

LABOUR MOBILITY IN THE PACIFIC REGION

Part One: Literature Review

&

Part Two: Workshop Summary with Recommendations

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LABOUR MOBILITY IN THE PACIFIC REGION

In mid-2017 the Pacific Immigration Directors' Conference (PIDC) commissioned a review of labour mobility within the Pacific region, as part of their ongoing work to support PIDC members in their current and future labour mobility arrangements. PIDC is seeking to determine how best to contribute as an organisation to regional efforts to strengthen the links between labour mobility and economic growth in PIDC Member countries.

PIDC has requested a review that contains two distinct parts:

1. A high-level review of the literature to identify the current drivers of labour mobility within the region, an overview of labour mobility schemes that Pacific Island Countries (PICs) are presently participating in, an examination of the roles that PIDC immigration agencies currently play in labour mobility schemes, and an assessment of how these agencies may be impacted by future expansion of regional labour mobility opportunities; and
2. The development of recommendations on how PIDC can best support its Members to facilitate their engagement in offshore labour mobility.

The first part of the review, containing the desktop analysis of literature on Pacific labour mobility is presented below in Sections 1 to 5. This high-level review of the literature focuses on five main themes:

1. Current drivers of labour mobility within the Pacific region;
2. The Pacific regional migration system and the varying levels of access to temporary and permanent migration opportunities that are available to citizens of different Pacific countries;
3. A review of labour mobility schemes that are presently in operation across the region. This includes the New Zealand and Australian seasonal work schemes as well as other temporary overseas employment opportunities for Pacific workers in areas such as fisheries, construction, and hospitality;
4. A high-level review of the legislative and institutional arrangements governing labour mobility in Pacific countries; and
5. The administrative capacity of PICs to manage their labour mobility arrangements.

Section 6 of the report contains a summary of the information gathered as part of the Labour Mobility Survey that was sent to PIDC Members in July 2017. The survey was designed to gather additional information from PICs on their engagement in labour mobility, as both sending and receiving countries. Part 2 of the review, that involves the development of recommendations for PIDC, will be completed following the PIDC Labour Mobility Workshop scheduled for 2-5 October 2017.

1. The strategic environment: Current drivers of Pacific labour mobility

In 2006, the World Bank released a report *Pacific Islands: At Home and Away* that argued for greater labour mobility opportunities for Pacific Islanders who cannot source employment at home. The report examined the economic case for labour mobility within the region, and concluded that “while labour mobility alone will not make Pacific countries prosperous, it could make a significant contribution towards enhancing economic and social stability in the region”.¹

A decade later, several reports have been released - one by the World Bank and others by Australian-based research and foreign policy institutes – that again champion the benefits of increased labour mobility within the Pacific region, and encourage New Zealand and Australia to open up opportunities in their labour markets for low-skilled and medium-skilled migrants. Doing so will ease population pressures in PICs and help Australia and New Zealand’s aid budgets to achieve better outcomes. Moreover, with ageing populations Australia and New Zealand will require migrants to fill domestic labour shortages in areas such as aged care, social assistance and construction.²

Since the mid-2000s enhanced labour mobility between island countries and those on the Pacific rim has featured increasingly in discussions of the Pacific Forum,³ the key political organisation at the regional level. These discussions have been driven mainly by three factors:⁴

- 1) Population growth and growing demand for employment opportunities for burgeoning youthful labour forces, especially in Melanesia and Micronesia;
- 2) The role of migration as one strategy for adapting to negative impacts of climate change (rising sea levels, tropical cyclones and drought) within the region, particularly for the low-lying atolls of the central and northern Pacific (Kiribati, Marshall Islands and Tuvalu); and
- 3) Changing geopolitical dynamics within the region, including the process of trade liberalisation in Oceania, and calls for increased access to labour markets in Australia and New Zealand by Pacific workers.

1.1 Population growth and demand for employment

In June 2016, the Pacific region had an estimated population of 11.44 million.⁵ Most (almost 90 percent), were living in Melanesia, with Papua New Guinea (8,151,300) containing the sub-region’s largest population. Close to six percent were living in the countries that make up Polynesia, with French Polynesia (273,800) containing the largest population in the sub-region, and the remaining 4.5

¹ World Bank (2006, p. v).

² Berkelmans & Pryke (2016); Curtain et al. (2016); Menzies Research Centre (2017).

³ The Forum meets annually to discuss regional issues, bringing together the 16 Heads of Government of the independent and self-governing states of the Pacific region. Member countries include: Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu. New Caledonia, French Polynesia and Tokelau are Associate Members; Wallis and Futuna, American Samoa, Guam and the Commonwealth of the Northern Marianas (CNMI) are Forum Observers. (see <http://www.forumsec.org/pages.cfm/about-us/>).

⁴ Chan, Cotton, Kavaliku, Tito & Toma (2004); Hayes (2010).

⁵ SPC (2016) Population projections by Pacific Island Countries updated June 2016. Retrieved from <https://prism.spc.int/regional-data-and-tools/population-statistics>

percent were living in Micronesia in the northern Pacific, with Guam (169,500), a military base for the United States of America, containing the largest population in Micronesia (Table 1).

There is considerable diversity across the Pacific, both in contemporary rates of population growth as well as the impact international migration has had on population growth over the past fifty years. These disparities are set to widen further over the next two decades. By 2050, the population of the region is forecast to grow to exceed 19 million. Melanesian populations are expected to almost double, while there will be small increases in the populations of Micronesia and Polynesia. Over 90 percent of the total population will be in Melanesia, with more than 15 million in PNG alone (Table 1).

Table 1: Pacific populations, estimates and projections, 2016-2050

Region/country	Mid-year estimates	Projections (2016)	
	2016	2030	2050
Melanesia	10,250,100	13,340,700	18,282,900
Fiji	880,400	918,700	924,700
New Caledonia	277,000	331,600	387,100
Papua New Guinea	8,151,300	10,790,800	15,057,600
Solomon Islands	651,700	902,300	1,351,600
Vanuatu	289,700	397,300	561,900
Micronesia	526,400	591,000	666,500
Federated States (FSM)	104,600	108,900	109,300
Guam	169,500	186,100	198,300
Kiribati	113,000	149,800	208,000
Marshall Islands	55,000	57,900	62,400
Nauru	10,800	12,100	14,200
Ntherrn Mariana Islands	55,700	58,200	57,500
Palau	17,800	18,000	16,800
Polynesia	664,900	708,400	749,800
American Samoa	56,400	59,300	63,200
Cook Islands	15,200	15,500	15,000
French Polynesia	273,800	297,700	315,000
Niue	1,600	1,500	1,500
Samoa	194,000	212,700	239,100
Tokelau	1,400	1,400	1,400
Tonga	100,600	98,400	93,600
Tuvalu	10,100	10,600	10,600
Wallis and Futuna	11,800	11,300	10,400
Pacific Islands	11,441,400	14,640,100	19,699,200

Data Source: SPC Population Projections by Pacific Island Countries, 2016.

Rapid growth of working age populations, particularly in Melanesia which is characterised by high fertility rates, low formal sector employment and limited migration outlets, presents a challenge for Pacific governments.⁶ As Ware (2007, p. 226) explains “youth bulges⁷ require fast-growing economies to provide schooling, jobs and economic opportunities for ever larger youth cohorts”. If these opportunities are not available, the concern is that a burgeoning youthful population, accompanied by high levels of unemployment, may lead to social and political tensions and potential civil unrest.⁸

Among Pacific youth there are increasing levels of literacy and education, and growing educational aspirations. Large numbers are completing formal schooling every year, yet PIC labour markets lack the capacity to absorb these workers. There are limited opportunities in formal sector employment and a mismatch between labour market entrants and job opportunities. With more young people entering the labour force than jobs available, the informal sector remains the dominant sector of the labour market in most PICs. Few people have access to post-secondary education and training, due in part to limited secondary education access and quality issues throughout national education systems. Major reforms are needed to education and workforce development systems in Pacific countries to generate closer links between education, training and demand for labour in domestic economies as well as international markets.⁹

Urbanisation of Pacific (especially Melanesian) populations is expected to increase significantly over the next 20 years, “as fertility levels remain above replacement levels, the working age population peaks in PICs and education rates increase”.¹⁰ Despite rapid urbanisation, urban planning and management remain inadequate throughout the Pacific, with limited investment in urban infrastructure. In Melanesia growing urban populations are leading to rapidly expanding informal settlements, often without services or basic infrastructure, and associated problems of under- and unemployment, social and environmental costs.¹¹

Rural-urban migration is a primary driver of urban growth in island countries, as people go in search of job opportunities and services (especially education and health) available in urban centres. According to the ADB (2012, p. 14): “urbanization has been an inevitable response to deteriorating, or at best, stagnating conditions in rural areas and outer islands” that cannot provide the employment and wage requirements of growing populations. As a result, there has been migration from smaller outer islands to larger islands, and from rural areas to towns. This in turn has also promoted onward, international migration. As Curtain et al. (2016, p. i) argues:

Given the unique development challenges faced by the Pacific Island countries, there is now broad consensus that expanding labour mobility is vital for their future. Given their youth bulge, unemployment is a pressing problem. Where these countries are unable to bring jobs to people, the alternative is to bring the people to where the jobs are.

⁶ Bedford & Hugo (2012; IMI, 2013).

⁷ A youth bulge is defined as large cohorts in the ages 15-24 relative to the total adult population (Urdal, 2006, p.608).

⁸ Urdal (2006); Ware (2007).

⁹ ADB (2008); Curtain et al. (2016); IMI (2013); World Bank (2014).

¹⁰ IMI (2012, p. 2).

¹¹ ADB (2012a); Bedford & Hugo (2010); Connell (2011); Keen & Barbara (2015).

1.2 Climate change and the role of labour mobility as an adaptive response

A second factor driving regional discussions on labour mobility relates to the use of labour migration as an adaptive mechanism to combat the negative impacts of climate change. Environmental degradation accelerated by global warming presents a major challenge for all countries in the Pacific region. The Highlands of Papua New Guinea are prone to drought; the highly populated coastal regions of Vanuatu and the Solomon Islands, and the delta regions in Fiji are susceptible to tropical cyclones and their associated sea surges; the majority of Polynesia's population lives close to the coast and is also susceptible to cyclones; and the low-lying atolls and reef islands are particularly susceptible to rising sea levels, more intense coastal erosion, and salt water wash-over during storms that contaminates the soil and fresh water lenses people are reliant on for growing food and obtaining water. These adverse effects are exacerbated by rapid population growth, and associated processes of urbanisation as people move from rural areas to towns in search of employment, placing pressure on already limited land for settlement and urban services and infrastructure to meet basic needs.¹²

Many Pacific countries, especially those in Polynesia and Micronesia already contend with considerable movement of people, both internally and overseas, for reasons not linked directly to environmental stress and change. The decision to migrate is complex and the environment is only one factor, and rarely the most important, in encouraging people to move. However, climate change will add pressure on people to move elsewhere as environmental conditions deteriorate on home islands.¹³ Future provisions for migration pathways that take into account those displaced by climate change are already being put forward by international agencies such as the World Bank. In the recent labour mobility report produced as part of the World Bank's (2016) *Pacific Possible* series, the authors proposed an Australia-NZ Atoll Access Agreement that would provide open access for citizens of Kiribati and Tuvalu to the labour markets of New Zealand and Australia on the grounds of their acute climate change risks.¹⁴

1.3 Changing geopolitics, trade liberalisation and regional integration

Changing geopolitical dynamics are another driver of transformation within the Pacific. Both New Zealand and Australia have significant economic interests in the region and consider a stable Pacific to be critical for their security. However their level of political influence at the regional level is being increasingly challenged by the rise to prominence of new and alternative regional institutions and mechanisms.¹⁵

A new regional dynamism is occurring, driven in part "by the discontent of a growing number of island states with the established regional order and by a desire to assert greater control over their own futures".¹⁶ This dynamism includes increasing economic integration for Melanesian Spearhead Group

¹² ADB (2012b); Campbell (2010); Mimura et al. (2007).

¹³ Barnett & Campbell (2010); Bedford & Hugo (2012); Campbell (2010)).

¹⁴ Curtain et al. (2016).

¹⁵ Bedford & Hugo (2012); Maclellan (2013); Menzies Research Centre (2017); Tarte (2014).

¹⁶ Tarte (2014, p. 313).

(MSG) countries,¹⁷ the establishment of the Polynesian Leaders Group in 2012, the changing role of the Parties to the Nauru Agreement (PNA)¹⁸ that is transforming the dynamics of regional fisheries and tuna management, and the inauguration in 2013 of the Pacific Islands Development Forum (PIDF), established by Pacific leaders in Fiji. The PIDF provides an opportunity for Pacific countries to find new approaches to the economic and environmental challenges they face, to forge new international partnerships (e.g. with China, Russia and countries in the Middle East),¹⁹ and “aims to become the institutional voice of Pacific Island states at the wider regional and global levels”.²⁰

Upcoming elections in PNG in 2017 and Fiji in 2018, and constitutional reforms proposed in the Republic of the Marshall Islands (RMI), Samoa and Vanuatu will contribute further to changing dynamics within the region.²¹ The United States has been strengthening its economic and diplomatic ties,²² as well as its security presence across the Pacific.²³ There is also growing Asian involvement in the region. China continues to strengthen its economic and diplomatic ties with Pacific countries, and is becoming a major contributor of foreign aid.²⁴ PICs are also forging closer relations with other non-Western powers and there has been greater engagement in the region by Russia, South Korea, and countries in the Middle East).²⁵

For New Zealand and Australia, two countries that have a deep interest in ensuring the economic and political stability of the Pacific, these shifting regional dynamics are changing power relations and curbing their influence as PICs “assume more control over their affairs”.²⁶ There is recognition by both governments that increasing labour mobility is one means of supporting regional stability and facilitating development by improving employment prospects and increasing remittance flows.²⁷ Remittances – money transfers made by foreign workers to individuals or households in their home country – form a significant part of capital flows to many Pacific countries and have the potential to stimulate further economic growth.²⁸ Remittances are considered a more dependable source of foreign exchange than foreign aid, and of more direct benefit, as the money flows directly to families who can use it to further productive livelihoods at home.²⁹

¹⁷ The MSG countries are: Papua New Guinea, Solomon Islands, Vanuatu, Fiji, and New Caledonia (Le Front de Liberation Nationale Kanak et Socialiste (FLNKS)).

¹⁸ The PNA is made up of eight ‘tuna rich’ countries that control the world’s largest sustainable purse seine fishery. PNA members are: FSM, Kiribati, Nauru, Palau, PNG, RMI, Solomon Islands and Tuvalu (see <http://www.pnatuna.com/About-Us>).

¹⁹ At the inaugural PIDF, international observers included representatives from China and Russia, and the inaugural conference was financially supported by the governments of Kuwait, the United Arab Emirates and China (Tarte, 2014).

²⁰ Tarte (2014, p. 313).

²¹ Cain (2017).

²² Hayward-Jones (2013); IMI (2012).

²³ Green, Hicks & Cancian (2016); U.S. Department of Defense (2015).

²⁴ According to a recent report by the Menzies Research Centre (2017, p. iv) China has dedicated about \$1.8 billion on 218 aid projects in the region since 2006. China’s current levels of spending means it has overtaken New Zealand and Japan, and is on the verge of overtaking the United States as an aid participant in the region coming second to Australia.

²⁵ Crocombe (2007); Dornan & Brant (2014); Hayward-Jones (2013); IMI (2012); Menzies Research Centre (2017); Tarte (2014).

²⁶ Tarte (2014, p. 322).

²⁷ Curtin et al. (2016); Menzies Research Centre (2017).

²⁸ Menzies Research Centre (2017).

²⁹ Households in PICs with family members working overseas experience higher per capita incomes driven by remittances, improved ownership of assets and improved educational attainment. Migrants’ increased investment in business activities also generates broader economic benefits (Gibson & McKenzie, 2014; World Bank, 2014).

Alongside the PACER Plus free trade agreement, that was signed by Australia, New Zealand and eight Pacific countries on 14 June 2017,³⁰ the parties concluded a separate Arrangement on Labour Mobility (hereafter referred to as the LMA). The LMA provides a new platform for enhanced regional cooperation on labour mobility, with the formal establishment of the Pacific Labour Mobility Annual Meeting (PLMAM) for PACER Plus participants, funded by New Zealand and Australia.

Key elements of the LMA include: enhancing existing labour mobility schemes and exploring new labour mobility opportunities; building the institutional capacity of agencies that are responsible for labour mobility management; improving current visa categories to facilitate greater circulation of temporary workers; supporting tertiary vocational education and training; and recognition of qualifications and registration of occupations.³¹ The significance of the LMA is that it is the first time the governments in a number of PICs, as well as in Australia and New Zealand, have reached agreement over a common framework for addressing issues of international labour mobility between states in much of the region.³²

The LMA includes within its frame of reference two seasonal work programmes: New Zealand's Recognised Seasonal Employer (RSE) scheme and Australia's Seasonal Worker Programme (SWP). The two seasonal work schemes afford the greatest temporary employment opportunities to Pacific workers at present, with approximately 16,500 seasonal workers employed under the two programmes during the 2016/17 season.³³ New Zealand has also introduced new labour mobility arrangements in construction and fisheries. Australia has expanded options under the SWP,³⁴ introduced a micro-state visa,³⁵ and may announce further measures to expand access for Pacific workers to the Australian labour market, guided by a new Pacific strategy (to be announced in 2017) that will signal a 'step-change' in Australia's engagement with the region.³⁶

Section 3 provides a review of labour mobility schemes presently available to Pacific countries. Before that, however, it is important to highlight the considerable diversity that exists across the region in terms of the access to temporary and permanent migration opportunities that are afforded to different PICs, and some of the implications this may have for Pacific governments and communities

³⁰ Ten countries signed the PACER Plus agreement at the signing ceremony in Nuku'alofa on 14 June 2017: Australia, Cook Islands, Kiribati, Nauru, New Zealand, Niue, Samoa, Solomon Islands, Tonga and Tuvalu. The FSM, Palau, RMI and Vanuatu are still completing their domestic approval processes. PACER Plus is designed to foster closer economic engagement between PICs by removing barriers to trade, making it easier for Pacific countries to trade and attract investment (MFAT 2017a).

³¹ MFAT (2017b).

³² The two largest PICs, Papua New Guinea and Fiji, have chosen not to sign up to PACER Plus and the LMA. They have expressed a preference for bi-lateral trade agreements. This decision will pose some challenges for Australia and New Zealand in the implementation of the LMA which only applies to the countries that are part of PACER Plus. Moreover, the absence of PNG and Fiji from the agreement limits its scope as a truly regional approach to labour mobility and weakens the capacity of the PLMAM as a forum to discuss future employment prospects for PICs (Arbon, 2017).

³³ Ingram & Bedford (2017).

³⁴ In 2015 the Australian government removed the annual limit on the numbers of workers who can participate in the SWP, subject to employer demand for labour. The programme was also expanded to the agriculture and accommodation industries in specified locations. In 2016 the Government announced further expansion of the SWP into the broader agricultural sector. Employers in a range of industries (cattle, sheep, poultry, grain, cotton, cane and mixed enterprises) can now access Pacific labour (DEEWR, 2015; 2016).

³⁵ In late 2016, the first microstate visas were issued to a group of approximately 30 i-Kiribati workers, employed at a resort on Hayman Island in hospitality positions. At the time two employers were eligible to recruit workers on micro-state visas, with additional employers in discussions with DFAT/DoE, including a couple of aged care employers (Sherrell, 2016a, 2016b).

³⁶ Malcolm Turnbull, "Remarks at Pacific Island forum – Micronesia", 9 September 2016, <https://malcolmturnbull.com.au/media/remarks-at-pacific-island-forum-micronesia>

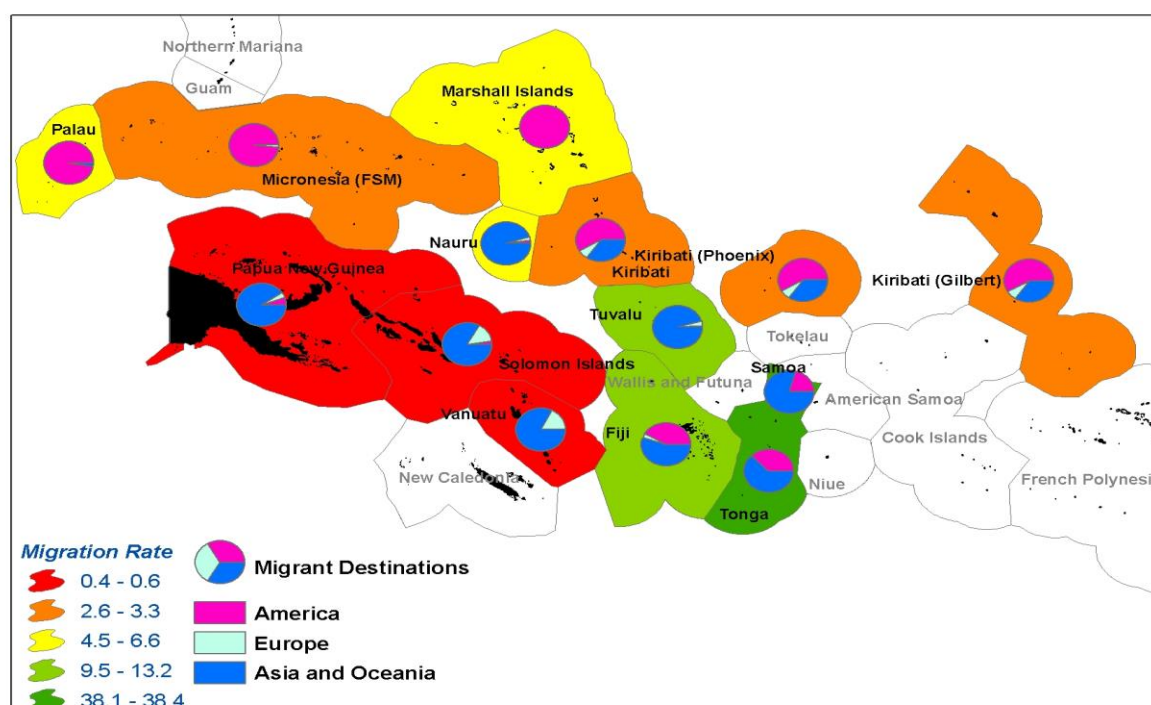
seeking to engage in labour migration, as well as for PIDC as it considers how best to support Members in their labour mobility arrangements.

2. The Pacific regional migration system

Underpinning contemporary regional integration is a history of population movement within and between islands that extends back well before sustained European intervention which began in the late 18th century.³⁷ All PICs have histories of some international migration since the 1850s to countries on the southern or eastern Pacific rim or to former colonial powers in Europe (France, Germany, the United Kingdom).³⁸ However, the western Melanesian countries of Papua New Guinea, Solomon Islands and Vanuatu, three of the largest Pacific countries with 79 percent of the region's 11.4 million people in 2016, have had much less access to overseas destinations than the indigenous populations of the other states and territories.

This variability in access to overseas destinations is demonstrated in Figure 1 which, while relating to the situation in 2006, is still relevant in 2017. Only the independent states have colour coding in Figure 1 excluding those that are self-governing or colonial territories whose indigenous populations have access to either a contemporary or former colonial power. These include New Caledonia, Wallis and Futuna and French Polynesia (France); Guam, the Commonwealth of the Northern Marianas and American Samoa (USA); and Tokelau Islands, the Cook Islands and Niue (New Zealand).³⁹

Figure 1: Migration rates (per 1000 population) around 2006 and major migrant destinations



Source: Gibson & Nero (2008).

³⁷ Crocombe (2001) Hau'ofa (2008)..

³⁸ See Moore, Leckie & Munro (1990) for a comprehensive review of the history of international labour migration in the Pacific.

³⁹ The Cook Islands and Niue are self-governing, but have free access to New Zealand. Tokelau remains under New Zealand administration.

It is clear from Figure 1 that the Polynesian states of Samoa, Tonga and Tuvalu, along with Fiji in Melanesia, have the highest international migration rates. The Micronesian states in the northern Pacific have had lower international migration rates even though citizens of Palau, FSM and RMI have access to the United States of America under their respective Compacts of Free Association.⁴⁰ Nauru, and Kiribati have links with New Zealand and Australia and moderate migration rates. The western Pacific states of Papua New Guinea, Solomon Islands and Vanuatu have very low rates of international migration, mostly to Australia and New Zealand.

2.1 Clusters and Hubs: Differential access to work and residence for PICs

In their report on a regional architecture for migration in the Pacific, Burson and Bedford (2013) break the region down into a series of sub-regional ‘clusters’ and ‘hubs’. Pacific countries are grouped into “sub-regional ‘clusters’ of states within which the cluster members have varying levels of privileged access to temporary or permanent residence in the former (New Zealand and the USA) or continuing (France) colonial, mandate or trustee state which acts as a cluster ‘hub’”.⁴¹

Three established mobility clusters are identified: the New Zealand Cluster, the United States of America cluster and the French cluster; as well as two emerging clusters: the Melanesian Spearhead Group (MSG); and Australia.⁴² For this report, two possible future hubs: the Polynesian Leaders Group and the Micronesian Islands Forum, are also identified. The significance of these clusters is that they highlight the wide disparities in the levels of access to work and residence overseas that are available to different PICs. This access to international migration, in turn, has significant impacts on population growth, economic and social development across Pacific countries. The Tables below provide a synopsis of each cluster and the multi-tiered layers of access to temporary or permanent residence for cluster members.

2.1.1 Established clusters - New Zealand, USA, France

New Zealand Cluster		
Tier 1: citizenship	Cook Islands, Niue and Tokelau	Both Niue and the Cook Islands exist in free association with New Zealand. Tokelau remains under New Zealand administration. The indigenous inhabitants of all three countries were granted New Zealand citizenship in 1947, and migration to New Zealand from the Cook Islands, Niue and Tokelau has been extensive. ⁴³
Tier 2: permanent residence via quota system	Fiji, Kiribati, Samoa, Tonga, Tuvalu	Samoa has access to New Zealand under the Samoan Quota that allows for up to 1,100 Samoan citizens to enter New Zealand each year as potential residents subject to having a satisfactory job offer. Fiji, Kiribati, Tonga and Tuvalu have access to residence in New Zealand for a small number of their citizens under the Pacific Access Category (PAC) annual ballots. ⁴⁴

⁴⁰ Bedford, Burson & Bedford (2014).

⁴¹ Burson & Bedford (2013, p. 9).

⁴² The information on the established and emerging clusters is taken from Burson & Bedford (2013).

⁴³ Crocombe (1992; 2001).

⁴⁴ The PAC ballot allows up to 75 citizens of Kiribati, 75 citizens of Tuvalu, 250 citizens of Tonga and 250 citizens of Fiji to be granted access annually, along with their dependents, to work and study in New Zealand, subject to meeting certain criteria (e.g. a relevant job offer and English language requirements) (see <https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/about-visa/pacific-access-category-resident-visa>).

Tier 3: special temporary employment privileges	Pacific countries participating in RSE, Canterbury Trades Pilot, Fisheries Pilot	<p>While citizens of all Pacific Island Forum states can be offered employment under the RSE, the citizens of certain PICs have received privileged access via the facilitation measures put in place by MBIE to assist with the effective recruitment, pre-departure training and in-country pastoral care of workers. PICs that initially received the facilitation measures in 2007 were Samoa, Tonga, Kiribati, Tuvalu and Vanuatu. The Solomon Islands was added in 2010, PNG in 2013, Fiji and Nauru in 2014. In 2015, the New Zealand Government announced two pilot programmes: the Canterbury Trades Employment Pilot (involving Fiji, Samoa and Tonga); and the Fisheries Employment Pilot (involving Kiribati and Tuvalu).</p> <p>The Canterbury Trades Pilot commenced in 2016 with 24 skilled carpenters from Fiji, Samoa and Tonga employed in Christchurch to work on the Canterbury rebuild.</p> <p>The Fisheries pilot, which will provide fisheries workers with employment in New Zealand's domestic offshore fishing industry, is yet to commence.</p> <p>Tier 3 in the New Zealand cluster spans the independent states of the Pacific and is the most inclusive of the cluster arrangements in terms of labour mobility.</p>
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United States of America Cluster		
Tier 1: citizenship	Guam, Commonwealth of the Northern Marianas (CNMI)	Citizens of both countries are able to enter and work in the US freely and enjoy the rights of citizenship.
Tier 2: nationality but not citizenship	American Samoa	Citizens of American Samoa are able to enter the US at will, but they do not have the full rights of US citizens.
Tier 3: visa-waiver status and access to employment in the USA	Federated States of Micronesia (FSM), Republic of the Marshall Islands (RMI), Palau	FSM, RMI and Palau have each entered into Compacts of Free Association (CFA) with the United States. Broadly, citizens of CFA states by birth, and certain categories of citizens by naturalisation or their relatives, enjoy privileged rights of entry into the US and access to the labour market. They do not require entry visas and are exempt from the employment provisions of the US Immigration and Nationality Act (INA). They are granted an indefinite length of stay. ⁴⁵

⁴⁵ US Citizenship and Immigration Services (USCIS) (2015a, 2015b).

French Cluster		
Tier 1: citizenship	New Caledonia, French Polynesia, Wallis and Futuna	Nationals of these countries are citizens of France with full rights of access to France. As French citizens, they are also members of the European Union with the same EU mobility rights as other French citizens. There has also been migration of French citizens into the three French territories, particularly into New Caledonia.

2.1.2 Emerging Clusters – Melanesian Spearhead Group, Australia

Melanesian Spearhead Group (MSG)		
Tier 3: special temporary employment privileges	Papua New Guinea, Solomon Islands, Vanuatu, Fiji, New Caledonia (Le Front de Liberation Nationale Kanak et Socialiste (FLNKS))	Formalised in 1988, the MSG is a regional organisation which aims to foster political, cultural and economic links between MSG members. In 2012 the MSG introduced a regional labour mobility scheme, called the Skills Movement Scheme (SMS), governed by a Memorandum of Understanding (MoU) signed by four participating states: Fiji, PNG, Solomon Islands and Vanuatu. The SMS allows 400 people from each of the member countries to work in another MSG country in specified occupations. The Skills Movement Scheme Schedule of Occupations contains the professions under which MSG nationals can seek employment in another country, the required qualifications, maximum duration of employment and any additional comments. ⁴⁶ The MSG cluster has a flatter structure than the other clusters; no state within the MSG cluster acts as a central hub.

Australia		
Tier 3: special temporary employment privileges	Pacific countries participating in SWP and the microstate visa	<p>In 2008 Australia introduced the Pacific Seasonal Worker Pilot Scheme (PSWPS) which became the Seasonal Worker Programme (SWP) in 2012. Modelled on NZ's RSE scheme, the PSWPS initially offered seasonal work opportunities to citizens of PNG, Vanuatu, Kiribati and Tonga. In 2011 the scheme was extended to include Nauru, Samoa, Solomon Islands and Tuvalu. The SWP, which commenced in July 2012, is open to nine Pacific countries (Fiji, Kiribati, Nauru, PNG, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu and Timor-Leste).⁴⁷</p> <p>In 2015 Australia introduced a new pilot programme for workers from the Pacific microstates of Kiribati, Nauru and Tuvalu to help address non-seasonal, low-skilled labour shortages in selected occupations in northern Australia. The pilot programme provides the opportunity for 250 citizens over five years to access a two-year work visa, with the option of applying for a third year.^{48 49}</p>

⁴⁶ MSG SMS Schedule of Occupations as at 30 March 2012

http://www.msgsec.info/images/PDF/msgsmsinformationsheet_annexure%201.pdf

⁴⁷ Department of Foreign Affairs and Trade (2015).

⁴⁸ Sherrell (2016a).

⁴⁹ It is important to note that Australia's relationship and engagement with the Pacific has been different to that of New Zealand. Since the 1950s New Zealand has, in general, given greater priority to PICs in its migration policy. Prior to the Australian seasonal work scheme, Australia had no special arrangement relating to migration from the Pacific. Pacific migrants entered under the same policies that applied to non-citizens (other than New Zealanders) from anywhere in the world.

2.1.3 Future clusters? Polynesian Leaders Group, Micronesian Islands Forum

Polynesian Leaders Group (PLG)	
American Samoa, Cook Islands, French Polynesia, Niue, Samoa, Tokelau, Tonga, Tuvalu	The Polynesian Leaders Group (PLG) was formally established in November 2011 with the signing of an MOU between the eight countries. The PLG aims to work together in a number of areas including: fisheries, agriculture, tourism, transport, energy, health, education, trade and investment, as well as climate change mitigation. ⁵⁰ At the third PLG meeting in Auckland in August 2013, the group identified labour mobility as a priority area for cooperation. The group “encouraged the consideration for labour mobility schemes amongst PLG countries” and “considered it incumbent on all PLG members to review their respective labour requirements and consider how best to encourage and strengthen cooperation amongst PLG members in mobilising a sub-regional labour force”. ⁵¹
Micronesian Islands Forum (MIF)	
CNMI, FSM, Guam, Palau, RMI	The Forum is an annual gathering of the six governors and three presidents of Micronesia: Palau, CNMI, Guam, Marshall Islands and FSM and its states of Chuuk, Kosrae, Pohnpei and Yap. Forum members discuss regional labour, economic and environmental issues, with the aim of “establishing closer ties, strengthening cooperation and agreeing on initiatives for the benefit of members and the entire Micronesian region”. ⁵² The MIF has established regional programmes in several areas: solid waste management, conservation, renewable energy, biosecurity, health, transport, workforce investment and tourism. ⁵³ The 22 nd MIF was held in Guam 2-3 May 2017 and a primary point of discussion “was enticing more people from across the region to gain the skills needed to bolster the regional labour force and boost island economies, most of which are dependent on tourism”. ⁵⁴

As the clusters presented in the tables above illustrate, in the early 21st century there are significant differences in access to work and residence overseas for people resident in Polynesia, Micronesia and Melanesia. When considering current and future Pacific labour mobility opportunities, it is crucial to remember these differences as they may influence the levels of capacity, interest and engagement that PICs may have as participants in labour migration, either as sending or receiving countries.

2.2 Pacific Island Countries: Countries of immigration and emigration

The diversity within the region is further highlighted when looking at the total populations of individual Pacific countries and the percentages of their populations that are immigrants or emigrants.

⁵⁰ <http://www.pireport.org/articles/2011/12/01/samoa-pm-talks-about-polynesian-leaders-group>

⁵¹ Polynesian Leaders Group Communique (2013, p. 2).

⁵² <https://www.pacificnote.com/single-post/2017/05/04/Micronesian-Islands-Forum-Ends-With-Stronger-Commitments>

⁵³ http://pidp.org/pireport/special/mces_com.htm

⁵⁴ <http://www.pireport.org/articles/2017/05/01/micronesian-chief-executives-forum-gets-underway-guam>

Table 2 provides a breakdown of the Pacific region by country, and for each country shows the land area, total population and the percentages urban, immigrant and emigrant in 2013. Immigrants are defined as people born overseas living in PICs. Emigrants are defined as people born in Pacific countries living overseas.

Table 2: Pacific populations and percentages urban, immigrant and emigrant, 2013

Sub-region/country	Land area (km ²)	Population (SPC, 2013)	Percentages of population		
			Urban	Immigrant	Emigrant
Melanesia	540,030	9,848,100	20	1.2	2.5
Fiji	18,330	859,200	50	2.7	22.3
New Caledonia	18,580	259,000	67	23.2	2.5
Papua New Guinea	462,840	7,854,400	13	0.3	0.5
Solomon Islands	28,000	610,800	20	0.5	0.7
Vanuatu	12,280	264,700	24	1.2	3.3
Micronesia	3,150	515,300	67	23.3	13.9
Federated States (FSM)	700	102,800	22	2.5	28.5
Guam	540	174,900	94	46.2	3.7
Kiribati	810	103,100	54	2.8	4.7
Marshall Islands	180	53,100	74	3.2	18.6
Nauru	20	10,100	100	20.8	14.9
Ntherrn Mariana Islands	460	53,900	90	44.9	18.6
Palau	440	17,400	77	32.2	55.7
Polynesia	8,090	649,500	62	14.1	35.9
American Samoa	200	56,500	50	74.0	6.9
Cook Islands	240	15,200	74	21.1	167.8
French Polynesia	3,520	261,300	51	13.3	1.7
Niue	260	1,500	0	33.3	473.3
Samoa	2,940	187,400	20	3.0	68.9
Tokelau	15	1,200	0	25.0	233.3
Tonga	750	103,300	23	5.2	58.4
Tuvalu	25	11,000	47	1.4	36.4
Wallis and Futuna	140	12,100	0	23.1	71.1
Pacific Islands	551,270	11,012,900	23	3.0	5.0

Note: Immigrants are defined as people born overseas living in Pacific countries.

Emigrants are defined as people born in Pacific countries living overseas.

The population estimates were prepared by the Secretariat of the Pacific Community (SPC).

Data sources: 1) Population and percentages urban, SPC Population Data Sheet 2013, <http://www.spc.int/sdd>;

2) Immigrant and emigrant estimates, UN Population Division, Trends in International Migration Stock, 2013, <http://esa.un.org/unmigration/migrantstocks2013.htm?msdo>

As Table 2 demonstrates, there are wide disparities across the region in the extent to which PICs have significant diaspora overseas. Three of the largest countries in the region (in terms of total land area and total population) – PNG, Solomon Islands and Vanuatu – have very low percentages of emigrants. Whereas countries like the Cook Islands, Niue, Samoa, Tokelau, Tonga, Tuvalu and Wallis and Futuna have significant diaspora overseas.

For countries such as Samoa and Tonga, their large diaspora in New Zealand, Australia and elsewhere can provide support to new migrants, assisting with accommodation, employment, education and other areas of pastoral care. For countries with small diaspora however, such as PNG, Solomon Islands and Vanuatu, there are limited networks overseas to assist new migrants in the destination country. Moreover, both Samoa and Tonga have an established history of out-migration, and are therefore likely to have devised household and community coping strategies to deal with migrants' absence. Whereas in countries such as Vanuatu and the Solomon Islands that have had little exposure to international migration opportunities, families and communities may find it more difficult to adjust to migrants' absence and changing patterns of labour allocation for household and commercial agricultural production and fishing.⁵⁵

In the Federated States of Micronesia, emigration is contributing to negative population growth. At the time of the last census in 2010, the FSM had a total population of 102,843; a decline of 4,165 persons relative to the 2000 census total of 107,008.⁵⁶ FSM had an annual population growth rate of -0.4 percent per year between 2000 and 2010, due in large part to significant out migration. Following the signing of the Compact of Free Association (CFA) with the United States in 1986, which grants FSM citizens privileged rights of entry into the US, the emigration of FSM citizens to the United States, Guam and the Commonwealth of the Northern Marianas accelerated.⁵⁷ While the ease of migration is considered a valuable right of FSM citizens, there is no policy in place to ensure FSM minimises the negative societal and economic impacts of emigration.

For countries that already experience significant levels of emigration, participation in current and new labour mobility schemes must be considered in the broader context of other flows, and the impacts - both economic and social - on island-based families and communities should be assessed. Looking to the future, some PICs will need to think carefully about the numbers of workers that are employed offshore each year under temporary labour migration schemes, and the sustainability of such flows on home communities.

PICs that have sizeable immigrant populations,⁵⁸ such as Guam (46 percent of the total population in 2013) and Palau (32 percent) (Table 2), may face different challenges in terms of managing labour mobility. They may be hesitant to engage in schemes that could a) result in the loss of their own

⁵⁵ Rohorua, Gibson, McKenzie & Martinez (2009).

⁵⁶ Division of Statistics (n.d.)

⁵⁷ Hezel & Levin (2012).

⁵⁸ With regard to the percentages of immigrants in the resident populations, it needs to be kept in mind that these include people from these countries who happened to be born overseas, either because of the location of suitable hospitals (e.g. some I-Kiribati and Tuvaluan mothers go to Fiji's main hospital for child birth, especially if there are complications with the birth), or because there are large resident populations (diaspora) of these islanders in countries like New Zealand, Australia or the United States of America. Thus, for example, the overseas-born immigrant population on Niue includes NZ-born Niueans, as does the Cook Island and Tokelau immigrant overseas-born. The large overseas-born population in American Samoa includes many people born in neighbouring Samoa (Burson & Bedford, 2013, p. 18).

skilled or semi-skilled workers offshore (as a sending country); or b) lead to increasing numbers of immigrant workers (as a receiving country), particularly if there are concerns regarding the social integration of immigrants into the resident population. As the PIDC (n.d. p.2) explains: “policy concerns associated with greater labour mobility often focus on the potential loss of skilled workers overseas (‘brain drain’) and fears of an influx of workers from overseas supplanting a country’s own workforce”.

For Pacific countries that already make extensive use of foreign workers to fill shortages in their own labour forces, greater offshore employment opportunities for their own citizens, as skilled or lower skilled workers, may not be welcome. In the Marshall Islands, data collected in 2010 on the numbers of foreign workers indicated that nearly 32.5 percent of all workers in the private sector were non-Marshallese.⁵⁹ A lack of employment opportunities in the formal sector has encouraged the migration of skilled Marshallese to the US, Fiji and Guam,⁶⁰ in search of better job opportunities and higher wages. In Palau a similar pattern occurs. In 2005, foreign workers comprised 54 percent of total formal sector employment.^{61 62} Many foreign workers are employed in low skilled jobs, predominantly as construction workers, tourism workers or domestic helpers, due primarily to the reluctance of Palauans to perform manual tasks. Instead, Palauan citizens continue to migrate, mainly to Guam, Hawaii and mainland US in search of higher wage earning opportunities.

The above examples highlight the wide disparities between PICs as countries of emigration and/or immigration. It is essential that these differences are taken into account when considering future labour mobility opportunities and the institutional support that Pacific states may need to manage them. There is no ‘one size fits all’ approach that will be relevant for Pacific countries seeking to engage in offshore labour migration schemes, and the wider economic and social impacts of their engagement, as either sending or receiving countries, need to be carefully considered and managed.

3. Current labour mobility opportunities

There are a range of labour mobility schemes currently in operation that provide opportunities for Pacific Island workers to engage in offshore temporary employment within the region and in countries on the Pacific rim. Some of these programmes are discussed below and, where possible, data on the numbers participating in each scheme are provided.

3.1 New Zealand

3.1.1 The Recognised Seasonal Employer (RSE) policy

New Zealand’s RSE scheme, introduced in 2007, provides significant temporary employment opportunities for low-skilled workers from participating PICs. As can be seen in Table 3 below, Vanuatu remains the largest supplier of RSE labour, followed by Tonga and Samoa. Papua New Guinea and Nauru had pilot projects in the RSE in 2013 and 2014 respectively, while Fiji was a late entrant to

⁵⁹ ADB (2012c); Economic Policy, Planning and Statistics Office (2012); UNFPA (2014).

⁶⁰ Guam is experiencing significant growth in its construction industry as major projects get underway for an \$8 billion Marine Corps base and support facilities for almost 5,000 Marines, and other private sector developments <http://www.pireport.org/articles/2016/03/14/guam-visa-crackdown-limits-workers-could-affect-buildup>

⁶¹ Government of Palau (n.d.).

⁶² The 2005 census reported that 21 percent of the total population was born in Asia, the majority in the Philippines (UNFPA, 2014).

the scheme in 2014. The numbers of RSE arrivals have steadily increased over successive seasons, with a total of 10,437 RSE workers arriving in 2016/17. Of these, 87 percent were Pacific workers.

Table 3: RSE arrivals by country of origin, July 2007 - June 2017

	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Fiji	-	-	-	-	-	-	-	30	92	355
India	41	77	25	40	15	25	28	27	35	35
Indonesia	249	271	271	304	299	303	305	313	321	323
Kiribati	69	38	48	149	142	138	127	136	162	189
Malaysia	364	374	406	375	317	273	308	333	335	321
Nauru	-	-	-	-	-	-	-	20	20	17
PNG	-	-	-	6	6	31	58	96	68	121
Philippines	80	76	75	74	74	68	68	67	67	66
Samoa	647	1,228	1,021	1,219	1,162	1,137	1,169	1,238	1,454	1,690
Solomon Is	238	311	256	252	407	423	491	511	590	593
Taiwan	-	12	54	31	31	34	34	20	20	20
Thailand	195	684	727	827	658	565	588	624	637	634
Tonga	805	1,355	1,142	1,411	1,398	1,573	1,538	1,563	1,687	1,822
Tuvalu	99	49	54	51	88	56	71	70	64	80
Vanuatu	1,698	2,342	2,137	2,352	2,412	2,829	3,070	3,435	3,726	4,171
Total Pacific	3,556	5,323	4,658	5,440	5,615	6,187	6,524	7,099	7,863	9,038
Total RSE*	4,485	6,817	6,216	7,091	7,009	7,455	7,855	8,483	9,278	10,437
<i>% visas Pacific</i>	<i>79.3</i>	<i>78.1</i>	<i>74.9</i>	<i>76.7</i>	<i>80.1</i>	<i>83.0</i>	<i>83.1</i>	<i>83.7</i>	<i>84.7</i>	<i>86.6</i>

* Including workers from Asian countries. The cap for RSE arrivals was 9,500 in 2015/16 and increased to 10,500 for the 2016/17 season.

Source: Unpublished data obtained from the Ministry of Business, Innovation and Employment

The significance of the RSE visa as a pathway for Pacific Islanders to access temporary work in New Zealand varies by country. Table 4 (next page) shows the numbers of RSE visas as well as the total temporary work visas (all types, including RSE visas) approved for New Zealand between July 2007 and June 2017 for each PIC participating in the RSE, and shows the percentage of temporary work visas that are accounted for by the RSE scheme.⁶³ In the case of Fiji, with its large pool of skilled and semi-skilled labour, and its late inclusion in the RSE (2014) the seasonal work scheme has been largely irrelevant to date. Over 65,000 Fiji citizens found temporary employment in New Zealand during that period via other work visas, especially the Essential Skills visa for more skilled workers.

⁶³ It is important to note that visa approvals always exceed the numbers of actual arrivals because some workers either choose not to take up the offer of work or fail to get their visas approved in time to meet the employment contract start date in New Zealand.

**Table 4: RSE work visas and all temporary work visa approvals, New Zealand
July 2007 – June 2017**

Country	Total Temporary work visas	RSE Visas*	% RSE Visas
Fiji	65,482	537	0.82
Kiribati	2,896	1,370	47.3
Nauru	130	60	46.2
Papua New Guinea	1,091	411	37.7
Samoa	25,426	13,178	51.8
Solomon Islands	4,966	4,400	88.6
Tonga	28,813	16,303	56.5
Tuvalu	1,744	777	44.5
Vanuatu	30,876	30,419	98.5
Total RSE Pacific	161,424	67,455	41.8

* Includes all visa types linked to RSE including RSE Variation of Conditions, Seasonal Labour Pilot, Supplementary Seasonal Employment and Transitional RSE

Source: W1 – Work applications decided, Immigration New Zealand

<https://www.immigration.govt.nz/about-us/research-and-statistics/statistics>

For citizens of Papua New Guinea and Nauru, which had pilot projects in the RSE in 2013 and 2014 respectively, seasonal work visas have comprised under 50 percent of the total temporary work visas their citizens have had in New Zealand since the commencement of the RSE scheme in 2007. Tuvalu, Kiribati, Samoa and Tonga, all island states with access to earlier temporary work schemes in New Zealand, as well as to quotas for residence visas, have between 44 and 57 percent of their temporary work visa approvals between 2007 and 2017 accounted for by seasonal work visas. That said, it should be noted that for Kiribati and Tuvalu the numbers involved in any form of temporary work in New Zealand and Australia are small.

The most significant contributions the RSE scheme has made to access to temporary work opportunities in New Zealand have been for Vanuatu and the Solomon Islands. These two countries have had very limited access to any kind of temporary work overseas since the 19th century ‘labour trade’ with Queensland (Munro 1990) and the movement of people linked with the Anglican Church (the Melanesian Mission) to New Zealand (Mallon 2012). The RSE scheme has been especially significant for Vanuatu in this regard, providing 30,419 seasonal work visas – 98.5 percent of all temporary work visa approvals that citizens of Vanuatu have obtained since 2007 (Table 4). Overall, seasonal work visas accounted for 42 percent of the 161,424 temporary work visas approved for citizens of Pacific countries participating in the RSE scheme between 2007 and 2017.

Female participation rates in seasonal work remain relatively low in both the New Zealand and Australian seasonal work schemes.⁶⁴ For the 2015-16 year, 15 percent (1,472) of the total number of 9,721 RSE arrivals were women as shown in Table 5.

Table 5: RSE arrivals by gender, All countries, July 2015 – June 2016

Country	Female	Male	Total Arrivals	% Female
Fiji	7	86	93	7.5
India		35	35	0.0
Indonesia	18	303	321	5.6
Kiribati	85	88	173	49.1
Malaysia	204	132	336	60.7
Nauru	5	15	20	25.0
Papua New Guinea	18	51	69	26.1
Philippines	18	49	67	26.9
Samoa	76	1,466	1,542	4.9
Solomon Islands	197	434	631	31.2
Taiwan	10	10	20	50.0
Thailand	186	454	640	29.1
Tonga	212	1,575	1,787	11.9
Tuvalu	20	44	64	31.3
Vanuatu	416	3,507	3,923	10.6
Total Pacific	1,036	7,266	8,302	12.5
Total RSE scheme*	1,472	8,249	9,721	15.1

* Including workers from Asian countries.

Source: Unpublished data obtained from the Pacifica Labour and Skills Team, MBIE.

There is, however, significant variation in female participation by sub-region: for RSE in 2015-16, women accounted for 47 percent of workers from Micronesia, 13.5 percent from Melanesia, 9 percent from Polynesia and 31 percent from South East Asia (India, Indonesia, Malaysia, Taiwan, Thailand, Philippines).

A range of factors contribute to the gender imbalance: the nature of work in host countries and employer preferences for workers with specific physical attributes or capabilities; cultural norms and traditions in sending countries; and potential concerns regarding women's safety and vulnerability to exploitation and abuse.⁶⁵ There has also been less of a policy focus in PICs on exploring labour mobility opportunities in female-dominant sectors.⁶⁶

Improving women's access to participation in labour mobility schemes is, however, considered an important way of enhancing Pacific women's access to an independent income and improving

⁶⁴ For the Australian Seasonal Worker Programme, in the 2015-16 year 13.9% of SWP workers were women (Sherrell, 2017).

⁶⁵ Ball et al. (2015); Encalada Grez (2011); Gibson & McKenzie (2011); ILO (2012); Piper (2008).

⁶⁶ Kagan (2014).

development outcomes in island communities.⁶⁷ The Australian microstate visa, introduced by the Australian Government in 2015 (and discussed further in section 3.2.2), provides a possible pathway for greater temporary employment opportunities for women from selected Pacific countries.

3.1.2 Canterbury Trades Employment Pilot and Fisheries Pilot

In late 2015, New Zealand announced two new pilot programmes: the Canterbury Trades Employment Initiative (involving Fiji, Samoa and Tonga); and the Fisheries Employment Initiative (involving Kiribati and Tuvalu). It is intended that both pilots will be expanded to other Pacific states once demand for Pacific workers by New Zealand employers has been confirmed.

The Canterbury Trades Employment Pilot commenced in early 2016 with two pilot employers. A total of 24 skilled carpenters from Samoa, Fiji and Tonga were recruited and started their employment in mid-2016. To be eligible for the Canterbury Trades Pilot workers require an Essential Skills visa under the Canterbury Skills Shortage List (CSSL), and must meet certain work experience and qualifications standards (New Zealand National Certificate in Carpentry - NZ Qualifications Framework Level 4).

Support for Pacific trades workers entering New Zealand under the pilot includes: assistance with completion of recruitment and visa applications, review of employment terms and conditions, pre-departure preparation, on-job training plans and pastoral care. While in New Zealand workers are eligible to receive on and off-job training and NZQF qualifications.

Workers may be granted an initial, renewable visa for up to three years, depending on skill level and the length of the job offer.⁶⁸ The Essential Skills visa allows workers to bring their family with them and to apply for a different visa type while in New Zealand.

The Fisheries Employment Pilot is designed to provide employment to Pacific fisheries workers in New Zealand's domestic offshore fishing industry.⁶⁹ Pacific fisheries workers will be required to apply for a work visa under the Essential Skills or Foreign Crew of Fishing Vessels visa categories, authorised by Immigration New Zealand through an Approval-In-Principle (AIP). Applicants must have at least 12 months' work experience in a similar position and any additional work experience and/or qualifications specified by the New Zealand employer or New Zealand Charter Party – likely to be the equivalent of an Advanced Deckhand Fishing Certificate (ADH-F).

Support for fisheries workers involved in the pilot is expected to include assistance with labour matching, recruitment and visa applications, pre-departure preparation, induction and pastoral care. At the time of writing, the pilot is yet to commence.

3.1.3 New Zealand - other temporary work categories

There are a range of other temporary work visa categories under which Pacific Islanders enter New Zealand. As shown above in Table 4, approvals for RSE comprised 42 percent of the total temporary work visa approvals between July 2007 and June 2017. Two of the other main categories of temporary

⁶⁷ Ball et al. (2015); DFAT (2015).

⁶⁸ Five years for highly skilled occupations, three years for skilled occupation, and one year at a time for lower skilled, plus extensions.

⁶⁹ The first 20 fisheries workers are likely to be recruited from Kiribati and Tuvalu.

work visa approvals for PICs are shown below: Essential Skills and work visas approved for partners of primary applicants.

Table 6: Temporary work visa approvals under selected categories for Pacific RSE countries, July 2007 – June 2017

Country	Essential Skills	Work visa via Relationship	All temporary work (excl. RSE)
Fiji	23,978	26,488	64,945
Kiribati	503	557	1,526
Nauru	39	19	70
Papua New Guinea	152	211	680
Samoa	2,196	5,246	12,248
Solomon Islands	126	229	566
Tonga	2,474	5,519	12,510
Tuvalu	231	354	967
Vanuatu	104	130	457
Grand Total	29,803	38,753	93,969

Source: W1 – Work applications decided, Immigration New Zealand

<https://www.immigration.govt.nz/about-us/research-and-statistics/statistics>

It is clear from Table 6 that Fiji is the largest source of Pacific workers approved under Essential Skills as well as those entering on partnership visas; 80 percent of Essential Skills visas and 68 percent of partnership visas approved between July 2007 and June 2017 were for Fijian citizens. Tongan and Samoan citizens had the next largest numbers of work visa approvals under both Essential Skills (Tonga 8.3 percent; Samoa 7.4 percent) and partnership visas (Tonga 14 percent; Samoa 13.5 percent). Between July 2007 and June 2017, a total of 93,969 temporary work visas (excluding RSE) were issued to countries participating in the RSE scheme. Of those visa approvals, 69 percent were for Fijian citizens, followed by 13 percent each for Tonga and Samoa.

In August 2017 the New Zealand government introduced a number of major changes to the Essential Skills migration policy that will have a significant impact on entry of Pacific workers and their ability to extend their visas if they are earning less than \$NZ41,538 per annum.⁷⁰ The introduction of income thresholds for temporary migrants entering on Essential Skills visas is likely to result in a reduction of approvals for such visas for citizens of Pacific countries.

3.2 Australia

3.2.1 The Seasonal Worker Programme (SWP)

The Australian Seasonal Worker Programme was formalised in 2012, following on from the Pacific Seasonal Worker Pilot Scheme (PSWPS) that was trialled over three years between February 2009 and June 2012. The pilot, modelled closely on the RSE, was designed to provide seasonal labour from

⁷⁰ Details of the new policy settings can be found at <https://www.immigration.govt.nz/about-us/media-centre/news-notifications/smc-and-essential-skills-policy-details/essential-skills-details>

Pacific countries to help address unmet demand in the Australian horticulture industry. The PSWPS initially offered employment to workers from PNG, Vanuatu, Kiribati and Tonga, and the pilot was capped at a total of 2,500 visas that could be granted over the three-year trial period.⁷¹ When the Seasonal Worker Programme was formalised in 2012, many of the same provisions and requirements of the PSWPS were kept in place, however the cap on worker numbers was expanded to 12,000 workers over the four-year period (2012-13 to 2015-16) and three new sectors were added for a three-year trial: aquaculture, cotton and cane.

The SWP initially had limited buy-in from Australian employers, and numbers of Pacific workers remained small in comparison to both the overall numbers of foreign workers operating in the horticulture sector, and to New Zealand's RSE scheme.⁷² However, there has been relatively steady growth in numbers since 2012. As Table 7 demonstrates, Tonga has been the primary provider of labour since 2012, accounting for over 50 percent of all workers recruited under the SWP over the first four seasons. Tonga's share is gradually declining, however; during the 2016-17 season Tonga accounted for 44 percent of all workers. Vanuatu is becoming an increasingly important source of labour, providing 35 percent of workers in 2016-17. These two countries account for the vast majority of all recruits.⁷³

Table 7: Seasonal Worker Programme, Country of origin, 2012-13 to 2016-17

Country	2012-13	2013-14	2014-15	2015-16	2016-17
Fiji	0	0	<5	160	190
Kiribati	34	14	11	20	124
Nauru	10	0	0	17	0
PNG	26	26	35	42	139
Samoa	22	162	185	140	309
Solomon Islands	42	9	21	61	87
Timor-Leste	21	74	168	224	477
Tonga	1,199	1,497	2,179	2,624	2,690
Tuvalu	0	20	7	<5	0
Vanuatu	119	212	567	1,198	2,150
Total	1,473	2,014	3,177	4,490	6,166

Source: Unpublished data provided by the Department of Immigration and Border Protection.

In 2015, the Australian Government removed the annual limit on the numbers of workers who can participate in the SWP, subject to employer demand for labour. The programme was also expanded to the agriculture and accommodation industries in specified locations. In 2016, the Government announced further expansion of the SWP into the broader agricultural sector. Employers in a range of industries (cattle, sheep, poultry, grain, cotton, cane and mixed enterprises) can now access Pacific labour.⁷⁴

⁷¹ Hooper & Strasiotto (2009).

⁷² Doyle & Howes (2015) identified a number of demand-side constraints limiting uptake by Australian employers: lack of an aggregate labour shortage in the horticulture sector, lack of awareness of the SWP among horticulture growers, burdensome administrative requirements for participating employers.

⁷³ Sherrell (2017).

⁷⁴ DEEWR (2015; 2016).

3.2.2 Australian microstate visa

The Australian Government also introduced a new pilot programme, in 2015, for workers from the Pacific microstates of Kiribati, Nauru and Tuvalu to help address low skilled, non-seasonal, labour shortages in Northern Australia. The pilot programme provides the opportunity for a total of 250 citizens over five years to gain a two-year work visa, with the option of applying for a third year.⁷⁵ In late 2016, the first microstate visas were issued to a group of approximately 30 i-Kiribati workers, employed at a resort on Hayman Island in hospitality positions. Over 80 percent of the group of workers recruited from Kiribati were women.⁷⁶

3.2.3 Australia - other temporary work categories

Small numbers of Pacific Islanders also enter Australia under other temporary visa categories. Table 8 (next page) shows the total number of temporary work visas granted to citizens of Pacific countries between July 2006 – June 2016 under the Temporary Resident (Skilled) (457) and Temporary Resident (Other) categories. Within the Temporary Resident (Other) category there are 24 visa sub-classes, including visas issued under the Seasonal Worker Programme, as well as those issued for training and research, visiting academics, medical practitioners, domestic workers, entertainment, sport and professional development, to name a few. The figures shown below in Table 8 for the Temporary Resident (Other) category exclude those issued under the SWP, to provide an indication of the numbers entering Australia for other types of work beyond seasonal employment.

Over the ten-year period, the majority of temporary work visas were granted to citizens of Fiji and PNG under both visa categories. Over 3,000 skilled (457) visas were granted to citizens of Fiji and more than 3,500 were granted to citizens of PNG between 2006 and 2016. Combined, these two countries accounted for 92 percent of the total number of skilled (457) visas granted to PICs.

In the Temporary Resident (Other) category, Fijian citizens accounted for 34 percent of the total number of visas granted to PICs, with a further 28 percent of visas granted to citizens of PNG. Tongans (2,502) and Samoans (1,455) were the next two largest groups, accounting for 16.5 percent and 10 percent respectively. Other Pacific countries had low numbers entering Australia under both temporary work visa categories.

Overall, the numbers from Pacific countries entering Australia for temporary work (including the SWP) are small. Between 2006 and 2016, 33,482 temporary work visas were granted to PICs, equivalent to 0.9 percent of the total number of temporary work visas (3,753,458) granted to all citizens entering Australia over the 10 years.

⁷⁵ Sherrell (2016a).

⁷⁶ Sherrell (2016b).

Table 8: Temporary work visa grants under the Skilled (457) and Temporary Resident (Other) categories, for citizens of Melanesia, Micronesia and Polynesia, July 2006 – June 2016

Sub-region/country	Skilled (457) visa	Temp Res (Other)*	Total
Melanesia			
Fiji	3,298	5,198	8,496
Papua New Guinea	3,799	4,194	7,993
Solomon Islands	160	515	675
Vanuatu	50	551	601
New Caledonia	5	7	12
Total	7,312	10,465	17,777
Micronesia			
Kiribati	47	296	343
Nauru	54	206	260
Other Micronesia ¹	3	140	143
Total	104	642	746
Polynesia			
Samoa	84	1,455	1,539
Tonga	139	2,502	2,641
Tuvalu	31	68	99
Other Polynesia ²	3	7	10
Total	257	4,032	4,289
Total Pacific	7,673	15,139	22,812

¹ Other Micronesia includes: FSM, Marshall Islands, Palau

² Other Polynesia includes: American Samoa, Cook Islands, French Polynesia,

* The Temporary resident (Other) category is made up of 24 visa sub-classes, including SWP.

SWP visa grants have been excluded from the figures presented here.

Source: Unpublished data provided by the Department of Immigration and Border Protection.

In early 2017, the Australian Government announced significant reforms to their temporary employer sponsored skilled migration programme, including abolishing the Temporary Work Skilled (457) visa and replacing it with a new Temporary Skills Shortage (TSS) visa in March 2018. The TSS will be comprised of a short-term stream of up to two years and a medium-term stream of up to four years. The short-term stream is designed for Australian businesses to fill skill gaps with foreign workers on a temporary basis, and the visa can be renewed onshore only once – there is no pathway to permanent residence. The medium-term stream will allow employers to use foreign workers to address shortages in a narrow range of high skilled and critical need occupations. The medium-term visa can be renewed onshore and provides a pathway to permanent residence after three years.⁷⁷

⁷⁷ See <https://www.border.gov.au/Trav/Work/457-abolition-replacement>

At the Pacific Islands Forum in Samoa in September 2017, the Australian Government announced further initiatives linked to Pacific labour mobility. From 2018 the Pacific Labour Scheme will provide Pacific Islanders with the opportunity to work in rural and regional Australia for up to three years. The scheme will initially be capped at 2,000 workers and will be open to citizens of Kiribati, Nauru and Tuvalu. Australia is also establishing a new Pacific Labour Facility (PLF) to support the scheme, building on the current Labour Mobility Assistance Programme, that provides capacity building support to countries participating in the SWP.⁷⁸

3.3 Pacific intra-regional schemes and other temporary labour mobility opportunities

There is little research on intra-regional labour migration and not a lot is known about the numbers of people involved in this form of movement or the gaps they are filling in Pacific labour markets. However, two intra-regional labour mobility schemes are discussed briefly below: the MSG Skills Movement Scheme, and the Pacific Island Countries Trade Agreement (PICTA) Temporary Movement of Natural Persons (TMNP) Scheme.

3.3.1 MSG Skills Movement Scheme

As noted earlier, the MSG Skills Movement Scheme allows 400 people from each of the member countries (Fiji, PNG, Solomon Islands and Vanuatu) to work in another MSG country in specified occupations. The SMS Schedule of Occupations sets out the relevant occupations for each country and covers a vast range of areas including: agriculture, fisheries, construction, health, teaching, urban and regional planning, environmental science, aviation, mining, various trades and professional services.⁷⁹ The primary objective is to facilitate the temporary movement of skilled MSG nationals within the region for the purposes of taking up employment. This will help to address a problem of under-employed and unemployed skilled workers in Fiji, and address skill shortages in other MSG countries. To date, however, no workers have moved under the SMS.⁸⁰

3.3.2 PICTA TMNP

In 2001 Pacific Forum Island Countries (FICs) signed the Pacific Island Countries Trade Agreement (PICTA) to promote regional integration, and wider integration with the global economy, through trade liberalisation. At the same time, Trade Ministers agreed to broaden the scope of PICTA to cover services which includes the cross-border movement of people.⁸¹

The PICTA TMNP Scheme promotes intra-Pacific labour migration to meet national skill shortages and stimulate skills development. Under PICTA TMNP a two-tier labour mobility programme is proposed. Tier 1 is open to professionals with a minimum bachelor's degree and three years' relevant work experience. Tier 2 is for semi-skilled / trades professionals that hold a diploma with a minimum of three years' work experience, or a certificate with five years' work experience.⁸² The main difference between the two tiers is that Tier 2 will operate with a minimum quota system which "gives FICs

⁷⁸ Media release by the Prime Minister of Australia, the Hon Malcolm Turnbull, 48th Pacific Islands Forum, Samoa, 8 September 2017, <https://www.pm.gov.au/media/2017-09-08/48th-pacific-islands-forum-samoa>

⁷⁹ MSG SMS Schedule of Occupations as at 30 March 2012
http://www.msgsec.info/images/PDF/msgsmsinformationsheet_annexure%201.pdf

⁸⁰ Voigt-Graf (2015).

⁸¹ PIDC (n.d.).

⁸² Tabaiwalu, Capper, Gariepy, Rohorua, Browne & Preville (2009).

control over whether to keep recruiting beyond the minimum or to protect their domestic labour force.”⁸³

Other operational aspects of the proposed PICTA TMNP include: recognition of qualifications and experience; a maximum of three years’ employment; surety bonds by employers in host countries; no ability to transition to other immigration categories in-country; family rights (spouse and dependents can accompany primary applicant and spouse may be granted right to work); identification of current labour market needs in both source and host countries, but no ‘labour market’ or ‘economic needs’ test to any individual application under the scheme;⁸⁴ and regional oversight by organisations such as the Pacific Islands Forum Secretariat (PIFS), PIDC and the Secretariat of the Pacific Board for Educational Quality (SPBEQ) (for regional accreditation of training providers for qualifications that are eligible under the TMNP scheme).⁸⁵ Efforts are currently underway to identify skill demand and supply across the PICTA members in order to make progress on the proposed TMNP scheme.

In addition to these intra-regional schemes, there are other forms of temporary labour migration both within the region and internationally. Workers from Fiji, Samoa and Tonga have long been mobile in the region as skilled professionals (e.g. teachers, nurses), in the Church, and as ships captains and crew.⁸⁶ Training and employment as seafarers and fisheries workers is common across Pacific countries. Maritime and / or fisheries training centres are located in FSM, Fiji, Kiribati, RMI, PNG, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. Many of these countries are members of the Parties to the Nauru Agreement (PNA),⁸⁷ that includes provisions for the recruitment of local workers on purse seine fishing vessels operating in PNA waters, however data on the numbers employed under PNA are not presently available.⁸⁸

For Kiribati and Tuvalu, in particular, employment as seafarers on international shipping lines has been an important source of offshore employment. Prior to the Global Financial Crisis (GFC) in 2008 up to 700 Tuvaluan and 1,500 I-Kiribati seafarers were contracted to work on ships at any one time during the year. Following the GFC, the numbers of I-Kiribati and Tuvaluan seafarers employed offshore have fallen. In 2014 there were an estimated 100 Tuvaluan seafarers working offshore, from a labour pool of approximately 1,000 trained seafarers.⁸⁹ In the case of Kiribati, in June 2015 there were approximately 750 seafarers employed offshore.⁹⁰ Future employment opportunities remain uncertain due in part to a restructuring of the shipping industry following the GFC, lower demand for

⁸³ PIDC (2010, p. 1).

⁸⁴ It is assumed that in negotiating for occupations to be included in the TMNP agreement, individual PICs have already identified shortages or surpluses in their labour markets. Moreover, the presumption is that there will always be demand for highly skilled (Tier 1) workers above what is available in the domestic labour market. For Tier 2 semi-skilled / trade professionals the quota system is intended to provide some protection for the domestic labour force (PIDC, 2010; Tabaiwalu et al. 2009).

⁸⁵ Pacific Dialogue Ltd. (2013); Tabaiwalu et al. (2009).

⁸⁶ Rokoduru (2006, p. 179) notes, for instance that there are “Fijian citizens who work as domestic help in the hotel industry in the Cook Islands, and there are nurses, teachers, doctors, lawyers, pilots and skilled tradespeople in FSM, Guam, Kiribati, Marshall Islands and Vanuatu”. See Connell (2009; 2010) for a discussion of the migration of skilled health professionals in the Pacific and Iredale, Voigt-Graf & Khoo (2015) for a review of the internal and international migration of school teachers in the Pacific region.

⁸⁷ The PNA is signed by eight PICs: FSM, Kiribati, Nauru, Palau, PNG, RMI, Solomon Islands and Tuvalu.

⁸⁸ <http://www.pnatuna.com/sites/default/files/Amendments%20to%201st%20Arrangement.pdf>

⁸⁹ Government of Tuvalu (2015).

⁹⁰ Government of Kiribati (2015).

crew globally, and some issues around discipline as well as high transportation costs (airfares) for I-Kiribati and Tuvaluan seamen.⁹¹

In the 21st century there will be demand for labour in most Pacific countries in their tourism industries. The World Bank (2016) estimates that by 2040 transformation of the tourism industries in PICs could generate an additional US\$1.89 billion in revenue and create 127,600 jobs.⁹² There is already migration of Fijian and Filipina aged care workers to the Cook Islands, and in future there will be shortages of labour to care for older Pacific populations in countries that have experienced heavy migration to New Zealand, Australia and the United States, such as Niue and Samoa.

It is important to emphasise that labour mobility within the Pacific region is much greater than the well-known New Zealand and Australian seasonal work schemes. When considering the potential roles that immigration agencies may play in labour mobility, and the future support that PIDC may provide to Member countries, it is essential that this ‘bigger picture’ is kept in mind.

4. Legislative and institutional arrangements for labour mobility: key findings across PICs

There are a wide range of legislative and institutional arrangements governing labour mobility across Pacific countries. These arrangements have been detailed in the ILO’s (2014) *Compendium of Legislation and Institutional Arrangements for Labour Migration in Pacific Island Countries*, that contains a synthesis of information on key aspects of the legal and administrative frameworks and associated practices for labour migration in 11 PICs. Each country profile contains a review of relevant national legislation, regulations and institutional arrangements relating to labour mobility. This detailed information will not be repeated here, rather, the reader is referred to the following website to obtain a copy of the compendium: http://www.ilo.org/suva/publications/WCMS_304002/lang--en/index.htm. Some very broad, overarching comments regarding the legislative and institutional arrangements governing labour mobility across Pacific countries are made below.

4.1 Employment of migrant workers (inward migration)

Legislation governing the employment of migrant workers is common across all PICs and access to employment in Pacific countries is often highly regulated and controlled. Persons seeking to enter individual Pacific states must apply for a visa or permit to enter and reside in accordance with that particular country’s legislation. Specific provisions are set out for primary applicants (these may include qualifications, work experience, health and character requirements) and their dependants. Work permits are typically granted for work with a specific employer, for a specified period and many countries in the region, such as Kiribati, Palau and PNG, have binding legal repatriation provisions.

Certain PICs (e.g. FSM, Palau and RMI) have specific legislation in place for the protection of resident workers. Others restrict access to work for non-citizens to specified occupations or sectors of the economy (e.g. FSM, PNG, Samoa, Tonga and Vanuatu). Labour market testing is common practice across PICs to ensure no suitable citizens are available to fill the vacancy for which the work permit is

⁹¹ UNFPA (2014).

⁹² Transforming PICs’ tourism industries includes: increasing the market share of Chinese tourists, home-basing cruise ships in the Pacific, expanding the high-end resorts market, and capturing the retiree market (World Bank, 2016).

sought. Employers are required to meet certain obligations when applying for work permits (e.g. wage rates, hours of work, housing and medical services, and worker repatriation). Employers may also be required to pay a fee to employ migrant workers. Some temporary work provisions, such as those in Fiji, the Cook Islands and Vanuatu, may require a citizen to be trained alongside the non-resident worker as a condition on award of a work permit.⁹³ In Kiribati, Tuvalu and PNG employers or their recruitment agents must obtain licenses to recruit migrant workers. Countries such as the Cook Islands, PNG and Fiji allow dependant family members to work under specific circumstances, while others (e.g. New Caledonia, French Polynesia, Nauru, Tonga and Vanuatu) do not allow dependants to access employment while in the country.

4.2 Employment of Pacific Islanders abroad (outward migration)

Most Pacific states do not have specific legislation governing the employment of their citizens abroad (outward migration). In most countries, contracts for employment abroad are governed by regulations contained in their Employment Ordinances / Acts.⁹⁴ The exceptions are the Micronesian states (FSM, Palau and RMI) that have each entered into a Compact of Free Association (CFA) with the US. For citizens of these countries the CFA (Title 1, Article IV) sets out the provisions for their movement and employment abroad. In 2007, the Vanuatu government introduced specific legislation, the Seasonal Employment Act 2007, to deal with seasonal employment of ni-Vanuatu overseas. Vanuatu is the only country participating in New Zealand's and Australia's seasonal work programmes to pass such legislation.

For seafarers employed overseas, there are International Maritime Organization (IMO) requirements relating to seafarers working on vessels, especially merchant ships. These include Firefighting Certificates and First Aid Certificates, among others. The conditions governing the employment of Pacific workers under the New Zealand and Australian seasonal work schemes are covered by: 1) an Inter-Agency Understanding (IAU) between the relevant ministries in New Zealand and the participating Pacific state; and 2) a Memorandum of Understanding (MOU) between the Australian Government and the participating Pacific Government.

Some PICs, such as Kiribati, Solomon Islands, Tuvalu and Vanuatu, licence recruitment agents to provide workers to overseas employers. These licenses are subject to a range of conditions, for instance regarding maintenance and welfare of recruits while overseas.

4.3 Institutional arrangements

It is common across Pacific countries for there to be separate ministries that deal with immigration policy and the issuing of visas or permits (Agency 1) and employment / labour including overseas employment (Agency 2). In some countries, these responsibilities are split between more than two

⁹³ Cook Islands Ministry of Foreign Affairs and Immigration, www.mfai.gov.ck; Fiji Department of Immigration, www.immigration.gov.fj.

⁹⁴ Pre-Independence legislation is called an Ordinance, while legislation since Independence is called an Act. Where an Ordinance or Act has been subsequently amended, the name of the law does not change – the Act (or Ordinance) is read together with any amendment, and the combined laws are simply referred to by the name of the original piece of legislation (Bedford et al., 2014, p. 10).

agencies (three agencies in Nauru, Tonga and Tuvalu, and multiple agencies in FSM at the national and state levels).

Most countries participating in the RSE and SWP schemes maintain a work-ready pool of workers and coordinate the selection and pre-departure training of workers. It is common for a cross-departmental team to be involved in both worker selection and pre-departure training.

New Zealand's Ministry of Business, Innovation and Employment (MBIE) and Australia's Department of Foreign Affairs and Trade (DFAT) both provide assistance with capacity building for staff in the Labour Sending Units (LSUs) responsible for sending seasonal workers overseas, to support LSUs in their management of offshore labour migration processes.

4.4 National policies on offshore labour migration

Most Pacific countries do not have national policies that relate specifically to offshore labour migration. Two exceptions are Kiribati and Tuvalu. Both countries worked with the International Labour Organization (ILO) to develop their own National Labour Migration Policies, which were endorsed by both Governments in 2015. These policies cover the temporary and permanent migration of I-Kiribati and Tuvaluan citizens overseas, and have several major objectives: protecting the rights of migrant workers and providing support services; promoting opportunities for decent foreign employment and strengthening links between education, training and overseas employment; increasing the development benefits of labour migration; and improving the administration of labour migration.⁹⁵ The World Bank has also been involved in some work around the development of national labour migration policies for Vanuatu and Samoa, but no up-to-date information is available on whether these policies have progressed beyond a consultation phase.

5. Administrative capacity of PICs to manage labour migration

Capacity building in sending countries is a core element of successfully managed temporary labour migration programmes. As Hugo (2009, p. 69) argues:

Effective administration of a temporary labour migration programme requires both sending and receiving countries having the capacity to manage such programmes – committed, properly remunerated staff and the access to and training in the hardware and software of modern migration management.

The International Organization for Migration (IOM) defines capacity building as: “the process of strengthening the knowledge, abilities, skills, resources, structures and processes that States and institutions need in order to achieve their goals effectively and sustainably and to adapt to change.”⁹⁶ A number of priority areas for capacity building within sending countries to manage contract worker mobility have been identified in the literature, including: providing better information to labour migrants about the destination country; more effective regulation of recruitment agents; vocational training to build migrant workers' skills; reducing the costs of labour migration; facilitating remittance transfers; strengthening information management systems for collecting migration data; and planning

⁹⁵ Government of Kiribati (2015); Government of Tuvalu (2015).

⁹⁶ IOM (2010a, p. 1)

for reintegration of return migrants.⁹⁷ For Pacific states seeking to manage the export of temporary labour, these priority areas are the focus of different initiatives provided by New Zealand and Australian government agencies, as well as work that has been done by the World Bank and the ILO.⁹⁸

A common obstacle facing Pacific countries participating in the New Zealand and Australian seasonal work programmes, is their limited institutional capacity to respond to employers' demands for workers. In each country, the LSUs responsible for overseeing seasonal employment abroad have only a small number of operational staff, and the growing numbers of workers recruited from PICs places increasing pressure on these few, key personnel. Moreover, there is a real risk of staff turnover and the loss of institutional knowledge as experienced staff move on to employment elsewhere.

As new labour mobility opportunities become available to PICs, the capacity of LSUs to manage the RSE/SWP as well as new labour mobility schemes that require new knowledge, infrastructure, recruitment and selection processes has been raised as an issue.⁹⁹ An evaluation of MFAT's Strengthening Pacific Partnerships (SPP) programme in 2016 identified lack of institutional capacity and high staff turnover in LSUs as common constraints facing PICs.¹⁰⁰ For countries such as Kiribati and Tuvalu, they face the added constraints of distance and the associated travel costs for workers seeking to participate in offshore labour mobility schemes.

Concerns regarding institutional capacity can be extended to immigration agencies involved in labour mobility, whether as sending or receiving countries. Do immigration agencies have the resources to handle higher workloads - processing greater numbers of applications, managing quotas (if applicable), vetting applicants to ensure they meet requirements, vetting employers to check job offers are genuine, and ensuring compliance?¹⁰¹ These are questions that will need to be addressed by individual PICs as they consider the extent to which they want to participate in current or future labour mobility opportunities, and the forms of support they may require in order to do so.

Strengthening the administrative capabilities of PICs to manage labour mobility has been a core focus of agencies working with the region. MFAT's SPP programme, implemented in October 2011 and managed by MBIE, aims to strengthen the capacity of LSUs to administer RSE and wider labour export activities. The Australian Labour Mobility Assistance Programme (LMAP), implemented in mid-2015, funded by DFAT and managed by Cardno, an international development consultancy, has a similar remit to build the institutional capacity of Pacific states to manage their labour mobility arrangements. Both programmes provide targeted assistance to PICs, reflecting the individual needs and capabilities of different Pacific countries.

⁹⁷ Hugo (2009); IOM (2010a, 2010b).

⁹⁸ Some of the initiatives include: an ILO-AusAID region-wide initiative to improve labour market governance in Pacific states by building the capacity of PIC governments to ratify and implement the ILO's core governance conventions, protecting workers' rights and providing more equitable working conditions (AusAID, 2012); assistance provided by the World Bank to improve PICs' management and service delivery systems for offshore temporary labour migration; a joint initiative by the NZ and Australian governments to reduce the costs of remittance transfers to Pacific countries (<http://www.sendmoneypacific.org/>); and research on RSE workers' remittances (Gounder, 2015; MBIE, 2015; Bedford & Bedford, 2016, 2017a, 2017b).

⁹⁹ Nunns, Quirk, Bedford & Bedford (2016).

¹⁰⁰ Clear Horizon Consulting (2016).

¹⁰¹ PIDC (2010).

One area of capacity building assistance that is common across PICs relates to migration data collection and management. Both LMAP and SPP provide support in this area. Through the New Zealand SPP programme, some PICs have received a customised RSE database, while LMAP are currently assessing how best to support LSUs with their information management needs for the SWP. It will be important that Australia and New Zealand work collaboratively to support LSU staff to manage RSE/SWP data collection and security, to avoid any duplication of activities. There may be further opportunities for PIDC to support Member countries in this area, by helping to better align and integrate data captured by in-country immigration agencies with that collected by LSUs.

5.1 Migration data collection and management

Effective management of labour mobility requires accurate, comprehensive and timely information on demand and supply of migrant workers. This is, however, an area of migration management that is often lacking.¹⁰² Data on the inflows of foreign workers are generally more comprehensive than data collected on the outflows of citizen workers, mainly because “most governments find it important to restrict, or at least control closely, the entry of foreign workers into the country”.¹⁰³ Accurate data on the outflows of migrant workers are often more difficult to obtain because of the large administrative costs associated with closely monitoring the exit of persons from their territory (especially in cases where there are a number of possible exit points from the country).¹⁰⁴

For countries participating in labour mobility schemes and / or developing specific labour migration policies, data collection needs to go beyond recording migrant stocks and flows.¹⁰⁵ Additional information should include:¹⁰⁶

For origin countries	
Domestic labour market data	Data on the domestic labour market to identify shortages and surpluses in different economic sectors. It is essential these data are collected prior to origin countries participating in offshore labour migration schemes to avoid the potential loss of skilled workers overseas ('brain drain') that could in turn exacerbate local labour shortages.
Destination country labour market data	Data on the labour markets of destination countries to determine in what sectors labour shortages exist, and to ensure that workers sent by the origin country meet the requirements for employment in those shortage occupations (e.g. that workers applying for the NZ Canterbury Trades Pilot or Fisheries Pilot meet the requisite qualifications, skills, work experience and health requirements).

¹⁰² Hugo (2009); OSCE & IOM (2010).

¹⁰³ ILO (1995, p. 5).

¹⁰⁴ Ibid.

¹⁰⁵ Flows refer to the number of persons moving or being authorized to move to or from a country to access employment during a period of time. Outflows are those citizens who, during a particular reference period, left the country with the objective of taking up employment in another country. Inflows are those foreign citizens who, during a particular reference period, arrived in the country with the objective of taking up employment there. Stocks refer to the number of persons counted as residing in a country at a particular point in time (ILO, 2005, pp. 141-142).

¹⁰⁶ ILO (2005); OSCE & IOM (2010).

Data on migrant workers	Numbers and profiles of workers leaving the country. This includes citizens departing long-term or permanently to monitor skill transfer overseas and potential loss of capability in the domestic labour market as well as helping to identify potential employment opportunities offshore.
Workers' legal status and protection abroad	Information on the conditions of employment for migrant workers abroad (including wages data), as well as their legal status and protection.
Worker remittances	Remittances earned by workers abroad and transferred into the origin country may also need to be measured to develop appropriate policies around investment and use.
Return migration and circulation	Data on the profiles of migrant workers who return from employment overseas.

For destination countries	
Labour market demand for foreign workers	Data on labour market shortages in different sectors and for different skills. Estimating and projecting the need for foreign workers is a critical area for data collection in destination countries.
Data on foreign workers	Numbers and profiles of foreign workers admitted under different programmes.
Impact of foreign workers on local labour market	Data on the impact of migrant workers on the local labour market including employment, labour force participation of different groups, wages and working conditions.

PIC Labour Sending Units in countries participating in the RSE and SWP currently manage significant data flows for both schemes (including data on work-ready pools, worker screening, visa applications and so forth). To date this has been done without streamlined data collection and management processes in place. Rather, LSUs have used a range of databases to collect information. This, in turn, has led to some inefficiencies, with incomplete data being recorded and limited use of these data for reporting purposes. With labour mobility opportunities continuing to expand, problems around data collection and management are set to compound. LSU staff will face higher workloads, and without better data management systems in place, staff will find it increasingly difficult to accurately record data on workers overseas and make use of that information for internal and external reporting purposes.

Supporting LSUs in their collection, management and dissemination of labour mobility data is an area where in-country immigration agencies may be able to play a greater role. Data on the outflows of Pacific Islanders heading offshore for work that includes information on their occupation while overseas (e.g. collected via exit or emigration visas, permissions to work abroad, or border exit registrations) would be particularly valuable. These data could be corroborated with the records retained by LSUs and integrated into one, centrally managed system, to provide a comprehensive database for LSUs and other PIC ministries to monitor labour migration.

Data on the profiles of migrant workers returning from employment overseas should also be collected. At present, some LSUs require returning RSE / SWP workers to attend a debrief session or complete a debrief form when they return home. This collects information on length of employment, earnings

and savings, skills attained during the season, plans for the future etc.¹⁰⁷ These debrief sessions are not compulsory, however, which means that in many cases LSU staff only know that workers have returned when they reapply for offshore work the following year. More robust data collection from returning workers would enable LSUs to match up migrant departures and returns, in turn providing reasonably accurate data for reporting purposes. Immigration agencies could support LSUs in this area.

Data on the inflows of migrant workers and their dependants (e.g. via entry or immigration visas; permission to work in the country; administrative entry registrations at the border) are also essential. These data will help Pacific governments to monitor the numbers of foreign workers admitted under different programmes, match labour demand and supply to ensure migrant workers are performing jobs where local labour is unavailable, as well as monitoring the impacts of foreign workers (and dependants) on the local labour market and on infrastructure, such as housing, education and health services.

A common request from immigration agencies that responded to the Labour Mobility Survey (discussed in the next section) was for greater support from PIDC in the area of migration data collection, management and information sharing between Member countries.

6. PIDC immigration agencies' role in labour mobility

As part of the review, a short Labour Mobility Survey was sent out to PIDC Member countries to gather information on their involvement in labour mobility, as sending and / or receiving countries. The survey was sent out by PIDC to all Members in July 2017, and it was broken into three sections: 1) information on labour mobility programmes that the country currently participates in; 2) the core functions of the country's immigration department and the department's current role(s) in labour mobility; and 3) information on work visas for incoming migrants and their dependants. The survey also asked respondents what role(s) they would like PIDC to play to support them in their labour mobility arrangements. A copy of the survey is included in Appendix A.

The survey had a 52 percent response rate (n=10 responses out of a total of 19 Members that received the survey). Of those that responded to the survey, there were significant differences in their levels of engagement in labour mobility programmes. Five countries (Fiji, Nauru, PNG, Tonga and Vanuatu) are involved in offshore labour mobility schemes, namely the RSE and SWP. Two of those countries have also been involved in the Canterbury Trades Employment Pilot. The other five respondents (Cook Islands, FSM, French Polynesia, New Caledonia and New Zealand) do not participate in offshore labour mobility schemes, primarily because they already have temporary and permanent migration access to other countries as part of their established mobility clusters (discussed in Section 2): Cook Islanders are New Zealand citizens; nationals of New Caledonia and French Polynesia are citizens of France; and FSM nationals have visa-waiver status and access to employment in the United States under the Compact of Free Association.

¹⁰⁷ Bailey (2014); Bedford, C. (2013).

In terms of the core functions of the agencies that responded to the survey, border protection and the regulation of the entry, stay and exit of foreigners were identified as major functions for most respondents, along with issuing passports or other travel documents for their own nationals. When asked about the department's role(s) in managing labour mobility, most respondents outlined their responsibilities as receiving countries; issuing work permits to foreigners who secure employment in their country, monitoring the local labour market, monitoring compliance with work permit conditions and so forth. These responses support the finding that it is common across PICs for there to be separate agencies that deal with immigration policy and the issuing of visas or permits (Agency 1) and employment / labour including overseas employment (Agency 2). The agencies that responded to the Labour Mobility Survey were primarily immigration departments, not the LSUs responsible for overseas employment of their nationals (although in some cases, information was also sought from LSUs to respond to certain survey questions).

For those respondents participating in the RSE and SWP (Fiji, Nauru, PNG, Tonga and Vanuatu), a number of challenges were identified with increasing labour mobility. These included: limited capabilities in LSUs operating with few staff, limited resources and small budgets; issues with worker recruitment and selection; workers' lack of skills and qualifications; problems with workers' behaviour offshore and medical issues. Suggestions to address these issues focused mainly on improving recruitment and selection processes and pre-departure training.

The third part of the survey focused on the issuing of work visas for foreign nationals and their dependants. Respondents were asked to provide data across a four-year period (2013 – 2016) on the numbers of work visas issued each year, a breakdown of work visa approvals by nationality, the industries for which the work visas were issued, and conditions of the work visa (including conditions for dependants).

Table 9 provides a breakdown of the numbers of work visas issued each year by Member countries between 2013 and 2016. It is immediately apparent that there are wide disparities in the numbers of visas issued by different countries. Papua New Guinea issued over 110,000 work visas over the four-year period, more than six times that of the next largest country, Fiji (17,744). Seventy five percent of respondents issued fewer than 6,000 visas over the same period. These disparities have implications for the levels of staff and resourcing required within immigration departments to manage the inward movement of migrant workers and, as noted earlier, could influence the capacity of individual countries to participate in future labour mobility schemes, particularly as receiving countries.

Table 9: Work visas issued by PIDC Member countries, 2013 - 2016

Sub-region/country	2013	2014	2015	2016	Total
Melanesia					
Fiji	3,599	4,307	4,690	5,148	17,744
Papua New Guinea	34,354	25,569	24,996	27,184	112,103
Vanuatu	700	1,500	1,750	1,770	5,720
Micronesia					
Federated States (FSM)	206	673	872	939	2,690
Nauru	-	571	1,776	2,829	5,176
Polynesia					
Cook Islands	-	-	-	1,138	1,138
French Polynesia	670	561	571	-	1,802
Tonga	783	782	927	1,123	3,615

Note: New Caledonia and New Zealand did not provide data on work visas.

When asked to report on the main nationalities of work visa approvals, survey respondents provided different types of data. Some provided data on work visas issued to nationals from specific countries, while others provided data on visa approvals for certain regions (e.g. Asia, Europe, Pacific). In some instances, data were provided only for certain years. For those countries that provided complete data for each of the years (2013-16), analysis shows that the main nationalities for work visa approvals were: Philippines, China and Australia. Survey respondents were also asked to provide information on the main industries for work visa approvals. Of those that responded, the most common industries were: construction; tourism and hospitality; and professional services.

An issue raised by several respondents was the limited data available to immigration departments to answer this part of the survey in detail. Some respondents reported they did not have the information management systems in place to accurately record data, particularly for earlier years where paper-based record systems had been used, while others said the data were held by different departments and not readily accessible. This would suggest that greater work can be done to promote information sharing and collaboration between departments engaged in different aspects of labour mobility.

When asked what role(s) respondents would like PIDC to play in supporting labour mobility, the most common request was for PIDC to provide greater technical assistance to PICs in their monitoring of labour mobility. Respondents identified the need for support in migration data collection, analysis and management, data sharing among relevant agencies in-country, as well as between Member countries. One respondent suggested the development of a reporting template that could be used for public information sharing and dissemination, similar to information currently being generated from NZIM.

Other suggestions for PIDC support included: providing strategic advice on labour mobility; assisting individual countries to identify new labour mobility opportunities; negotiating with other labour

mobility partners; and reviewing individual PICs' labour mobility action plans (developed as part of New Zealand's SPP programme) to identify whether there are elements of the action plans that can be supported by PIDC, in collaboration with MBIE and other partners working on labour mobility (e.g. Australia's LMAP).

The second section of the report builds on the survey responses, and the findings from the PIDC Labour Mobility Workshop (2-5 October 2017 in Suva, Fiji), to identify a series of recommendations for PIDC regarding their current and future role(s) supporting Member countries in their labour mobility arrangements.

PART TWO: PIDC LABOUR MOBILITY SUPPORT FRAMEWORK

Workshop Summary & Recommendations

The PIDC Secretariat hosted a Workshop on the Development of a PIDC Labour Mobility Support Framework on the 2-5 October, 2017. The objectives of the workshop were to bring together Pacific immigration officers that have a lead role in key areas related to labour mobility to:

- Establish a clear and accurate picture of the current state of labour mobility schemes in the Pacific;
- Determine how the labour mobility phenomenon in the Pacific impacts on the activities of immigration agencies at the national and regional levels;
- Explore the role PIDC immigration agencies can play to best contribute to the development, negotiation or implementation of labour mobility policies and schemes as a development mechanism;
- Determine how PIDC can best support Members' efforts to strengthen national labour mobility policies while avoiding duplication of activities and services already being provided in the region; and
- Discuss the possible development of best practices for the issuing of work permits for PIDC Members.
- Hold a side event with Immigration officials of Small Island States to advance the agenda established by their Leaders at the Pacific Islands Forum meeting in Apia in September 2017.

Following a presentation summarising Part One of this paper, workshop participants discussed the development of the PIDC Labour Mobility Support Framework for Immigration in the Pacific. The Framework will establish the parameters of immigration's support for Pacific labour mobility, future roles and responsibilities, and how the Secretariat can support PIDC members. The table below provides a list of recommendations for discussion and implementation over the short, medium and long-term.

Action priority will be given to recommendations that directly support the outcomes and outputs already agreed to in the PIDC Annual Work Plan and Strategic Plan.

Workshop Recommendations

Stage	Recommendation	Priority		
		L	M	H
Short term (within the next 12 months)	1. Draft a statement explaining what the PIDC's role in Labour Mobility is. This statement will underpin the Secretariat's work over the coming 3-5 years; and seek endorsement of the statement at the next PIDC Board meeting.			
	2. Complete the draft PIDC Labour Mobility Support Framework for Immigration Departments in the Pacific to seek endorsement from the PIDC Board.			
	3. Establish a programme of capacity building activities, including intelligence training, to support PIDC members develop their own best practices in Labour Mobility to support and facilitate order in arrivals and departures.			

Stage	Recommendation	Priority		
		L	M	H
	4. Develop a programme to support PIDC staff members with collection, collation, and analysis of data collected by PIDC members at the border, including the use of Excel and generating reports from existing databases.			
	5. Review PIDC member immigration legislation and make recommendations to align existing PIDC member provisions with the Draft PIDC Immigration Legislation Framework to ensure consistency across the region			
	6. Work with PIDC members and members' agencies responsible for employment and oversight of labour mobility programmes to ensure alignment between Immigration and Labour legislation and regulations.			
	7. Develop a regular report to PIDC members highlighting developments in Labour Mobility, PACER Plus and outcomes from the Pacific Labour Mobility Annual Meeting, and Sub-regionals e.g. MSG and Micronesia.			
	8. Support PIDC members in working with other agencies to identify areas of skill shortages and develop guidelines that categorise skills in demand and criteria for applications that can be included in the members' immigration application process.			
	9. Support PIDC members to scope the development of national/regional departmental websites providing information about the PIDC agency, and immigration application processes.			
	10. Develop guidelines and draft best practices for labour sending countries and labour receiving countries that PIDC members can adapt and adopt for their own sending or receiving agencies.			
	11. Support a working group to review PIDC member arrival/departure documents and explore options for developing a standard regional template aligned to any international best practice that members can use as a base line standard when considering making amendments to their existing arrival/departure documents.			
Medium term (within the next 12 to 24 months)	12. Facilitate and support a review of PIDC member immigration policies to ensure alignment with for example, member employment and labour agencies, ensuring no unnecessary barriers to labour mobility at the borders			
	13. Support PIDC members, in collaboration with member's employment and labour agencies, to review and mainstream current labour mobility guidelines			
	14. Provide advice and support to PIDC members seeking to establish labour mobility programmes through regular updates on labour mobility developments, and sharing information on best practices.			
Long term 2 – 5 years)	15. Enhance training developed in YEAR ONE supporting PIDC members to review data collection and analysis capability.			
	16. Review and enhance best practices developed in YEAR ONE ensuring PIDC members can adopt and maintain a standardised regional approach to processing of people across borders.			
	17. Complete the legislative review of all PIDC members to ensure alignments and consistency between labour/employment and immigration laws.			



Pacific Immigration Directors' Conference

Background

The Pacific Immigration Directors' Conference recognises the importance of labour mobility in the Pacific Islands region and is seeking to determine how to best contribute as an organisation to regional efforts to strengthen the links between labour mobility and economic growth.

Following the 20th PIDC in Apia, Samoa the PIDC Secretariat has engaged Matthew Gibbs and Charlotte Bedford (the 'Consultants' operating under Gibbs Asia Pacific Ltd) to undertake a baseline assessment of labour mobility and labour mobility schemes in the Pacific region. The aim of this work will be to:

- a) Establish a clear and accurate picture of the current state of labour mobility schemes in the Pacific;
- b) Determine how the labour mobility phenomenon in the Pacific impacts on the activities of PIDC Members at the national and regional levels;
- c) Undertake a stakeholder mapping assessment to identify the various agencies providing support to strengthen national immigration policies, processes and procedures of PIDC member countries. Based on this assessment and in view of PIDC Secretariat's comparative advantage, propose specific areas of work where PIDC and the PIDC Secretariat can focus its support, while avoiding duplication of activities and services already being provided in the region; and
- d) Explore the role that PIDC immigration agencies can play to best contribute to the development, negotiation or implementation of labour mobility policies and schemes as a development mechanism.

Key activities

The project activities are as follows:

- a) *Provide an immigration perspective to the labour mobility phenomenon in the Pacific;*

The Consultants will undertake a desktop analysis of labour mobility schemes in the Pacific and provide a clear overview of the level of immigration agencies involvement, summary of legal and regulatory systems between sending and receiving countries, including the costs of these schemes to border security. The Secretariat will facilitate any information request to members through direct communication with individual administrations.

- b) *Understand how labour mobility has developed and outline key recommendations on how PIDC can play a supportive and facilitatory role to members in labour mobility schemes across the Pacific.*

The PIDC Secretariat will coordinate and host a sub-regional workshop that will target immigration and labour officers responsible for labour mobility schemes in the respective administrations of sending and receiving countries in the PIDC Membership.

The consultants have asked the Secretariat to facilitate a survey of members to help understand immigration and labour mobility drivers in each member state. They have asked that this survey is completed and returned to the Secretariat **by Friday 21 July 2017**. All responses are to be sent to Akuila Ratu at Akuila.Ratu@pidcsec.org

We appreciate your assistance with collecting this information, which will be important for the quality and accuracy of the final report. A draft copy of the report will be shared with members for comment and feedback prior to finalisation in late August 2017.

PIDC Secretariat

PIDC Questionnaire: Please answer as many questions as you can. If you do not have exact figures available, please estimate where possible.

Question		Answer
Section One: Labour Mobility Programmes		
1.	What LM programmes do people from your country participate in? (e.g. RSE, SWP, Australian micro-state visa, seafarers, Skilled Movement Scheme)	
2.	How many workers did you send offshore under these LM programmes in 2015/16 and in 2016/17? (If your country participates in more than one programme, please provide the numbers for each programme)	
3.	Of the total number of workers sent under each LM programme, what percentage were women?	
4.	Do you see any challenges with increasing labour mobility? If yes, what are the challenges, and how do you think they should be addressed?	
Section Two: Immigration and Labour Mobility		
5.	What is the budget allocation to operate your department in 2016 and 2017?	
6.	What are the core functions of your department	
7.	What role(s) and responsibilities does your department have in managing your country's labour mobility schemes (e.g. management of visa arrangements, monitoring compliance etc.)?	
8.	What role would they like PIDC to play?	

Section Three: Visa Processing and Labour Mobility						
9.	How many Work Visas did your government issue in each of the following years: 2013, 2014, 2015, and 2016?		2013	2014	2015	2016
		<i>Number issued</i>				
10.	For each year, can you provide a breakdown of work visa approvals by nationality?		2013	2014	2015	2016
		<i>Country</i>				
		<i>Country</i>				
		<i>Country</i>				
		<i>Country</i>				
11.	What industries were these work visas issued for (e.g. construction or hospitality) in each of the years?		2013	2014	2015	2016
		<i>Industry</i>				
		<i>Industry</i>				
12.	Do the conditions of your WV allow for dependant family members to join the primary applicant?					
13.	If so, how many dependant WV were issued by your government in each of the years (2013, 2014, 2015, 2016)?		2013	2014	2015	2016
		<i>Number issued</i>				
14.	After the initial period of the visa, can the applicant renew their visa? Or after this period, can they apply for residence?					
15.	How many years can a work visa holder stay in your country?					
16.	Do the conditions of your WV allow dependant family members to work? If yes, what are the main industries that work visa dependants are employed in (e.g. construction or hospitality)?					

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