

**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

**FORCED LABOUR CONVENTION, 1930 (No 29)**

***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 of, or as a result of, ratification.***

The situation has not changed in Tokelau since the previous report. Forced labour is not currently and has not been an issue in Tokelau. The population of Tokelau in March 2009 was 1,466 (based on most recent census data of 2006). Compulsory work is not required of either prison inmates or social welfare beneficiaries and there are no prisons in Tokelau.

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 remain unchanged.

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 retain the status quo as a non-self governing territory of New Zealand. No part of this process affected the 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) attached contain further background information on Tokelau.

***II Article 22 of the Convention is as follows:***

*The annual reports that Members which ratify this Convention agree to make to the International Labour Office, pursuant to the provisions of Article 22 of the Constitution of the International Labour Organisation, on the measures they have taken to give effect to the provisions of this Convention, shall contain as full information as possible, in respect of each territory concerned, regarding the extent to which recourse has been had to forced or compulsory labour in that territory, the purposes for which it has been employed, the sickness and death rates, hours of work, methods of payment of wages and rates of wages, and any other relevant information.*

**Please indicate in detail, in application of this Article, for each of the following Articles the provisions of the legislation and administrative regulations, and the measures taken by the competent authorities, which ensure the application of the various provisions of the Convention. In addition, please provide any indication specifically requested below under individual Articles.**

**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 had 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 the exact scope of the Convention and the extent to which advantage may be taken of permissive exceptions provided for in it, measures to draw the attention of the parties concerned to its provisions, and arrangements for adequate inspection and penalties.**

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

***III 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, unless this has already been done in connection with Article 25.***

No court decisions of this kind have been made.

***IV Please add a general appreciation of the manner in which the Convention is applied, for example by giving extracts from official reports, and information on any practical difficulties encountered in the application of the Convention or in the suppression of forced or compulsory labour.***

This section is not applicable to Tokelau.

***V. Please indicate the representative organisations 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