



PACER Plus

Labour Mobility Working Group

Ninth Meeting of the PACER Plus Labour Mobility Working Group (PPLMWG.09)

WEDNESDAY, 19TH JULY 2023, 1:00-3:00PM SAMOA TIME

CHAIR: Ms Telieta Lusiane Finauga, Ministry of Public Utilities and Environment

OUTCOMES SUMMARY

1. The Ninth meeting of the Labour Mobility Working Group (PPLMWG.09) was chaired by Ms Telieta Lusiane Finauga, Acting Labour Officer of the Tuvalu Ministry of Public Utilities and Environment. The meeting was attended by the following Arrangement on Labour Mobility Participants: Australia, Cook Islands, Kiribati, Nauru, New Zealand, Niue, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.
2. The meeting was opened with a prayer by Mrs Laisiana Tugaga from the PACER Plus Implementation Unit (PPIU). As agreed at the last Labour Mobility Working Group meeting held in March this year, a meeting was to be held later in the year to consider PLMAM 2023 preparations and the Review of the Arrangement on Labour Mobility (ALM).
3. The meeting agenda was adopted as presented and it was further noted that the PPIU would produce a summary of meeting discussions to be circulated to the Group for adoption. A group photo was then facilitated online by the PPIU.

Agenda Item 1: Arrangement on Labour Mobility (ALM) Review

4. Dr Alisi Holani of the PPIU presented the meeting paper which provided a draft Concept Note for the review of the Arrangement on Labour Mobility. It was noted that the Review is an outcome of PLMAM 2022 and is a priority activity for implementation in FY23-24.
5. The PPIU is seeking to commence the review process through approval of the draft Concept Note and Terms of Reference for the ALM Review Panel, both of which were considered and approved by the ALM Advisory Group during their first meeting on 11 July 2023. The ALM Advisory Group was set up by the LMWG at its meeting in March to oversee the review. The ALM Review is being conducted in parallel to the General Review of the PACER Plus and is to be completed by December 2023 to facilitate integration into the General Review of the PACER Plus.

6. The proposed process and timeline of the ALM Review is as follows:
 1. Seek LMWG consideration and approval of the Concept Note and ToRs of the ALM Panel
 2. Once approved by the LMWG, calls for Expressions of Interest will go out later in the week to commence recruitment of the Panel.
 3. By August, the Panel should be engaged.
 4. Consultations will begin in September; with in-person consultations to commence at the Movement of Natural Persons and Labour Mobility Workshop in September.
 5. First draft of the report to be submitted to the LMWG by October for consideration and approval.
 6. Endorsed draft report by the LMWG to be submitted to the PLMAM 2023.
 7. Final report to be submitted to the LMWG by December 2023.

7. The LMWG provided the following comments regarding the ALM Review and process:
 - Given the independent nature of the ALM Advisory Group, close communication and consultation was encouraged between the PPIU, LMWG and the Advisory Group .
 - Noted the tight timeline between recruitment and initial consultations and recommended amendments to the timeline to allow ample time for recruitment of the ALM Panel. The PPIU advised its comfortability with the current timeline for recruitment however advised that the timeline could be amended by Participants if required to ensure a wide pool of applicants.
 - To ensure that the PACER Plus and Pacific Island Forum Secretariat labour mobility initiatives are aligned. The PPIU advised that this alignment is one of the objectives for including PIFS in the ALM Advisory Group. Through this membership, PIFS has provided comments on the Terms of Reference and the Concept Note submitted.
 - Australia advised that its new deed and guidelines for the PALM Scheme have significantly strengthened worker protections under PALM and invite Members to reach out if they wish to discuss further about this.
 - Welcome further ALM Review consultations to be done at PLMAM 2023 but to ensure it does not detract too much away from the focused agenda.
 - It was asked whether observers to the PLMAM, Fiji, Papua New Guinea and Timor-Leste would be invited to provide views under the ALM Review. The Secretariat advised that this would be a decision required to be made by the LMWG.

Action Items/Resolutions:

8. The PACER Plus Labour Mobility Working Group:
 1. Endorsed, in principle, the Concept Note for the Review of the Arrangement on Labour Mobility subject to any further amendments from Participants.
 2. Endorsed, in principle, the Terms of Reference for the Arrangement on Labour Mobility Review subject to any further amendments from Participants.

Agenda Item 2: PLMAM 2023 and the Regional Workshop on Sustainable Reintegration

9. Dr Alisi Holani of the PPIU presented the paper submitting the draft programme for PLMAM 2023, venue and dates, theme for the meeting and budget for approval of the

LMWG. The Sustainable Reintegration Workshop to be funded by the World Bank, the International Organization for Migration (IOM) and the International Labour Organisation (ILO) is to precede the PLMAM 2023 programme. The PPIU further proposed to amend the PLMAM Procedures to include the PLMAM Observer countries, Fiji, Papua New Guinea and Timor-Leste, in the Forum Island Country (FIC) Caucus as there may be value in engaging the observers in regional labour mobility dialogues to leverage collective bargaining particularly amongst labour sending countries. It is also an opportunity to encourage Fiji and Papua New Guinea to sign on to the Arrangement on Labour Mobility.

10. The LMWG provided the following comments regarding the agenda item and paper presented:

- Participants noted the spirit of inclusivity regarding recommendation 9 to amend the PLMAM Procedures to include the PLMAM Observer Countries in the Pacific Caucus, however some Members reserved to defer decision on this until further consideration.
- The Government of Vanuatu registered its commitment to hosting a successful PLMAM in Port Vila on the dates proposed and were in support of amending the PLMAM Procedures as per recommendation 9 of the paper.
- It was proposed and agreed that a session on the Outcomes of PLMAM 2022 would be included in discussions of the FIC Caucus.
- Agreed for the Chair to consult out of session with Parties in contention on the recommendation to amend the PLMAM Procedures to include PLMAM Observer Countries in the FIC Caucus and revert to the Group on the decision.

Action Items/Resolutions:

11. The PACER Plus Labour Mobility Working Group:

1. Approved the proposed programme for the PLMAM 2023 and the Regional Workshop on Sustainable Reintegration, noting that speakers and Chairs are yet to be finalised.
2. Approved for the PLMAM 2023 and Regional Workshop on Sustainable Reintegration to be held at the Warwick Le-Lagon Resort & Spa in Port Vila, Vanuatu.
3. Approved the proposed theme of “Harnessing the development benefits of labour mobility” for PLMAM 2023 and the Regional Workshop on Sustainable Reintegration.
4. Noted the approved PLMAM 2023 budget approved by the Sixth meeting of the PACER Plus Joint Committee.
5. Approved for the PLMAM 2023 budget to fund 2 attendees from each ALM participating country and 1 participant from PLMAM observer countries of Fiji, PNG and Timor-Leste.
6. Approved for the PLMAM 2023 budget to fund up to 6 guest speakers.
7. Noted that additional budget will be provided by the World Bank, IOM and ILO to support the funding of the Regional Workshop on Sustainable Reintegration on 20-21 November.
8. Noted that the additional budget in (7) above will also fund 2 additional attendees from each ALM participant country and PLMAM observer countries.
9. Agreed to declassify this meeting paper for public release.

Any Other Matters

❖ Labour Mobility Initiatives under PIFS — the interoperability between the ALM and the Pacific Islands Forum Secretariat (PIFS) Labour Mobility initiatives

12. Dr Alisi Holani of the PPIU informed the Group on a paper that will be tabled at the upcoming PACER Plus Ministerial Meeting, on the interoperability between the ALM and the Pacific Islands Forum Secretariat labour mobility initiatives. As background, a comprehensive assessment of labour mobility arrangements was called for by the Forum Trade Ministers at their meeting in 2020 to be developed by the PIFS to understand the labour mobility schemes and their impact in the region. The report from the assessment which was issued in December 2022 recommended the following:

- Development of a regional platform for decision making on labour mobility and policy support;
- Regional labour mobility strategy — PIFS currently undertaking national consultations on this.
- Regional information-sharing network

13. At the Joint Committee meeting in May 2023, Members raised possible duplications between the initiatives under the PIFS Regional Labour Mobility Strategy and the ALM. There was a recommendation by the Joint Committee to discuss and resolve this issue during PLMAM 2023. In response, an agenda item on the PIFS Regional Labour Mobility Strategy is included in the PLMAM 2023 programme. The PPIU will also table a recommendation to the PACER Plus Ministers Meeting for a Labour Mobility update paper to be presented at the FTMM 2023 to address the issue.

14. Samoa commended efforts by PPIU to enhance alignment of regional labour mobility initiatives and recommended that the assessment be discussed at FTMM or PLMAM or when Parties have time to digest the report given it is a lengthy assessment.

15. Participants requested that the draft paper be circulated to the Group before submission to the FTMM.

❖ The Superannuation Virtual Talanoa

16. Dr Alisi Holani of the PPIU advised the Group that the Superannuation Talanoa which was approved at the last LMWG meeting in March and part of the Annual Plan for FY23-24, has now been rescheduled to Tuesday, 8 August 2023 Samoa local time. The talanoa is an outcome of PLMAM 2022 to increase understanding on superannuation arrangements and current schemes and establish a way forward for addressing ease of access constraints as well as key identified issues.

17. The PPIU sought agreement from the group to invite Observer countries to the talanoa.

Closing Remarks from the Chair, Closing Prayer

18. The Chair closed the meeting with a prayer.

END