undertook two referenda, in 2006 and 2007, on the issue of self-determination. In both cases, Tokelau did not reach the two thirds majority in favour of self-governance that it set for itself and so has chosen to remain as a non-self governing territory of New Zealand. No part of this process affected labour arrangements in Tokelau referred to in earlier reports.

The Report for the period 1 July 2002 to 31 May 2004 on the Equal Remuneration Convention, 1951 (No 100) and the Report for the period 1 July 2001 to 31 May 2004, on the Discrimination Convention 1958 (No 111) are attached and contain further background information on Tokelau.

***II Please indicate in detail for each of the following Articles of the Convention the provisions of the abovementioned legislation and administrative regulations, etc., or other measures, under which each Article is applied.***

**If in your country ratification of the Convention gives the force of national law to its terms, please indicate by virtue of what constitutional provisions the ratification has this effect. Please also specify what action has been taken to make effective those provisions of the Convention which require a national authority to take certain specific steps for its implementation, such as measures to define its exact scope, measures to draw the attention of the parties concerned to its provisions, and arrangements for adequate inspection and penalties.**

**If the Committee of Experts or the Conference Committee on the Application of Standards has requested additional information or has made an observation on the measures adopted to apply the Convention, please supply the information asked for or indicate the action taken by your Government to settle the points in question.**

It has not been necessary to give effect to these provisions of the Convention in the legislation and administrative regulations of Tokelau because there is no forced labour in Tokelau.

***III Please state to what authority or authorities the application of the abovementioned legislation and administrative regulations, etc., is entrusted, and by what methods application is supervised and enforced. In particular, please supply information on the organization and working of inspection.***

This section is not applicable.

***IV Please state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Convention. If so, please supply the text of these decisions.***

No court decisions of this kind have been made.

***V Please give a general appreciation of the manner in which the Convention is applied in your country and supply copies of the reports of the competent services, such as the judicial administrations, etc. Please supply also all available statistics concerning the number of persons on whom forced or compulsory labour has been imposed, the nature of the work carried out by the persons in question, the reasons for which the said persons have been subjected to such work, the number of working hours effected during the period under review, and the wages paid to these persons. Please state also whether the persons in question enjoy the same conditions of work as free workers and, if not, indicate in what respects their conditions differ.***

This section is not applicable to Tokelau.

***VI Please indicate the representative organizations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the International Labour Organisation.***

Copies of this report have been forwarded to:

Office of the Administrator of Tokelau  
Office of the Council of Ongoing Government of Tokelau