

UN CRC	Accession Date	Care-Related Concluding Observations
	6 June 1997	<p>CRC/C/COK/CO/2-5 10 March 2020</p> <p>https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCOK%2fCO%2f2-5&Lang=en</p> <p>III. Main areas of concern and recommendations</p> <p>C. General principles (arts. 2, 3, 6 and 12)</p> <p>Non-discrimination</p> <p>18. The Committee is concerned about the prevalence of discriminatory legislation, in particular the Crimes Act 1969 which criminalizes consensual sexual activity between boys, as well as the Cook Islands' Act 1915 in relation to the rights of adopted children.</p> <p>19. Taking note of target 10.3 of the Sustainable Development Goals, the Committee recommends that the State party repeal the discriminatory provisions in its legislation to ensure respect for the rights set forth in the Convention.</p> <p>Best interests of the child</p> <p>20. While welcoming the recognition of the principle of the best interests of the child in the Family Protection and Support Act 2017, the Committee is concerned that the principle is not sufficiently incorporated into all relevant legislation, policies, programmes and projects that are relevant to and have an impact on children; and is not consistently implemented in decisions affecting children, including in the family, schools, the community, and in administrative and judicial proceedings.</p>

		<p>21. Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party ensure that the principle of the best interests of the child is incorporated in all legislation, policies, programmes and projects that are relevant to and have an impact on children and is consistently applied in the family, schools, the community, and in administrative and judicial proceedings, and that it develop procedures and criteria in order to ensure that the best interests of the child are properly assessed when a decision is made regarding a child.</p> <p>Respect for the views of the child</p> <p>22. The Committee commends that the Family Protection and Support Act 2017 provides children with the opportunity to express their views in judicial proceedings affecting them. While noting the opportunities for children to express their views and participate in making of decisions in schools, it remains concerned that children cannot effectively participate in the making of decisions that affect them within the family and community, including owing to the prevalence of the traditional societal attitudes, which hinder respect for the views of the child.</p> <p>23. With reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee reiterates its previous recommendations (CRC/C/COK/CO/1, para. 30) and recommends that the State party:</p> <ul style="list-style-type: none">(a) Strengthen systematic training to the professionals working with and for children, especially in administrative and judicial proceedings, and develop operational procedures or protocols for such professionals to ensure due weight is given to the views of children in these proceedings;(b) Conduct programmes and awareness-raising activities to combat negative societal attitudes, which hinder children’s right to be heard, and promote the meaningful and empowered participation of all children within the family and community. <p>E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)</p> <p>Corporal punishment</p>
--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>25. While noting that the Education Act prohibits corporal punishment in schools, the Committee is seriously concerned that such punishment remains legal in other settings, including in the home, alternative care settings, some forms of day care settings and in penal institutions. It is concerned in particular that the draft Crimes Bill 2017, like the Crimes Act 1969, continues to provide in section 32 for so-called “lawful correction of a child”.</p> <p>26. With reference to its general comment No. 8 (2006) on corporal punishment, the Committee urges the State party to:</p> <ul style="list-style-type: none">(a) Repeal laws that permit corporal punishment of children and enact legislation to explicitly prohibit such punishment in all settings;(b) Intensify efforts to promote positive, non-violent and participatory forms of child-rearing and discipline, including by strengthening awareness-raising programmes and campaigns targeting children, parents, teachers and traditional, religious and community leaders. <p>Abuse and neglect</p> <p>27. While welcoming that under the Family Protection and Support Act 2017, school administration and teachers are obliged to report incidents of abuse of children, the Committee is concerned about the underreporting of abuse and neglect of children including in the home, schools and the community. It is also concerned about the insufficient capacity of law enforcement and judicial officials on handling cases of abuse, neglect and domestic violence.</p> <p>28. With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and taking note of target 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <ul style="list-style-type: none">(a) Develop a comprehensive policy and strategy for preventing and combating child abuse, neglect, and domestic violence; and undertake awarenessraising and education programmes and campaigns, with the involvement of children;(b) Collect data on child victims of abuse, neglect and domestic violence in the State party, and undertake a comprehensive assessment of the extent, causes and nature of such violence;(c) Ensure access to reporting mechanisms and clear reporting procedures in response to cases of abuse, neglect and domestic violence, for children, parents and professionals working with and for
--	--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>children, and ensure children's access to childfriendly support and services, including rehabilitation and reintegration;</p> <p>(d) Provide systematic training to judges, prosecutors, police officers and social workers on how to prevent and monitor cases of child abuse, neglect and domestic violence;</p> <p>(e) Encourage community-based programmes aimed at preventing and addressing child abuse, neglect, and domestic violence including by involving former victims, volunteers and community members, and providing training support to them.</p> <p>F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))</p> <p>Family environment</p> <p>31. While noting that the Employment Relations Act 2012 provides working mothers with maternity leave, the Committee is concerned that the maternity leave is for only 6 weeks, which is significantly shorter than the international standards established by the International Labour Organization. It is also concerned that despite the Committee's previous recommendations the State party has not ensured access to day-care facilities for children below schooling age.</p> <p>32. Recalling its previous recommendations (CRC/C/COK/CO/1, para. 38), the Committee recommends that the State party:</p> <ul style="list-style-type: none">(a) Consider extending the maternity leave to an internationally acceptable period in accordance with the Committee's general comment No. 7 on implementing child rights in early childhood;(b) Provide access to day-care facilities for children below schooling age;(c) Strengthen efforts to raise parents' and care givers' awareness of the best forms of child-rearing practices and on equal parental responsibilities of fathers and mothers. <p>Children deprived of a family environment</p> <p>33. Noting that children deprived of a family environment are traditionally placed in the care of the extended family, the Committee is concerned about the limited support provided to the care-giver relatives.</p>
--	--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>34. The Committee recommends that the State party ensure that all forms of alternative care arrangements, including informal care by the extended family, are provided with adequate support.</p> <p>Adoption</p> <p>35. The Committee remains concerned about the absence of legislation, policies and mechanisms governing both domestic and international adoptions.</p> <p>36. The Committee recalls its previous recommendations (CRC/C/COK/CO/1, para. 42) and recommends that the State party:</p> <ul style="list-style-type: none">(a) Adopt legislation, policies and mechanisms governing domestic and international adoptions that protect the rights and best interests of the child in line with the principles and provisions of the Convention;(b) Establish monitoring and evaluation procedures with respect to both domestic and international adoptions. <p>G. Children with disabilities (art. 23)</p> <p>37. The Committee commends the State party for having increased the provision of child grants for children with disabilities from the previous upper age limit of 12 years to 16 years. It also commends the steps taken to facilitate access of children with disabilities to inclusive education including by providing them with individualized support in mainstream schools and by improving the accessibility of school buildings. However, it is concerned about the gaps in the implementation of the State party's laws and policies concerning children with disabilities.</p> <p>38. With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee recommends that the State party, with the full and effective participation of children with disabilities:</p> <p>...</p>
--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>(c) Continue to provide support and services in the community to enable families to care for children with disabilities;</p> <p>(d) Undertake awareness-raising campaigns aimed at government officials, the public, traditional, religious and community leaders and families to promote a positive image of such children with a view to ensuring their full inclusion into society.</p>
Country Report		
		<p>CRC/C/COK/2-5 28 March 2019</p> <p>https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCOK%2f2-5&Lang=en</p>
OPSC to CRC	Ratification Date	Care-Related Concluding Observations
	N/A	
OPAC to CRC	Ratification Date	Care-Related Concluding Observations
	N/A	
ICCPR	Ratification Date	Care-Related Concluding Observations
	N/A	
ICESCR	Ratification Date	Care-Related Concluding Observations
	N/A	
CEDAW	Accession Date	Care-Related Concluding Observations

	11 Aug 2006	
CRPD	Accession Date	Care-Related Concluding Observations
	8 May 2009	
UPR	Date of Consideration	Link to Page
	N/A	N/A
Hague Inter-country Adoption	Ratification Date	Link to Country Profile
	N/A	N/A

Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review