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The Cook Islands and Niue: States in Free Association

The Pacific Islands region comprises a variety of polities including fully independent nations, overseas territories, and self-governing states in “Free Association” with other nations. Successive U.S. presidential administrations and some Members of Congress have identified U.S. national security interests in the region, including maintaining free and open waterways; supporting U.S. diplomatic engagement, economic development, and sustainable fisheries; addressing climate change; and maintaining strong economic and security ties. U.S. policymakers also have aimed to address security and other threats posed by the People's Republic of China (PRC, or China) in the region.

The Biden Administration established diplomatic relations in 2023 with the Cook Islands and Niue, Pacific Islands Countries (PICs) that share maritime borders with the U.S. Pacific territory of American Samoa. Both are in Free Association with New Zealand, their former colonial state. Those new relationships and other developments in the region may prompt Congress to oversee U.S. engagement with the Cook Islands and Niue on issues such as foreign assistance, security, and natural resource partnerships.

Political Status of “Free Association”

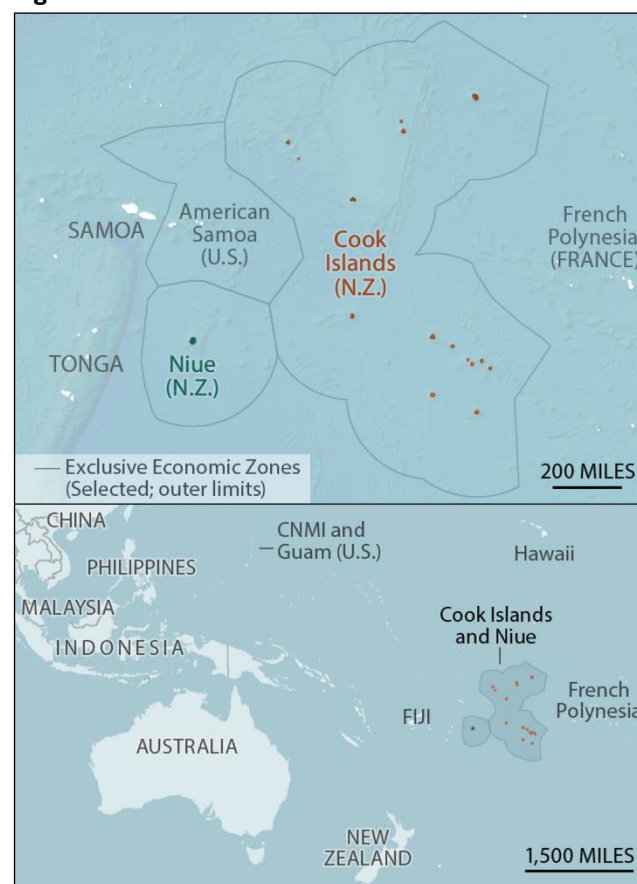
New Zealand assumed colonial administration for the Cook Islands and Niue from the United Kingdom in 1901. During the 1960s, New Zealand considered alternative political futures for the islands as part of a broader global sentiment for self-determination during that period. This culminated in both the Cook Islands and Niue declining options for total independence or full-integration with New Zealand, opting instead for “Free Association.”

Passed in New Zealand’s parliament, the Cook Islands Constitution Act of 1964 and the Niue Constitution Act of 1974 established the basis of self-government and “Free Association.” Through these acts, and subsequent agreements, the Cook Islands and Niue remain part of the Realm of New Zealand and share the same Head of State, King Charles III. New Zealand affords citizenship to people born in the Cook Islands and Niue (offering freedom of movement to and from New Zealand), but the Cook Islands and Niue govern their own domestic affairs. Niue also receives economic and administrative assistance from New Zealand as per the stipulations of its constitution.

Neither the Cook Islands nor Niue are members of the United Nations, but are full members of regional and international organizations, such as the Pacific Islands Forum. New Zealand, in practice, provides foreign affairs and defense assistance when requested by those governments, but in the capacity of an “agent” rather than a policy developer. As stated in a 1994 introductory note to

the Constitution of the Cook Islands, “the exercise by New Zealand of certain responsibilities for the defence and external affairs of the Cook Islands does not give New Zealand any rights of control.” The Joint Centenary Declaration between the Cook Islands and New Zealand, signed in 2001 and reaffirmed in 2015, sets out the “principles” of the relationship and states the two countries shall “consult regularly on foreign affairs matters with a view to formulating common policies on important foreign affairs issues.” They also will “consult regularly on defence and security issues and advise each other of any risks that may affect either or both Signatories.”

Figure 1. The Cook Islands and Niue



Source: CRS

The Cook Islands

The Cook Islands originally were inhabited by the Cook Island Māori (a Polynesian ethnic-group related to the New Zealand Māori ethnic group) in what are now the 15 islands that comprise the country. The capital of Avarua is located on the most populated island of Rarotonga. An estimated 90,000 Cook Islanders live in New Zealand, outnumbering the under 17,000 residents of the Cook Islands.

According to an Australian think tank, the Cook Islands had a GDP of \$256 million in 2022, one of the region's smallest economies, but the second highest GDP per capita in the Pacific. 85% of its economy comes from tourism. National economic objectives include expanding economic inclusion and building climate-adapted public infrastructure. Due to its 2020 graduation to "high income country status" by the Organization for Economic Cooperation and Development, the Cook Islands is the lowest per capita recipient of development aid in the Pacific.

At times, limits on the Cook Island's self-governance have led to political friction with New Zealand. For example, when Cook Islands Prime Minister Mark Brown made a state visit to China in February 2025 and signed four bilateral agreements (including a Comprehensive Strategic Partnership Action Plan), New Zealand's government expressed "significant concern" that Avarua did not consult about the agreements prior to the visit and about their national security implications. Brown also was criticized by some constituents and diaspora. He argues the agreements will help achieve national development goals and alleges New Zealand "misinformation" misconstrued his actions. The controversy led to a motion of no-confidence to remove Brown from office, which was defeated.

Among the February 2025 agreements signed between the Cook Islands and China are memorandums of understanding for cooperation on the blue economy (sustainable use of ocean resources for economic growth) and a five-year agreement on deep sea mining exploration of marine minerals within its exclusive economic zone (for more information, see CRS In Focus IF12974, *Seabed Mining Interests Across the Pacific Islands*, by Caitlin Keating-Bitonti and Jared G. Tupuola).

Niue

From its capital of Alofi, the government of Niue includes a 20-member Legislative Assembly representing a population of less than 2,000 inhabitants, making it the second smallest country by population (only Vatican City has fewer inhabitants). There are currently no political parties in Niue and the current prime minister is Dalton Tagelagi.

Niue is the Pacific's smallest economy, but has the region's highest GDP per capita - \$18,300 as of 2022. New Zealand is the largest development partner to Niue, accounting for 78% of the total foreign aid (roughly \$259 million between 2008-2022). Niue is the only PIC to have received no loan financing over the past 15 years. Some analysts contend Niue's recent opening of an honorary consulate in Tokyo is an effort to expand its diplomatic presence, strengthen tourism (a primary economic sector), and develop relations with partners that may provide resources to strengthen climate adaptation and disaster preparedness efforts.

Relations with the United States

The Biden Administration's decision in 2023 to establish official diplomatic relations with the Cook Islands and Niue was widely characterized as a signal of U.S. strategic investment in the Pacific. In separate statements, the State Department claimed that the United States would seek to pursue "Pacific Regionalism" with the two countries in

regional organizations and realize the goals of the Biden Administration's Pacific Partnership Strategy. U.S. programming with the Cook Islands and Niue has included representatives joining the State Department's Young Pacific Leaders Conference and the Academy for Women Entrepreneurs. The United States has a Maritime Interdiction Agreement with the Cook Islands, but not Niue.

Areas of Congressional Interest

In shaping U.S. bilateral relations with the Cook Islands and Niue, Congress faces three broad issues:

Countering Chinese Influence. As previously noted, the Cook Islands signed four bilateral agreements with China in 2025. China also has an embassy in Niue and PRC development projects there have included a road upgrade, vehicle donations to the government of Niue, and telecommunications equipment such as radios given to each household. Congress may consider whether U.S. national security and foreign policy interests merit a reconsideration of current U.S. diplomatic engagement with and foreign assistance to both countries. Congress also may choose to increase intelligence cooperation with New Zealand (which has expressed that it will strengthen its intelligence focus on the Cook Islands' foreign relations).

Seabed Mining. On April 24, 2025, President Trump issued the executive order titled "Unleashing America's Offshore Critical Minerals and Resources," which provides direction for supporting allies and partners interested in developing seabed minerals in their exclusive economic zones, among other actions. Some Members of Congress have called on President Trump to reconsider the Administration's stance, and related legislation has been introduced in the 119th Congress. For example, H.R. 663 calls on the executive branch to oppose the permitting and exploration of deep seabed mining in the international seabed until the International Seabed Minerals Authority, a United Nations organization, has passed a full and binding regulatory framework. Congress may choose to conduct oversight of this matter by instructing executive agencies such as the State Department and the National Oceanic and Atmospheric Administration to provide information weighing the potential economic and national security benefits of partnering with PICs like the Cook Islands on seabed mining against concerns of environmental degradation and opposition by several PICs.

Fuel Tanks at Sir Robert's Wharf. During the Biden Administration, the State Department committed to work with Congress to fund the removal of storm-damaged fuel tanks at Sir Robert's Wharf in Niue. Niue argues that the United States is responsible for removing the tanks due to former diplomatic correspondence from the United States alleging to have accepted responsibility. Shifts in foreign policy under the Trump Administration, including suspension of U.S. foreign assistance, may affect the project and impact perceptions of U.S. commitment to the region.

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