

International
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1919-2019

Cook Islands

DECENT WORK COUNTRY PROGRAMME

2019 -2022



Decent Work Country Programme 2019 to 2022

Cook Islands

July 2019

Memorandum of Understanding concerning the Decent Work Country Programme for the Cook Islands, 2019-2022

Whereas the Government of Cook Islands (Government), represented by the Ministry of Internal Affairs (Te Tango Akarangatira Ora'anga), the Cook Islands Workers Association (CIWA), the Cook Islands Chamber of Commerce (COC) and the International Labour Organization (ILO), represented by the International Labour Office (referred collectively as the Parties), wish to collaborate to promote and advance decent work in the Cook Islands.

Whereas the Decent Work Country Programme for Cook Islands 2019-2022 is aligned to and will contribute to achieving the National Sustainable Development Plan 2016-2020, the United Nations Pacific Strategy 2018-2022 and the 2030 Global Sustainable Development Goals.

Recalling article 40 of the ILO Constitution, according to which the ILO shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes,

Now therefore, the Parties hereby agree as follows:

1. The Parties affirm their commitment to collaborate in the implementation of the Decent Work Country Programme (DWCP). The following are agreed as priorities of the DWCP:
 - a. **Priority 1:** Advance labour law reform and improve labour administration in line with international labour standards.
 - b. **Priority 2:** Enhance labour force development and opportunities for inclusive growth and improved employment prospects, with special attention given to youth, women and persons with disabilities.
 - c. **Priority 3:** Promote social dialogue, tripartism and strong representative employers' and workers' organizations.
2. The ILO agrees to assist in the mobilization of resources and to provide development cooperation in the implementation of the DWCP, subject to its rules, regulations, directives and procedures, the availability of funds and conditions to be agreed upon in writing.
3. In relation to the DWCP, 2019-2022 and to any related activities of the ILO in the Cook Islands, the Government will apply to the ILO, its property, funds and assets, its personnel and any person designated by the ILO to participate in ILO activities, the privileges and immunities provided for in the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947, and in its Annex of 10 July 1948 relating to the ILO.
4. The Government and workers' and employers' organizations agree to provide full commitment and participation in the implementation of the DWCP. The National Labour Advisory Council consisting of representatives from government, workers' and employers' organizations will be tasked to review progress and outline challenges and recommendations for the successful implementation of the DWCP, with the view to enhance the capacities of each of the tripartite constituents in Cook Islands to meet its national development goals.

5. This Memorandum of Understanding (MoU) may be modified by agreement between the Parties.
6. Nothing in or relating to this MoU shall be construed as constituting a waiver of the privileges and immunities enjoyed by the ILO.
7. The DWCP document is attached to this MoU. In the event that the terms contained in the DWCP document are incompatible with the terms of this MoU, including the provisions referenced in article 3, then the latter shall govern and prevail. The original of the MoU has been written and signed in English.
8. This MoU, superseding all communications on this matter between the Parties, shall enter into force with effect from its signature by the authorized representatives of the Parties.

For and on behalf of the
Government of Cook Islands



Honourable Minister Vaine Makiroa Mokoroa
Minister of Police, Internal Affairs, Youth and
Sports, Ombudsman's Office and Punanga Nui
Market.

For and on behalf of the
International Labour Organization



Ms. Tomoko Nishimoto
Assistant Director-General and
Regional Director for Asia and the Pacific

For and on behalf of the Employers Organization



Ms. Eveleen Hayden
for President
Cook Islands Chamber of Commerce

For and on behalf of the Workers' Organization



Mr. John Tini
for President
Cook Islands Workers Association

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List of Abbreviations

ACT/EMP	Bureau for Employers' Activities
ACTRAV	Bureau for Workers' Activities
ADB	Asian Development Bank
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CIWA	Cook Islands Workers Association
COC	Cook Islands Chamber of Commerce
DWCP	Decent Work Country Programme
EU	European Union
GDP	Gross Domestic Product
GADD	Gender and Development Division (Ministry of Internal Affairs)
HDI	Human Development Index
HIES	Household Income and Expenditure Survey
HIV	Human Immunodeficiency Virus
ILO	International Labour Organization
ILS	International Labour Standards
IMF	International Monetary Fund
INTAFF	Ministry of Internal Affairs
ITC	International Training Centre (Turin)
LMIA	Labour Market Information and Analysis
MDG	Millennium Development Goals
MFEM	Ministry of Finance and Economic Management
NCD	Non Communicable Diseases
NLAC	National Labour Advisory Council
NPGEWE	National Policy on Gender Equality and Women's Empowerment
NTTT	National Trades Training and Testing Unit
NZAID	New Zealand Agency for International Development
ODA	Official Development Assistance
OPM	Office of the Prime Minister
OMIA	Office of the Minister of Island Administrations
SDGs	Sustainable Development Goals
SPC	Secretariat of the Pacific Community
STEPNZ	Short term employment permit for New Zealanders
STI	Sexually Transmitted Infections
TVET	Technical and Vocational Education and Training
UNDAF	United Nations Development Assistance Framework
UNPS	United Nations Pacific Strategy
UNDP	United Nations Development Programme

1. Introduction

The Cook Islands became the 186th ILO Member State in June 2015 and have since updated their labour laws to international labour standards, reviewed OSH laws, planned for a labour force survey, ratified a fundamental ILO Convention (Worst Forms of Child Labour Convention, No.182) and an ILO Governance Convention (Tripartite Consultation Convention, No.144), and drafted their first Decent Work Country Programme.

On becoming a member of the ILO, the Cook Islands also committed to upholding and reporting on the relevant Conventions ratified by New Zealand which been declared applicable on its behalf under the former New Zealand administration. These Conventions include:

- Right of Association (Agriculture), 1921, No.11
- Weekly Rest (Industry), 1921, No.14
- Forced Labour, 1930, No.29
- Minimum Wage Fixing Machinery (Agriculture), 1951, No.99
- Abolition of Forced Labour, 1957, No.105

The Decent Work Country Programme (DWCP) is a policy framework designed to support and assist the Cook Islands Government in achieving its National Sustainable Development Plan 2016-2020 (NSDP), and in particular the goals on improving welfare, reducing inequity and economic hardship; expanding economic opportunities and improving economic resilience and productive employment to ensure decent work for all; accelerating gender equality, empowering all women and girls, and advancing the rights of youth, the elderly and disabled; strengthening resilience to combat the impacts of climate change and natural disasters; and ensuring a sustainable population, engaged in development for Cook Islanders by Cook Islanders.

1.1 National Initiatives to Support Economic and Employment Opportunities

1.1.1 National Sustainable Development Plan 2016-2020

In 2007 the Cook Islands launched their 2020 visionary framework: Te Kaveinga Nui. The first National Sustainable Development Plan (NSDP) articulated the national vision, and development outcomes desired by Cook Islanders which would be realised through a three phase medium term (5 yearly) planning approach. The National Sustainable Development Plan (NSDP) 2016-2020 marks the third and final phase of Te Kaveinga Nui and defines sixteen national development goals that represent the country's aspirations across the different dimensions of society and development.¹ These goals are:

- Goal 1: Improve welfare, reduce inequity and economic hardship
- Goal 2: Expand economic opportunities, improve economic resilience and productive employment to ensure decent work for all
- Goal 3: Promote sustainable practices and effectively manage solid and hazardous waste
- Goal 4: Sustainable management of water and sanitation
- Goal 5: Build resilient infrastructure and ICT to improve our standard of living
- Goal 6: Improve access to affordable, reliable, sustainable, modern energy and transport
- Goal 7: Improve health and promote healthy lifestyles
- Goal 8: Inclusive, equitable and quality education and promote life-long learning opportunities

¹ Cook Is Government; National Sustainable Development Plan (NSDP) 2016-2020; Central Policy & Planning Office, Office of the Prime Minister, Rarotonga

- Goal 9: Accelerate gender equality, empower all women and girls, and advance the rights of youth, the elderly and disabled
- Goal 10: Achieve food security and improved nutrition, and increase sustainable agriculture
- Goal 11: Promote sustainable land use, management of terrestrial ecosystems, and protect biodiversity
- Goal 12: Sustainable management of oceans, lagoons and marine resources
- Goal 13: Strengthen resilience to combat the impacts of climate change and natural disasters
- Goal 14: Preserve our heritage and history, protect our traditional knowledge, and develop our language, creative and cultural endeavours
- Goal 15: Ensure a sustainable population, engaged in development for Cook Islanders by Cook Islanders
- Goal 16: Promote a peaceful and just society and practice good governance with transparency and accountability

The Cook Islands DWCP relates particularly to the NSDP Goals 1 and 2 on improving welfare, reducing inequity and economic hardship, expanding economic opportunities, improving economic resilience and productive employment to ensure decent work for all, and Goal 9 on accelerating gender equality, empowering all women and girls, and advancing the rights of youth, the elderly and disabled.

The DWCP may also support the Cook Islands Strategy for the Development of Statistics (CSDS) 2015-2025 which has five strategic objectives to improve the national statistical system through (i) a sound legislation and policy framework for statistics; (ii) better access to, use and communication of statistics; (iii) enhanced knowledge management; (iv) effective coordination across all agencies in the national statistical system; and, (v) the implementation of a continuous programme of institutional and human resources capacity building.

1.1.2 National Youth Policy 2015-2020

The Cook Islands National Youth Policy 2015-2020 provides a roadmap for youth development. The National Youth Policy identifies six priority areas:

- Priority Area 1: Family Relationships
- Priority Area 2: Education and Economic Opportunities
- Priority Area 3: Empowering youth through community, cultural, spiritual and personal development
- Priority Area 4: Supporting young people to achieve optimal health
- Priority Area 5: Improving Wellbeing and Welfare
- Priority Area 6: Youth Risk and Resilience

The DWCP can be linked particularly to Priority Area 2 which stresses the need for quality education systems, appropriate curricula and courses that will provide young people with the relevant skills, knowledge and qualifications, including guidance counselling, mentoring, vocational and tertiary educational opportunities, nurturing business development and entrepreneurship skills, and financial literacy. To provide economic, education and lifelong learning opportunities for young people, the policy seeks to:

- 2.1: Ensure that young Cook Islanders gain the necessary knowledge and skills needed to equip them for the career and lifestyle of their choice.
- 2.2: Strengthen academic and career guidance counselling services to ensure young people are informed of educational and employment opportunities available.

- 2.3: Improve access to support, guidance, counselling services, and information to young people, especially those living in the Pa Enua.
- 2.4: Strengthen and promote programmes that will assist young people transitioning into employment opportunities after school.
- 2.5: Promote business development and entrepreneurship for young people.
- 2.6: Ensure young Cook Islanders develop financial skills to manage their personal finances and responsibilities.

1.1.3 Disability Inclusive Development Policy and Action Plan 2014-2019

The Cook Islands Disability Inclusive Development Policy and Action Plan 2014 – 2019 states that generally persons with disabilities experience significant disadvantages in the labour market; have lower levels of economic participation and are disproportionately poorer than persons without disabilities. Having a decent job and the necessary education, training and support to keep that job are positive means of avoiding poverty. Those who can and want to work should be supported, protected and equipped to do so. This is part of inclusive growth and sustainable development. Priority Area 6 of the policy seeks to improve lives of persons with disability through sustainable livelihoods by removing barriers to participation through:

- Liaising with employers for recruitment opportunities for PWD
- Promoting employment in the private sector and government
- Encouraging the Ministry of Agriculture to include PWD in training and projects, in order to obtain livelihoods through farming and to enhance food security.
- Encouraging work-place policies on disability.
- Collecting data on PWD in employment and self-employment.
- Collecting case-studies on PWD who are successfully employed and self-employed to be used for advocacy.

The DWCP for the Cook Islands represents the priorities of the Government as well as workers' and employers' organizations and supports the International Labour Organization's (ILO) core mandate to advance opportunities for women and men to obtain decent and productive work in condition of freedom, equity, security and human dignity.

The Cook Islands DWCP 2019-2022 contributes to the United Nations Pacific Strategy (UNPS) 2018-2022, which is a five year strategic framework that outlines the collective response of the UN agencies to development priorities in the Cook Islands and 13 other Pacific Island Countries, tailored to each country's national priorities and responding to the Pacific leaders call for the UN to align its work programmes to the internally agreed outcomes including the SAMOA Pathway, Addis Ababa Action Agenda and 2030 Agenda for Sustainable Development in the Pacific Region. The six identified outcomes in the UNPS for 2018-2022 are: (1) Climate Change, Disaster Resilience and Environmental Protection; (2) Gender Equality; (3) Sustainable and Inclusive Economic Empowerment; (4) Equitable Basic Services; (5) Governance and Community Engagement; and (6) Human Rights.

2. Country Context²

The Cook Islands consists of 15 small islands with a total land area of 240 square kilometers dispersed over 1.8 million square kilometers of the Pacific Ocean. Tourism is the country's leading source of revenue, accounting for around 60 percent of gross domestic product, ahead of offshore banking, pearl farming, marine industry, and fruit exports. The Cook Islands is highly vulnerable to external economic shocks, especially falls in tourism, and is prone to natural disasters and vulnerable to the impacts of climate variability and climate change.³ The main natural disasters faced by the Cook Islands are cyclones, storm surges, floods and droughts—all of which could be exacerbated by climate change- and the islands are also vulnerable to tsunamis. There is a distinct geographical divide between the islands with those in the Northern Group comprising of atolls and sand cays while those in the Southern Group comprising volcanic islands and makatea.

The Cook Islands is governed by a Parliament of 24 elected members and is a member of the Commonwealth with the Queen of England as Head of State. Traditional leaders also play an important role in guiding decision making on national issues through the establishment and functions of the House of Ariki and Te Koutu Nui.⁴ Cook Islanders are ethnically Maori Polynesians, and the population is 17,434 (8520 Male and 8914 Female)⁵. The population growth rate currently reflects a minus 2.0 percent⁶. Rarotonga, is the capital and main commerce centre and home to 74.6 of the resident population.

Cook Island nationals are New Zealand citizens. They have open access to work and reside in New Zealand and Australia. Emigration from the Cook Islands has contributed to a declining population and a shortage of skilled workers⁷ although a natural increase balancing net migration can be observed through the increasing numbers of foreign workers entering the country. Depopulation, especially of the younger generations leaving the Cook Islands leading to a shortage of skilled workers and increasing reliance on foreign workers, is a critical development challenge for the Cook Islands, affecting all sectors, and particularly the Pa Enua.

2.1 Economy

The Cook Islands economy is small, narrow-based, and vulnerable to external economic and environmental shocks, as evidenced by the volatile fluctuations in GDP per capita growth which has been a common feature of the Cook Islands economy since the early 1980s. Global downturns and natural disasters, including cyclones, have an impact on visitor numbers. The economy of the Cook Islands is driven by the services industry (accounting for 89 percent of GDP) followed by manufacturing (accounting for 8 percent of GDP and agriculture and fishing (accounting for percent GDP)⁸. Growth is constrained by a shortage of workers, dispersion of a small population, isolation, and the high costs of doing business.⁹ Economic

²The Country Context provides a brief country diagnostic and situation analysis drafted from available literature- see list of references following.

³<https://www.adb.org/countries/cook-islands/main>

⁴ National Capacity Self-Assessment Capacity Development Action Plan and Final Report; 2008; National Environment Service,

⁵The 2016 Cook Islands Census Report; http://www.mfem.gov.ck/images/documents/Statistics_Docs/5.Census-Surveys/6.Population-and-Dwelling_2016/2016_CENSUS_REPORT-FINAL.pdf

⁶ The 2016 Cook Islands Census Report; http://www.mfem.gov.ck/images/documents/Statistics_Docs/5.Census-Surveys/6.Population-and-Dwelling_2016/2016_CENSUS_REPORT-FINAL.pdf

⁷ ADB Member Fact Sheet: Cook Islands; <https://www.adb.org/publications/cook-islands-fact-sheet>; accessed 24/06/2-18

⁸ The Ministry of Finance and Economic Management - National Accounts - June Quarter 2018;

<http://www.mfem.gov.ck/statistics/economic-statistics/national-accounts/934-national-accounts-september-quarter-2024>

⁹ UN in the Pacific; 2017; United Nations Pacific Strategy 2018-2022: A Multi-country sustainable development framework in the Pacific region.

activity and living standards in the Cook Islands are significantly affected by a heavy reliance on generating power from imported diesel fuel, the price of which can be extremely volatile.

The country is highly dependent on international tourism, but this is a remote and relatively expensive destination that tends to suffer disproportionately during global economic downturns when tourists become more frugal. The economy also relies on imports of fuel and food and is susceptible to rising fuel prices. Over the years the resident population of the Cook Islands as a whole has been falling steadily as a result of emigration. With limited employment opportunities, more young people migrate to New Zealand and Australia to search for jobs, facilitated by their New Zealand citizenship and passport. Since some of the employment opportunities for young people might be expected in the public sector, there is a risk that any reduction in public administration could accelerate outmigration.¹⁰ The high cost of living in the Cook Islands is also perceived as a motivation for migration. Economic activity is increasingly concentrated in Rarotonga at the expense of the outer islands which have seen their populations decline. The social and economic development disparities between Rarotonga and the outer islands is seen as another reason for emigration from the outer islands. The country's NSDP aims to strengthen resilience to climate change and improve livelihoods and incentives for Cook Islanders to remain in the Cook Islands or to return home from abroad. Through its National Sustainable Development Plan, the government is also aiming to make the country more resilient through stronger private-sector-led economic growth and sustainable development particularly for many who rely on tourism as the main economic industry.¹¹

The Cook Islands had a Gross Domestic Product (GDP) of \$129.6 million (as at June 2018) and a GDP per capita of \$28,613¹², which is the third highest in the region outside Australia and New Zealand. According to the National MDG Report 2009, the Cook Islands has robust financial management legislations and is less dependent on ODA in comparison to some other developing countries despite its rather narrow economic base. The relatively high GDP of the country means that it does not receive as much ODA as other countries of a similar size and population. However, it should be noted that national GDP does not reflect the significant disparity of the economies of Rarotonga and the outer islands.¹³ Following strong economic growth in 2014, 2015 and 2016, the Cook Islands Government was notified by the Organisation for Economic Cooperation and Development (OECD) that it was on the list of countries that was likely to reach high income status by 2017. If the Cook Islands graduates prematurely due to inadequate data, this could have serious long-term negative consequences for economic development. Key issues to consider in the case of premature graduation are the high cost of running government due to the geography of the Cook Islands, with many islands scattered over a large distance, vulnerability to natural disasters and economic downturns in Australia and New Zealand, and the cessation of community development programs most of which is funded by ODA.¹⁴

2.2 Employment

According to the Cook Islands National census 2016 the total labour force of the Cook Islands is 7,774 people. This is defined as those in self-employments, (988), paid employees (6,028), unpaid workers and volunteers (305) and unemployed (453). Labour force indicators shows a Labour Force Participation Rate (LFPR) of 71.9 percent, Employment Population Ratio (EPR) was 64.9 percent and Unemployment rate of 5.8 percent. Labour force participation rates were higher for males (77.2 percent) than for females (67.0

¹⁰ ADB; 2013; Development Effectiveness Brief: Cook Islands, Investing in a Sustainable Future.

¹¹ <https://www.adb.org/countries/cook-islands/overview>

¹² Currency presented in NZD. Economic Indicators 2012-2016 <http://www.mfem.gov.ck/statistics/economic-statistics/key-economic-indicators>

¹³ Office of the Prime Minister; 2010; Cook Islands MDG Report 2009

¹⁴ Press Release: 12th October 2017; http://www.mfem.gov.ck/images/MFEM_Documents/CEO_Docs-from23Aug16/Press_Release_-_ODA_Graduation_12_October_2017.pdf

percent), so was the employment-population ratio with 70.0 percent and 60.2 percent for males and females respectively.

The non-labour force included people who are not economically active such as students, retired persons and people who are engaged in full time home duties. They comprised 28.1 per cent of the population 15 years and older. About 34.7 percent were engaged in home duties (1,051), 39.3 percent were retired (1,192) and 20.5 percent (620) were students. There were slightly more female students (314) than male students (306). However, there were also more female retirees (651) than male retirees (541). The proportion of the non-labour force as part of the total population was much larger in the outer islands than in Rarotonga.

The private sector including sole proprietors and partnership was the largest employer, employing 65 percent of all employees followed by the public sector with 26 percent. However, there was great variation in the importance of sectors of employment among the region. While the public sector employed only 20 per cent of all employees in Rarotonga, it was about 46 percent in the Outer Islands. The proportion of public sector employment was as high as 100 percent in Nassau to 20 percent in Aitutaki.

According to the international definition of unemployment, only those people who indicated that they were available for work and were actively seeking for work would be classified as unemployed. There were 453 people that categorized themselves as unemployed; 200 males and 253 females. This translates into an unemployment rate of 5.0 percent for males and 6.8 percent for females. Unemployment is slightly higher in the Southern Group (7.9 percent) than in the outer islands and especially so in the youth groups aged 15–24 years. Young women and men make up about one third of all unemployed men and women.

The Accommodation and Food Service is the largest industry employing 20.9 per cent of all employees, closely followed by Wholesale and Retail Trade with 15.8 per cent and Public Administration with 15.0 percent. The rest of the sectors make up 48.4 percent concentrating mainly in the transport industry. Females dominated the Education and Health industry and the 'Finance and Business Services' industry presumably working as shop assistants and bank tellers. Males dominated the 'Construction' and 'Agriculture and Fishing' industry.

2.2.1 Foreign workers

There were around 1,500 foreigners aged 15 or above living in the Cook Islands at the time of the 2011 census. The vast majority (92 percent) lived in Rarotonga, with 7 per cent in the southern group and 1 per cent in the northern. About 16 percent of the labour force were foreigners residing in the Cook Islands, mainly from New Zealand, Fiji, Philippines, other Pacific islands (French Polynesia, Kiribati, Niue, Samoa, Solomon Islands, Tuvalu, Tonga, and Vanuatu) and Australia. Foreign workers were found mainly in the restaurant and accommodation sector where 369 foreigners were employed, representing just over one quarter (27 percent) of the jobs in that sector. The second biggest sector for foreign workers was wholesale and retail trade, with 196 employed (16 percent of that sector), followed by the 170 foreign workers in the community and personal services sector (35 percent of those jobs).¹⁵

The Short Term Employment Permit (STePNZ) for New Zealand Passport Holders Program is a joint collaboration between the Ministry of Foreign Affairs and Immigration (MFAI) and the Ministry of Internal Affairs (INTAFF). The Government Program was created in response to the Private Sector's high demands in regards to labour shortages of skilled workers in particular national industries. The work permit under this program is valid for six (6) months and can only be extended once. The STePNZ program has been

¹⁵ Economic Activity and Labour Force of the Cook Islands: Analysis of the 2011 Population and Housing Census; February 2015; http://www.mfem.gov.ck/images/New_Stats_Website/12.Other_Content/Labour/UNFPA-Economic-activity-and-labour-force-of-the-Cook-Islands_Reduced.pdf

extended and opened to Australian passport holders, and this includes shorter processing time for medical clearance with Ministry of Health.¹⁶

Over the years the issue of foreign workers have been raised in the local media citing labour exploitation, the weakness of existing structures which do not allow foreign workers to have their grievances heard and addressed, and the need for stronger regulations governing foreign workers.¹⁷

2.2.2 Dispute resolution system

Conciliation, mediation, arbitration and the Labour Court institutions are still in infant stages in the Cook Islands, and workers believe that these institutions do not strengthen workers positions within the industrial relations system.¹⁸ Labour legislation in the Cook Islands emphasises self-resolution before seeking state assistance; only if the two parties are unable to resolve the grievance at the organisation level can they resort to the dispute resolution machinery at the state level. Employers and employees are required to exhaust the organization's internal grievance procedures before seeking third-party intervention.¹⁹ If the dispute remains unresolved the matter goes to conciliation and mediation, a process which is underdeveloped in the Cook Islands.

According to Chand (2015)²⁰, not many cases go to mediation for the reason that the state does not provide mediation services and mediation is done privately outside the realm of Ministry of Internal Affairs, Labour Division. Ministry officials are not empowered by the legislation to engage in mediation. Officials of the Labour Division do not have any legal power to solve industrial disputes therefore most disputes which are not resolved at the organisation level, cannot get resolved without reference to the parties outside the organisation and the state. The Director of Labour can only informally facilitate the parties to find a mediator. The two parties (employer and employee) have to arrange and pay for a private mediator, usually a lawyer or retired senior civil servant, and the state does not get involved in this process. The parties normally pay 50 percent each for the fees of a mediator. The costs of conciliation and mediation is an effective barrier to workers taking their grievances outside the organization as mediators need to be engaged by the respective parties at their own costs, and since, most workers cannot afford to pay for the cost of mediation and/or pay for the cost of taking action in High Court, most worker grievances that are not resolved at the organisation level remain unresolved.

Disputes unresolved at the mediation and conciliation stage are referred to the Arbitration Tribunal which has the status of a magistrate's court and operate in a legalistic manner vis-à-vis conciliation and mediation. Each party at Arbitration Tribunal can be represented by a lawyer and an employer and a worker have the power to nominate and chose arbitrators themselves, the two arbitrator then select a third arbitrator, thereby making a team of three arbitrators (ERA 2012, s10(1)). Unresolved disputes go directly to the High Court and an employer or an employee can also appeal to the Court of Appeal.

¹⁶<http://www.cookislandsjobs.com/immigration.php>

¹⁷ See list of media articles in reference. Note this list is not exhaustive.

¹⁸ Chand, A; 2015; Comparative Analysis of Dispute Resolution Mechanisms: Fiji and the Cook Islands; Fijian Studies Vol 13, No.2 (pp57-72)

¹⁹ The ERA contains a legislative framework to support collective bargaining. Further detail contained in regulations (e.g. forms and a Code of Good Faith) may help parties bargain collectively in practice.

²⁰ Chand, A; 2015; Comparative Analysis of Dispute Resolution Mechanisms: Fiji and the Cook Islands; Fijian Studies Vol 13, No.2 (pp57-72)

2.3 Poverty

According to the UN Pacific Strategy (UNPS) 2018-2022, extreme hardship and food poverty is not known, but there is growing inequality between the main island, Rarotonga, and the remote outer islands.²¹ The 2015-2016 Household and Income Expenditure Survey (HIES) Report noted the total annual HH expenditure in Cook Islands is estimated to be NZD 184.6 million (average of NZD 39,770 and median of NZD 33,050 per annum).

The distribution of house hold expenditure is not even and there's a degree of inequality, in terms of total HH expenditure across Cook Islands and within each strata. Around 28 percent of total house hold expenditure in Cook Islands is accounted by the highest spending 20 percent. On the other hand, the lowest spending 20 percent of house hold's account for around 12 percent of the total HH expenditure.

41 percent of house hold's participate in agriculture, 18 percent in fisheries, 36 percent in livestock and 7 percent in handicrafts and home processed foods. This has significant implications on HHs income, for both cash and subsistence. Of the HHs that participate in primary activities, 15 percent of HHs sell some of their agricultural produce, 3 percent sell a portion of their fisheries harvest, 7 percent sell livestock that the HH rears and 10 percent sell handicrafts and home processed foods that are manufactured.

2.4 Social Protection

Education in the Cook Islands is free and compulsory from ages 5 to 15 years. This has ensured access to primary (grades 1-6) and secondary (forms 1-7) level of education for all. There are 31 schools of which 23 are government and 8 are privately administered (5 church schools and 3 independent). At the 2016 census, 2,981 persons 5 to 15 years old were enrolled in school, 1,528 males and 1,453 females, nearly 100 percent (99.6) when compared to the population in that age group.. There has been rapid progress in reducing child mortality and nutrition concerns focus less on underweight than on obesity.²² Infant mortality is the lowest in the Pacific. One hundred per cent of births are attended by a skilled attendant, and no maternal deaths have been recorded since 2001. The Cook Islands has a low HIV burden with four confirmed cases. Non-communicable diseases are the main causes of morbidity and mortality and there is inequitable access to healthcare for people in the Pa Enua.²³ The Cook Islands has some of the highest NCD-related biochemical and lifestyle risk factors in the world, and women have higher risk factors than men. The Cook Islands has the fifth highest level of diabetes prevalence in the world.²⁴

All Cook Islanders aged 60 and over receive the Cook Islands Government Superannuation payments and some may be entitled to New Zealand Government Superannuation, and can elect to choose a New Zealand Government Superannuation instead of the Cook Islands Pension. The Cook Islands National Superannuation Fund (the Fund) was established by an Act of the Cook Islands Parliament passed in 2000. Membership of the Fund is compulsory for all employees in employment in the Cook Islands or employed outside the Cook Islands by an employer resident in the Cook Islands, unless they qualify for a specific exemption.²⁵ The 2017 Financial report states that the Funds total net assets have grown by \$24m from

²¹UN in the Pacific; 2017; United Nations Pacific Strategy 2018-2022: A Multi-country sustainable development framework in the Pacific region. The United Nations Pacific Strategy (UNPS) 2018-2022 is a five year strategic framework that outlines the collective response of the UN system to the development priorities in 14 Pacific Island Countries and Territories (PICTs), namely Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Nauru, Niue, Palau, Republic of Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.

²² Ibid.

²³ UNPS 2018-2022

²⁴ Adam Smith International; 2015; Evaluation of the Cook Islands Country Programme commissioned by the New Zealand Ministry of Foreign Affairs and Trade (MFAT).

²⁵<https://www.cinsf.com/members/>

\$122.8m in 2016 to \$146.8m in 2017. Member's contributions increased by \$2.9m from \$12m in 2016 to \$14.9m in 2017. Total membership of the Fund was 10,485 at the end of 2017 as 1315 new members joined the Fund (increasing from 9170 members in 2016 and 8602 members in 2015), and pensioners also increased from 155 at the end of 2016 to 192 at the end of 2017.²⁶

2.5 International Labour Standards

The Employment Relations Act 2012 (ERA) updated Cook Islands labour laws and brought them more in line with the Conventions and international labour standards. A Report on the Legislative Compliance Review of Employment and Related Legislation in the Cook Islands²⁷ recommended updating legislation and regulations to improve occupational safety and health and workers' compensation scheme. The legislative review report states that generally, the ERA is compliant with The Right of Association (Agriculture) Convention, 1921 (No. 11), Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

With regards to equal remuneration and discrimination (Equal Remuneration Convention, 1951 (No. 100) and Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Section 33 of the ERA provides that "An employee is entitled to be paid at a fair and reasonable rate, not less than the minimum rate or rates of pay prescribed by the Regulations, that is commensurate with the rate normally paid to workers for the same, or similar, work; and the duties required of the employee; and the employee's experience and capabilities."²⁸ The Constitution of Cook Islands guarantees fundamental human rights and freedoms which "...shall continue to exist, without discrimination by reason of race, national origin, colour, religion, opinion, belief, or sex."²⁹ The ERA also protects workers from discrimination.³⁰

The Forced Labour Convention, 1930, No.29 and Abolition of Forced Labour Convention, 1957, No.105 are ILO fundamental Conventions. Provisions prohibiting forced labour in the Cook Islands are contained in the Crimes Bill 2017. Section 305 of the Crimes Bill defines "*forced labour ...as the status or condition of a person who provides labour or services in circumstances in which a reasonable person in the same circumstances would not consider the person to be free to stop providing the labour or services, or free to leave the place where the labour or services are provided, even if escape for the person is practically possible or the person has previously attempted escaping.*" A person may prevent or hinder an employee by taking possession of, or maintaining control over the employee's travel documents or identity documents; impeding, restricting or stopping the employee's access to a telephone or the internet, or the employee's movements, and in particular the employee's unaccompanied departure from premises. The Crimes Bill recognizes the role of the labour inspector who is appointed under, and acting in accordance with, the ERA to be able to enter or access premises to which the inspector is entitled to have access under any law, to conduct investigations. The Legislative Review Report³¹ recommended that the scope of the forced labour provisions in the Crimes Bill 2007, especially section 306, is widened to apply to "employees" generally (including all foreign workers who enter Cook Islands and work under a permit), rather than "prohibited employees" only.

With regards to young workers, Section 30 of the ERA prohibits an employer from employing a person who is under 13 years of age. An employer must not, without the approval of the Secretary, employ a

²⁶<https://www.cinsf.com/publications/annual-reports/2017-cinsf-annual-accounts-financial-accounts/>

²⁷ILO Report on the Legislative Compliance Review of Employment and Related Legislation in Cook Islands; 2017.

²⁸Section 33 of the ERA: Minimum Rate of Pay

²⁹Section 66 of the Constitution of Cook Islands. Section 66 lists the fundamental human rights including the right to life, liberty and security, the right to equality before the law, freedom of speech and expression and freedom of peaceful assembly and association.

³⁰Section 54 of the ERA

³¹ ILO Report on the Legislative Compliance Review of Employment and Related Legislation in Cook Islands; 2017.

school-age person (between 13 to 16 years) during normal school hours; or for more than 10 hours per week outside normal school hours; or for work other than light work. The Secretary may only give approval if satisfied that the employment will not give rise to any educational or occupational safety and health risks to the school-age person.³²

2.6 Social Dialogue and Tripartism

Technical support by the ILO to the Cook Islands Government prior to becoming a member in 2015 included a technical review of a new draft labour law in September 2011 by the Governance and Tripartism Department. In 2012 the Employment Relations Act was passed which made some notable progress in relation to providing for minimum standards of employment and strengthening the right to freedom of association and right to bargain collectively.³³ Through cabinet approval³⁴ a National Labour Advisory Council (NLAC) made up of tripartite partners including government, workers' (represented by the Cook Islands Workers Association) and employers' (represented by the Cook Islands Chamber of Commerce) was established in 2016 with a terms of reference and has participated in a tripartite processes for the purpose of annual minimum wage review, legislative compliance review and occupational health and safety review (2017-2018), and consultations on the Decent Work Country Programme (DWCP). The high level tripartite council meets every quarter to dialogue on matters related to labour policies and international labour standards. The social partners, Cook Islands Chamber of Commerce and Cook Islands Workers Association are members of the NLAC chaired by the Ministry of Internal Affairs.³⁵

The Labour & Consumer Services under the Ministry of Internal Affairs deals with matters pertaining to employment as well as hazardous and dangerous goods storage and distribution in the Cook Islands. Industrial relations in the Cook Islands are governed by the Employment Relations Act 2012, which replaced the Industrial and Labour Ordinance (1964). The new legislation was developed with ILO support and engagement of the CIWA and the COC and provides enhanced protection in matters such as freedom of association rights for employees and employers, collective agreements and individual agreements, discrimination, sexual and racial harassment, termination and redundancy and dispute resolution process.³⁶

There are a number of workers' organizations which include the Public Service Association, the Cook Islands Workers Association (CIWA), Nurses Association and the Teachers Association. The largest union is the CIWA established in 1996³⁷ which is affiliated to the International Trade Union Confederation and consists of 1,200 members. CIWA also represents workers interests on the Cook Islands Superannuation Board, the Minimum Wage Committee and the Judiciary Advisory Board.³⁸

The private sector interests are represented by the Cook Islands Chamber of Commerce, which is a voluntary organization of individuals and businesses aimed at advancing the commercial, financial and industrial interests of the Cook Islands. The Cook Islands Chamber of Commerce is a member of the Pacific Islands Private Sector Organization (PIPSO).

³² From ILO Report on the Legislative Compliance Review of Employment and Related Legislation in Cook Islands; 2017. Penalties for breaching Section 30 are: s.30(4): A person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction-(a) in the case of an individual, to a fine not exceeding \$1000; or (b) in any other case, to a fine not exceeding \$5000.

³³ http://www.ilo.org/suva/countries-covered/cook-islands/WCMS_410209/lang-en/index.htm

³⁴ Government memorandum 23rd August 2016, approving the formalization of the National Labour Advisory Council

³⁵ Brief to Tripartite Advisory Council, 29 May 2018, Ratification of ILO Tripartite Consultation Convention, 1976, No.144

³⁶ <http://www.intaff.gov.ck/wp-content/uploads/2014/04/Cook-Islands-Application-for-ILO-Membership.pdf>

³⁷ <http://www.mfem.gov.ck/oldsite/docs/RMD/Tax%20Review/Cook%20Islands%20Workers%20Association.pdf>

³⁸ <http://www.intaff.gov.ck/wp-content/uploads/2014/04/Cook-Islands-Application-for-ILO-Membership.pdf>

2.7 Gender Equality and Non- Discrimination

Women have consistently been represented in political life and the Cook Islands has the highest proportion of female parliamentarians in the Pacific. Women's economic participation is also high, although there is a recognised gender pay gap.³⁹ According to an SPC 2012 report, the Cook Islands has a relatively strong legal and policy framework to support the mainstreaming of gender and women's rights across the whole of government. Most of the major human rights treaties are in force, constitutional precedence is given to non-discrimination over custom, and the National Policy on Women, the National Sustainable Development Plan and the new Gender Equality and Women's Empowerment Policy recognise the importance of gender mainstreaming.⁴⁰

In 2011 the National Policy on Gender Equality and Women's Empowerment (NPGewe) was adopted aimed to end inequalities between men and women in six key priority areas. According to a report by the SPC- 'Gender Equality: Where do we stand?' - efforts to promote gender equality in the Cook Islands is now paying off, with the number of women parliamentarians at its highest ever, with four women members of parliament elected in 2014. The Speaker of Parliament, a female, was appointed from outside of parliament, thus bringing the proportion of women in parliament to five, representing 20 percent of parliamentarians. The Deputy Speaker, appointed in her first term in parliament, is also a woman. A total of 6 out of 13 government ministries are presently headed by women.⁴¹

A large proportion of both women and men are engaged in economic activity. The 2011 Census found that just over 7 out of 10 women (71 percent) either had a job or would work if there was a job available, while the figure for men was 8 in 10. Women are making progress towards achieving equal access to jobs with the same remuneration, status and social benefits as men, with the proportion of women among senior officials and managers, technicians and professionals increasing over the past 10 years. From 2013 the government extended paid maternity leave benefits to women employed in the private sector – an achievement that enables more Cook Islands women to combine work and career development with their family life.⁴² Also, under the Employment Relations Act 2012, all working men employed in the Cook Islands are entitled to no less than 2 working days paid paternity leave and no less than 3 days unpaid paternity leave and guaranteed return to his former position of employment prior to paternity leave.⁴³

Over the past decade, access to services, such as the police and counselling has improved. The Domestic Violence Police Unit established in 2007 has a 'No drop' policy, requiring each report of domestic violence must be followed up, even where a victim withdraws their claim. The quality of services has also improved with strict protocols to ensure that victims are treated with respect and professionalism. Support services and counselling are widely available in Rarotonga, but still lag in the rest of the country.⁴⁴

The CEDAW Law Reform Programme began in 2008, and revisions to a number of acts have been recommended, notably to the Marriage Act and the Crimes Act. The Employment Relations Act (2012) provides maternity leave benefits for women working in the private sector, and includes provisions for the prevention of sexual harassment and new protections from discrimination based on gender and pregnancy.⁴⁵

³⁹ UN in the Pacific; 2017; United Nations Pacific Strategy 2018-2022: A Multi-country sustainable development framework in the Pacific region.

⁴⁰ Secretariat of the Pacific Community; 2012; Stock take of the Gender Mainstreaming Capacity of Pacific Island Governments: Cook Islands; SPC Noumea.

⁴¹ Note that the country has just undergone elections and women's political participation may have changed.

⁴² Secretariat of the Pacific Community; 2015; Gender Equality: Where do we stand?

⁴³ http://www.intaff.gov.ck/?page_id=42

⁴⁴ *ibid*

⁴⁵ *ibid*

2.8 ILO's comparative advantage and links to the UN Pacific Strategy

ILO's comparative advantages are found in its international labour standards, tripartism and social dialogue. International labour standards are the result of discussions among governments, employers and workers, in consultation with experts from around the world and represent the international consensus on how a particular labour problem could be tackled at the global level and reflect knowledge and experience from all corners of the world. The standards' legal character allows them to be used in the legal system and administered at the national level. International labour standards include an ILO supervisory system and technical assistance for country's to implement the conventions they ratify in law and practice. The ILO is the only tripartite UN Agency providing a unique forum in which government and the social partners can freely and openly debate and elaborate labour standards and policies and promote good governance. Tripartite labour advisory bodies plays a key role in supporting the implementation of the DWCP and provide an important focal point for social dialogue on policy issues and are more likely to produce decisions that are democratic, sustainable, informed by experience and "owned" by all constituents.

2.8.1 United Nations Pacific Strategy 2018-2022

The UN Pacific Strategy 2018-2022 aligns its country development strategy with the National Sustainable Development Plan 2016-2020, and areas that provide opportunities for synergies with the Cook Islands DWCP include:

- Outcome 1: Climate Change, Disaster Resilience, and Environmental Protection
 - o Develop agricultural infrastructure as most food is imported and heavily processed; Promote organic, container, and home farming to bolster food security and improve nutrition; Enhance production of traditional food products such as taro and banana (which are more resilient to climate change); Develop sustainable fisheries, especially in the northern islands.
- Outcome 2: Gender Equality
 - o Accelerate gender equality, empower all women and girls, and advance the rights of youth, the elderly, and disabled; Promote greater involvement of women and girls in economic growth.
- Outcome 3: Sustainable and Inclusive Economic Empowerment
 - o Expand economic opportunities, improve economic resilience and productive employment to ensure decent work for all; Help develop attractive economic initiatives to maintain healthy population growth; Assist policy development for the economic development of outer islands, particularly the southern islands; Provide technical training to the Cook Islands' labour force; Find innovative solutions to boost labour supply in shortfall areas such as agriculture.
- Outcome 4: Equitable Basic Services
 - o Improve welfare, reduce inequity and economic hardship; Ensure inclusive and equitable quality education and promote lifelong learning opportunities; Focus on non-formal education and TVET to target capacity development; Support professional development of teachers in the area of ICT.
- Outcome 5: Governance and Community Engagement
 - o Strengthen the use of information, technology, and communication as well as statistics for inclusive development; Provide further statistical training pertinent to labour movement and population; Provide legal and technical advice on drafting of legal bills.

3. Priorities and Outcomes of the DWCP 2019-2022

The agreed priorities and outcomes for the Decent Work Country Programme in Cook Islands 2019-2022, and related indicators of achievement, targets, outcome strategies and outputs, are presented in this section. The three country priorities and corresponding outcomes have been identified as:

Priorities	Outcomes
Priority 1: Advance labour law reform and improve labour administration in line with international labour standards	<ul style="list-style-type: none"> • Outcome 1.1: Revised legislative frameworks are adopted in compliance with international labour standards • Outcome 1.2: Regulations and policies on occupational safety and health and workplace compliance are advanced, aligned international labour standards • Outcome 1.3: Mechanism for a Dispute Resolution and Mediation System is regulated • Outcome 1.4: Fair governance framework on migrant workers and protection of their rights and obligations are enforced in compliance with international labour standards
Priority 2: Enhance labour force development and opportunities for inclusive growth and improved employment prospects, with special attention to youth, women, and persons with disabilities	<ul style="list-style-type: none"> • Outcome 2.1: National labour market statistics and information systems in the Cook Islands are advanced in compliance with international labour standards • Outcome 2.2: Opportunities for decent jobs for young women and men are enhanced through careers guidance, entrepreneurship and skills programmes • Outcome 2.3: Resilience of the labour force to Climate Change is expanded
Priority 3: Promote social dialogue, tripartism and strong representative employers' and workers' organizations	<ul style="list-style-type: none"> • Outcome 3.1: Institutional capacity of Workers' organizations is enhanced • Outcome 3.2: Institutional capacity of Employers' organizations is enhanced • Outcome 3.3: Capacity of constituents to ratify, implement and report on International Labour Standards are strengthened • Outcome 3.4: Effective tripartite social dialogue mechanism is institutionalized

For each of the priorities, a schematic causal overview of the Theory of Change (ToC) is also presented including both the logic model/causal link from activities to outputs to outcomes, and the underlying assumptions.

Promotion of gender equality, tripartism, social dialogue and institutional capacity building are mainstreamed throughout the DWCP priorities. Participation of the tripartite constituents through social dialogue will be encouraged at all stages of implementation of the DWCP and particularly in monitoring and evaluating progress.

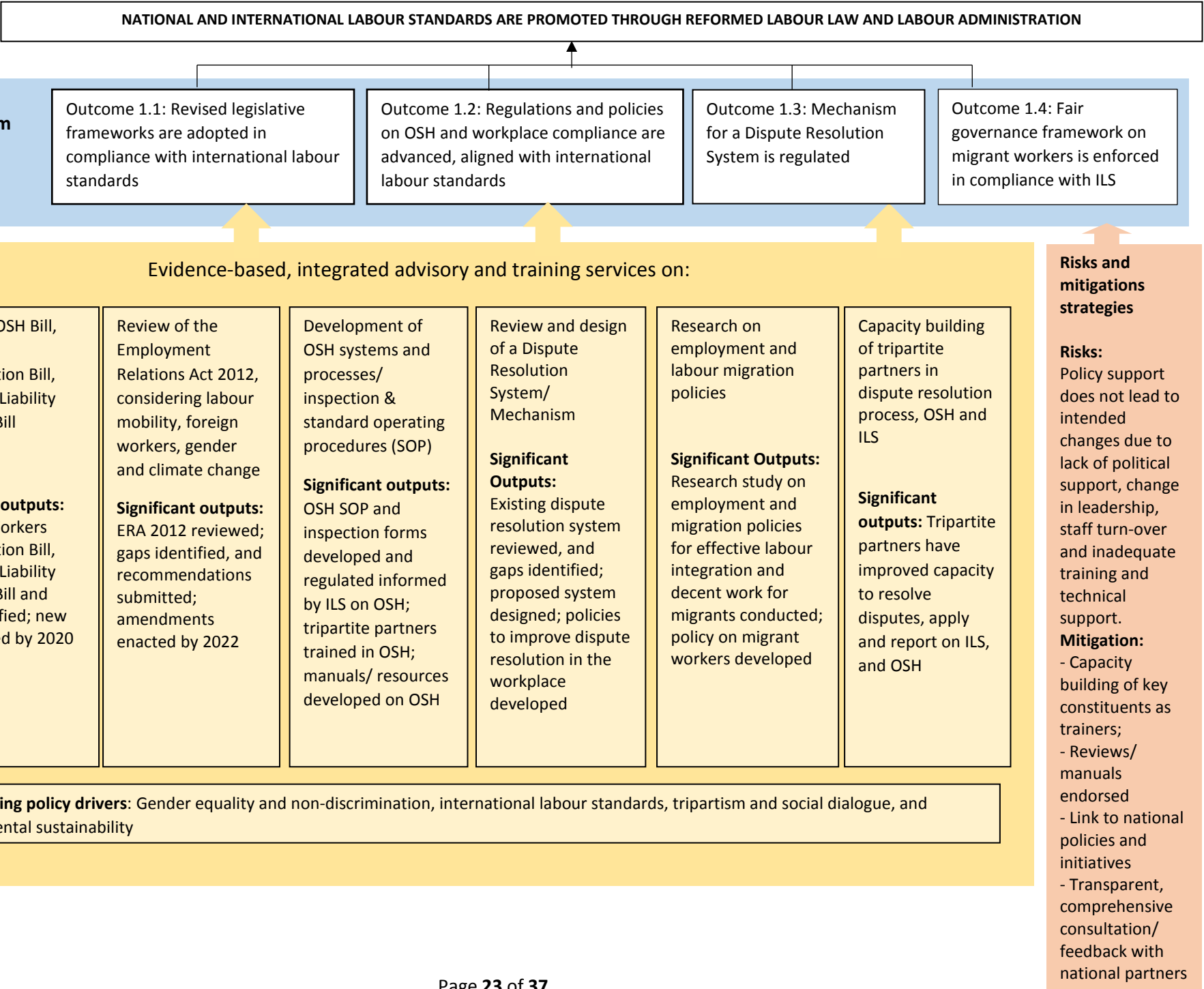
3.1 Priority 1: Advance labour law reform and improve labour administration in line with international labour standards

Outcome 1.1: Revised legislative frameworks are adopted in compliance with international labour standards	
Indicators of achievement	Targets
1.1.1 Bills and regulations (OSH Bill, Workers Compensation Bill and Employers Liability Insurance Bill) are adopted.	1.1.1 OSH Bill, Workers Compensation Bill and Employers Liability Insurance Bill are reviewed and strengthened by end of 2022
1.1.2 Recommendations pertaining to the review of the Employment Relations Act 2012 are adopted.	1.1.2 The Employment Relations Act is reviewed by 2020 and amendments to legislation enacted by 2022 with due consideration to labour mobility, foreign workers, gender and climate change
1.1.3 Minimum wage and cost of living reviews providing updated information are completed annually.	1.1.3 At least one minimum wage review conducted annually with ILO technical support
<p>Outcome strategy: International labour standards provide the normative foundation for the Decent Work Agenda and for ILO's contribution to the SDGs and 2030 Agenda. The Cook Islands Employment Relations Act 2012 promotes the minimum standards of employment and rights to freedom of association and to bargain collectively. Tripartite constituents have identified the need to establish a national tripartite labour advisory body, develop new Occupational Safety and Health Regulations, strengthen dispute resolution processes and undertake a labour force survey.</p> <p>This outcome strategy focuses on strengthening Cook Islands labour laws to be compliant with international labour standards. With support from the NZ Government, the Cook Islands Government is presently conducting a review of OSH legislative and regulatory frameworks with the intention of drafting a new OSH legislation and regulations. Additionally, a 2017 review by the ILO has identified gaps in existing legislation and proposed recommendations for legislative compliance with fundamental international labour standards, including issues protecting migrant/ foreign workers. This outcome will expand the review of the ERA to examine compliance with international labour standards.</p> <p>This outcome strategy will achieve the first phase of strengthening and modernizing labour laws to international standards by conducting technical reviews and promoting active social dialogue with tripartite partners in the process of reviewing legislative frameworks and proposing and endorsing improvements to the legal and policy framework. Gender considerations in the reviews will include addressing issues of maternity protection, sanitary and change room facilities, and gender parity and minimum wages. The ILO will provide technical support to conduct the technical reviews, draft legislation and promote social dialogue on the reviews. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • Technical review of OSH legislation and policies conducted and new legal framework on OSH guided by ILO international labour standard on OSH is developed • Technical review of Employers Liability Insurance, Workers Compensation, Foreign Workers • Review of the Employment Relations Act and other relevant legislation and policies conducted • conducted • Technical review of Minimum Wage and Cost of Living conducted 	

Outcome 1.2: Regulations and policies on occupational safety and health and workplace compliance are advanced, aligned with international labour standards	
Indicators of achievement	Targets
1.2.1 OSH inspections to ensure workplace enforcement and compliance are successfully piloted.	1.2.1(a) OSH standard operating procedures are trialed by mid-2020 1.2.1(b) OSH standard operating procedures are fully implemented by end 2021
1.2.2 Tripartite capacity to conduct OSH inspection and handle chemical and hazardous materials is strengthened.	1.2.2(a) All Labour and OSH officers, including social partners representatives trained in OSH inspection and compliance, and handling chemicals and hazardous materials by end of 2021 1.2.2(b) At least one training workshop on OSH inspection and compliance conducted by each tripartite partner for their members by end 2020
1.2.3 Policies and procedures to improve OSH standards and workplace compliance are adopted.	1.2.3 (a) Two workshops conducted with industries/ employers to develop policies/ procedures to improve OSH standards and compliance by 2019 1.2.3(b) Employer organisations supported to improve OSH policies or procedures by 2021
1.2.4 Manuals and resources on OSH inspection, enforcement and compliance are adopted.	1.2.4 At least one standard operating procedures manual and two associated resources produced by end 2021
1.2.5 OSH- related international labour standards are ratified.	1.2.5 At least one consultation workshop on ILS related to OSH, specifically C162 (Asbestos Convention) and C187 (Promotional Framework for Occupational Safety and Health Convention), conducted by June 2020
<p>Outcome strategy: Unsafe work and poor compliance with the relevant laws and regulations undermine workers' lives and rights and have an adverse impact on enterprise productivity and economic development. This outcome strategy focuses on improving the regulatory and policy frameworks and institutional capacity on OSH in the Cook Islands, informed by an OSH review, currently on-going by the Ministry of Internal Affairs, funded by the NZ Government and with technical support from the ILO. Social partners have been thoroughly involved in the review making it a tripartite project from the start. The capacities of labour administration will be developed to conduct adequate labour/ OSH inspections, including safety procedures for handling chemical and hazardous materials. Further training will also include representatives from workers' and employers' organisations. Equal participation of men and women in training workshops will be promoted. Social dialogue on OSH and workplace and improving industrial relations will be promoted and cross-cutting issues addressing inequalities, gender and non-discrimination, sexual harassment and violence at work, the effects of climate change on the workplace and OSH, will be addressed. This will include promoting gender parity amongst labour and OSH inspectors and including gender considerations in inspection and OSH procedures.</p> <p>The ILO will provide technical support to standard operating procedures for OSH/ labour inspection, guidelines on handling chemicals and hazardous materials and a manual to assist labour inspectors. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • New OSH inspection procedures developed and regulated • Capacity of tripartite partners strengthened in OSH inspection and handling chemical and hazardous materials • C162 and C187 reviewed by tripartite partners and considered for ratification 	

Outcome 1.3: Mechanism for a Dispute Resolution and Mediation System is regulated	
Indicators of achievement	Targets
1.3.1 Proposed dispute resolution and mediation system is designed.	1.3.1(a) Current employment dispute resolution processes/ systems are reviewed by mid-2020 1.3.1 (b) Proposed dispute resolution and mediation system designed by 2021
1.3.2 Capacity of tripartite partners to train others in dispute resolution and mediation is strengthened.	1.3.2(a) Tripartite partner representatives trained on dispute resolution and mediation by mid-2020 1.3.2 (b) Information sharing by tripartite partners for members conducted by mid- 2021 with support from the ILO
1.3.3 Policies to improve dispute resolution measures in the workplace are adopted by employers' and workers' organizations.	1.3.3 At least two dispute resolution policies or programmes implemented and documented by employers and workers organisations by 2022
<p>Outcome strategy: Conciliation, mediation, arbitration and the Labour Court institutions are still in infant stages in the Cook Islands. Workers in Cook Islands believe that these institutions do not strengthen workers positions within the industrial relations system. Officials of the Division of Labour do not have any power to solve industrial disputes therefore most disputes in Cook Islands which are not resolved at the organisation level, cannot get resolved without reference to the parties outside the organisation and the state. Mediators need to be engaged by the respective parties at their own costs, and since, most workers cannot afford to pay for the cost of mediation and/or pay for the cost of taking action in High Court, most worker grievances that are unresolved at the organisation level, remain unresolved.</p> <p>This outcome strategy focuses on establishing a dispute resolution system for workers and employers. This will involve an initial technical review of existing systems and gaps which will propose amendments to existing legislation, draft new legislation or regulations and designing a workable dispute resolution system. The procedures for violence and sexual harassment at work, including sexual harassment and gender perspectives in existing systems will be part of the review. An important component of this strategy is building the capacity and expertise of social partners and the government to implement and improve dispute resolution measures in the workplace and participate in different forms of tripartite social dialogue.</p> <p>ILO technical support will be provided to constituents to build capacity in collaboration with the Turin Centre, to conduct a technical review and pilot a proposed dispute resolution system, and to develop guidelines and materials to assist social partners to train members of Chamber of Commerce and CIWA on resolving disputes in the workplace based on best practices, with attention to underlying issues such as gender, non-discrimination, migrant workers and environment. Gender parity will be promoted in the participation of constituents in training workshops. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • Technical review of dispute resolution systems conducted, and recommendations made to legislation and a proposed system designed • Capacity of tripartite partners to deliver dispute resolution is improved • Capacities of employers' and workers' organisations to develop and implement dispute resolution programmes in the workplace strengthened 	

Outcome 1.4: Fair governance framework on migrant workers and protection of their rights and obligations is enforced in compliance with international labour standards	
Indicators of achievement	Targets
1.4.1 Capacity of tripartite constituents on migrant workers' rights and international labour standards on Migrant Workers is improved.	1.4.1 Tripartite representatives trained on migrant workers' rights and ILS on migrant workers by end 2019
1.4.2 Research studies on employment and labour migration policies are endorsed by tripartite constituents.	1.4.2(a) At least one research study on employment and labour migration policies for effective labour integration and decent work for migrants conducted and findings shared at a national forum by end-2020 1.4.2(b) Research study on employment and labour migration published by end 2021
1.4.3 Capacity of tripartite constituents to develop fair governance frameworks for migrant workers is strengthened.	1.4.3 At least one policy on migrant workers developed in consultation with social partners and endorsed by Government by end 2021
<p>Outcome strategy: According to an analysis of the 2011 census data, there were around 1,500 foreigners aged 15 or above living in the Cook Islands. About 16% of the labour force were foreigners mainly from New Zealand, Fiji, Philippines, other Pacific islands (French Polynesia, Kiribati, Niue, Samoa, Solomon Islands, Tuvalu, Tonga, and Vanuatu) and Australia. Foreign workers were found mainly in the restaurant and accommodation sector where 369 foreigners were employed, representing just over one quarter (27%) of the jobs in that sector. The second biggest sector for foreign workers is wholesale and retail trade, with 196 employed (16% of that sector), followed by the 170 foreign workers in the community and personal services sector (35% of those jobs). Over the years the issue of foreign workers have been raised in the local media citing labour exploitation, the weakness of existing structures which do not allow foreign workers to have their grievances heard and addressed, and the need for stronger regulations governing foreign workers.</p> <p>This outcome strategy focuses on strengthening legislative, policy and regulatory capacity to deliver inclusive services for the protection of foreign/ migrant workers labour rights and promoting decent work for migrant workers. A main outcome of the strategy will be the research on employment and labour migration policies, which will provide recommendations for relevant policies and improved labour market functioning, including policies on domestic workers and sectors involving migrant women workers.</p> <p>ILO technical support will be provided to constituents to build capacity on the related international labour standards including ILO Conventions on forced labour- No.29 and No.105; on migrant workers- No. 97 and No.143 and Recommendations 86 and 151; and on domestic workers- No.189, and also the UN International Convention on the protection of the Rights of Migrant Workers and their Families. Technical support will also be provided to undertake the review and develop relevant policies or procedures. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • Research on employment and labour migration policies for effective labour integration and decent work for migrants conducted, and recommendations made • Capacity of tripartite partners to participate in social dialogue, policy dialogue and implementation on labour migration strengthened • Policy and regulations on fair governance of migrant workers developed 	



3.2 Priority 2: Enhance labour force development and opportunities for inclusive growth and improved employment prospects, with special attention to young women and men, and persons with disabilities

Outcome 2.1: National labour market statistics and information systems in the Cook Islands are advanced, in compliance with international standards	
Indicators of achievement	Targets
2.1.1 Updated data on current labour force trends, including data on young women and men and persons with disabilities, are improved through labour force surveys	2.1.1(a) Consultations with Statistics department, government and social partners conducted and LFS proposal designed by mid-2019 2.1.1(b) Resources for LFS mobilized by end 2019 2.1.1(c) LFS designed by end 2019 and officers trained by start 2019 2.1.1(d) LFS conducted and completed by end 2020 2.1.1(e) Draft report released by end 2021 and final report published by end 2022
2.1.2 Decent work policies and strategies, including young women and men and persons with disabilities, are implemented based on findings of labour force surveys	2.1.2(a) Findings shared with stakeholders at data validation workshop by mid-2020 2.1.2(b) One workshop held with social partners to design position papers based on findings by mid- 2022
<p>Outcome strategy: In 2011, Cook Islands had an unemployment rate of 8.2 percent and a labour force participation rate of 71 percent. Census 2016 reported that total labour force of the Cook Islands is 7,774 people- self-employed workers (988), paid employees (6,028), unpaid workers and volunteers (305) and unemployed (453). Labour force participation rates and employment to population ratio were higher for males than for females. Unfortunately, the Cook Islands, like most Pacific Islands are limited in capacity for data collection and provision of critical data.</p> <p>This outcome strategy focuses on updating data to inform policy development in the Cook Islands on areas such as employment, job creation, sustainable enterprises, green development, and contributes to the NSDP 2016 – 2020, Goal 2, to expand economic opportunities, improve economic resilience and productive employment to ensure decent work for all. Technical support will be provided by the ILO to the National Statistics Department (MFEM) to design and implement a Labour Force Survey (LFS), and to analyse and report on data, in line with the new international standards concerning statistics of work, employment, migrant workers, gender and social protection. Data will be gender disaggregated and the participation of women in the training, design and conduct of the surveys will be promoted. Constituents will be supported to develop position papers to promote decent employment opportunities for all, considering opportunities for women and girls, foreign workers, persons with disabilities and youths.</p> <p>The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • Resources mobilized to conduct the LFS • Design of the LFS is completed in line with resolutions adopted by 19th International Conference of Labour Statisticians, and enumerators and constituents trained on the LFS methodology • LFS is conducted and data processed and analysed • LFS findings presented at stakeholder validation workshop and report prepared and published. 	

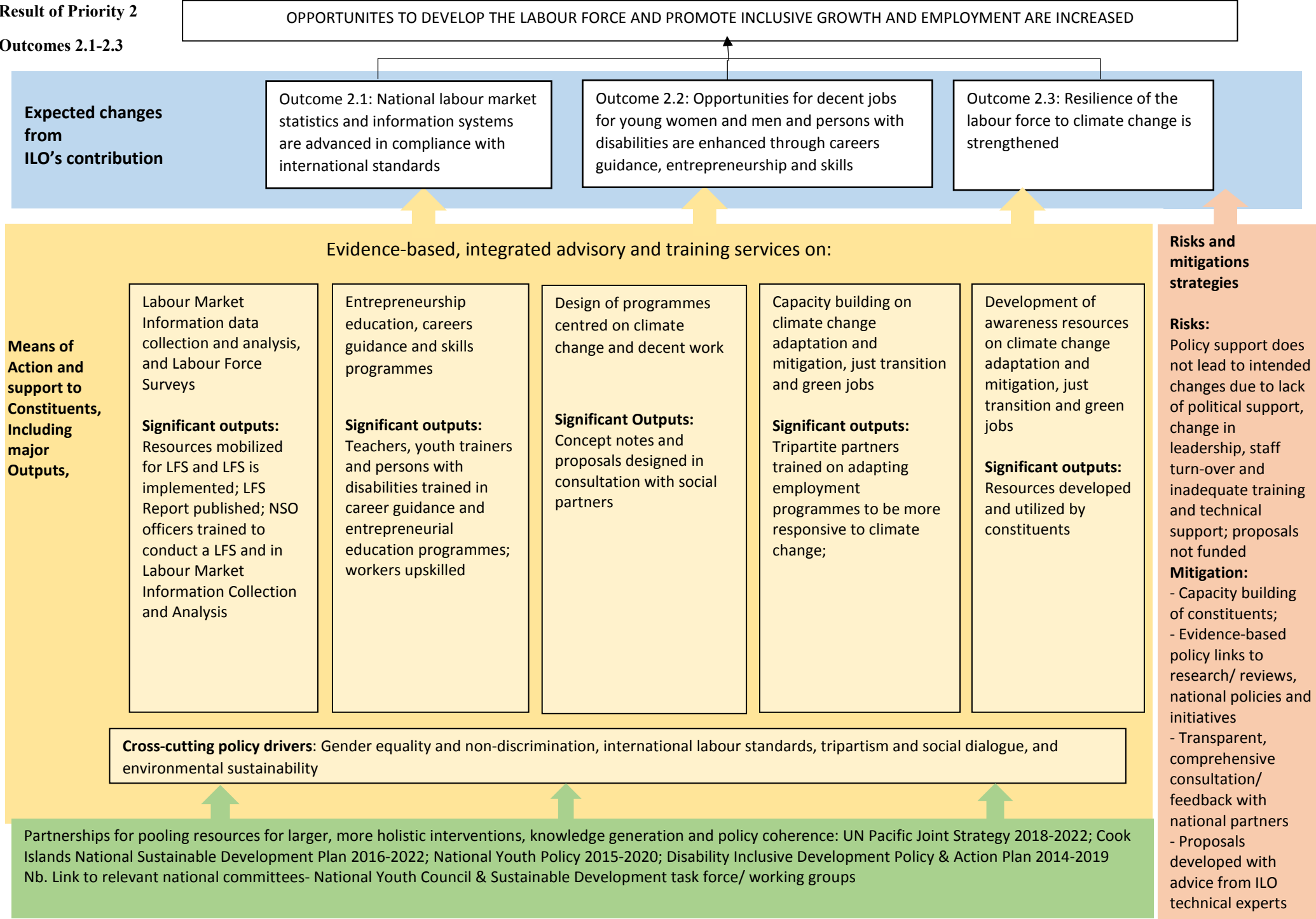
Outcome 2.2: Opportunities for decent jobs for young women and men and persons with disabilities are enhanced through the development and implementation of careers guidance, entrepreneurship and skills programmes	
Indicators of achievement	Targets
2.2.1 Labour force development strategies are implemented to benefit workers and youth entering the workforce, including persons with disabilities and vulnerable groups.	2.2.1(a) Two training workshops on entrepreneurship education and careers guidance conducted with tripartite constituents by end 2021 2.2.1(b) Two careers training workshops conducted for teachers', youth trainers and persons with disabilities by start 2022
2.2.2 Labour force development programmes, including programmes for young women and men and persons with disabilities are implemented and evaluated by constituents	2.2.2(a) Workers' and employers' representatives supported to implement upskilling programmes for members by start 2021 2.2.2(b) Best practices documented by stakeholders and shared at a national forum by 2022 2.2.3(c) Tailored plan of action for Pa Enua labour force developed
<p>Outcome strategy: Over the years the resident population of the Cook Islands has been falling steadily as a result of emigration. With limited employment opportunities, more young people migrate to New Zealand and Australia to search for jobs. The issue of outmigration is reflected in a number of national reports including the MDG 2009 Report which stated that, a fundamental issue that remains a threat to the development of the Cook Islands is outmigration. Economic activity is increasingly concentrated in Rarotonga at the expense of the outer islands which have seen their populations decline. More emphasis has been placed on livelihoods and incentives for Cook Islanders to remain in the Cook Islands or to return home from abroad. This outcome strategy contributes to the CI National Youth Policy 2015-2020 Priority Area 2, to provide economic, education and lifelong learning opportunities for young people, through career guidance, counselling services to inform youth of educational and employment opportunities, and programmes to assist young people transition from school to work. It supports the CI Disability Inclusive Development Policy and Action Plan 2014 – 2019 by promoting opportunities with employers for recruitment of persons with disabilities and encouraging work-place policies on disability.</p> <p>This outcome strategy is focused on implementing multi-pronged strategies that promotes skills and decent jobs for young women and men and implementing programmes that upskill workers and prepare students to enter the labour force. This will include new or improved programmes for young women and men, including persons with disabilities, promoting school to-work transition, apprenticeship, internship and entrepreneurship programmes, soft skills and careers guidance. Gender parity will be promoted in the participation in training workshops and programmes. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • Actions on labour force development for workers in the labour force and youth entering the labour force, developed and implemented through consultation with tripartite constituents • Labour Force development programmes designed focused on upskilling workers, enterprise development, careers development, guidance and pathways for youth, schools and persons with disabilities • Best practices documented and shared 	

Outcome 2.3: Resilience of the labour force to Climate Change is strengthened	
Indicators of achievement	Targets
2.3.1 Capacity of constituents to advocate and create awareness on climate change adaptation, mitigation and just transition, including for women and men and persons with disabilities, are strengthened.	2.3.1 (a) One training programme on climate change resilience, just transition and green jobs for tripartite constituents conducted by 2020. 2.3.1 (b) One advocacy and knowledge package on climate change adaptation, mitigation and just transition developed by 2021 2.3.1 (c) One awareness raising programme at the national level on conservation, improving green jobs and just transition conducted by 2021
2.3.2 Resources to expand programmes on decent work, climate change and sustainable environments, including programmes targeted for young women and men and persons with disabilities are mobilized.	2.3.2(a) Concept note for a climate change project developed in consultation with social partners by mid-2020 2.3.2(b) Proposal for climate change project developed in consultation with social partners and ILO by mid-2020
<p>Outcome strategy: The Cook Islands remains vulnerable to natural disasters, notably cyclones, and can anticipate further risks from climate change. Rising temperatures and extreme weather patterns underscore the importance of adaptation for the Cook Islands. Between 1969 -2010, the nation recorded 74 cyclones. Changing weather patterns mean the destructive storms will only intensify. In 2005, five consecutive cyclones over a two-month period blazed through the nation, causing damage estimated at \$13.7 million. On average, destruction per cyclone totals \$4.5 million, or 2% of the country's GDP. Sea levels surrounding the Cook Islands have risen by 4mm (0.2 inches) per year since 1993 and are estimated to reach up to 58cm (22.8 inches) by 2090. In Rarotonga and Penrhyn, an island in the northern group, maximum temperatures have increased at a rate of 0.09°C per decade. In Rarotonga, the damages due to escalated storm surges are expected to cost \$40 million over the next five decades. Increases in sea temperatures have led to sharp declines in fish species, endangering the nation's food supply and economic resources. The most isolated islands populations are most vulnerable to the extreme changes in weather patterns. The Pa Enua islands, a cluster of isolated islands suffer from persistent droughts and aggressive cyclones. Many residents leave their homes, migrating to higher ground in the southern group or overseas. Since 2007, Cook Islands has been conducting a series of on-the-ground adaptation and disaster mitigation programmes.⁴⁶</p> <p>This outcome strategy focuses on mobilising resources for climate change programmes and building the capacity of constituents, including young women and men and persons with disabilities, to engage in dialogue on climate change with development partners, to create awareness on green jobs and to conduct dialogues on the impacts of climate change in the workplace and the need for just transition. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • Tripartite partners trained on adapting employment programmes to be responsive to climate change challenges • Stakeholder forums conducted to raise awareness on impacts of climate change in the workplace, green jobs and transitioning sustainable development into the world of work • Capacity of tripartite partners to engage in social dialogue with development partners and donor agencies and share knowledge and skills on climate change is strengthened 	

⁴⁶<https://cop23.com.fj/cookislands/>

Result of Priority 2

Outcomes 2.1-2.3



3.3 Priority 3: Promote social dialogue, tripartism and strong and representative employers' and workers' organizations

Outcome 3.1: Institutional capacity of Workers' organizations is enhanced	
Indicators of achievement	Targets
3.1.1 The capacity of CIWA to advocate and train women and men, on social dialogue, ILS, collective bargaining and dispute resolution is strengthened.	3.1.1(a) Training workshop conducted for CIWA members on tripartism and social dialogue, and fundamental and governance Conventions; by 2020 3.1.1(b) Training workshop conducted for CIWA members on collective bargaining and dispute resolution, including the relevant Conventions by 2021 3.1.1(c) One forum on social dialogue conducted for young union members by 2021 3.1.1(d) One forum on social dialogue conducted for female union members by 2021
3.1.2 CIWA membership is expanded, and in particular the membership and participation of women workers.	3.1.2(a) Membership drive conducted by 2020 in Rarotonga and outer islands 3.1.2(b) Resource materials developed to raise awareness on the role of workers' organisations, tripartism and social dialogue by end 2019
<p>Outcome strategy: The Cook Islands Workers Association (CIWA) was established in 1996 and is affiliated to the International Trade Union Confederation and consists of 1,200 members. CIWA represents workers interests on the Superannuation Board, Minimum Wage Committee, Judiciary Advisory Board and National Labour Advisory Council.</p> <p>This outcome is focused on building the capacity of the workers' organizations in the Cook Islands, and in particular promoting gender parity and opportunities for women workers in decision making roles in the workers' body. The ILO in collaboration with ACTRAV will provide technical support to CIWA to strengthen its institutional framework, operations and functions of the organization, increase its' membership through a membership drive and build the capacity of its' members on social dialogue, collective bargaining and dispute resolution based on related international labour standards including Convention No.87 (Freedom of Association and Protection of the Right to Organise Convention) and No.98 (Right to Organise and Collective Bargaining Convention). Training will also be provided through partnership with Public Service Internationale through the Oceania Sub-regional Advisory Council (OSRAC) and through the International Trade Union Congress Asia-Pacific which provides training for youth members annually. Equal participation of women and men in training workshops will be promoted. CIWA will work closely with the Cook Is Civil Society Organisations (CISCO) to ensure relevant issues are consulted at the grassroots level. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • Capacity of workers organization to strengthen operations and design programmes for workers' in consultation with ILO and ACTRAV is strengthened • Capacity of workers organization to increase membership is improved • Capacity of workers to engage effectively in social dialogue is strengthened • Capacity of workers to engage in collective bargaining and dispute resolution is strengthened 	

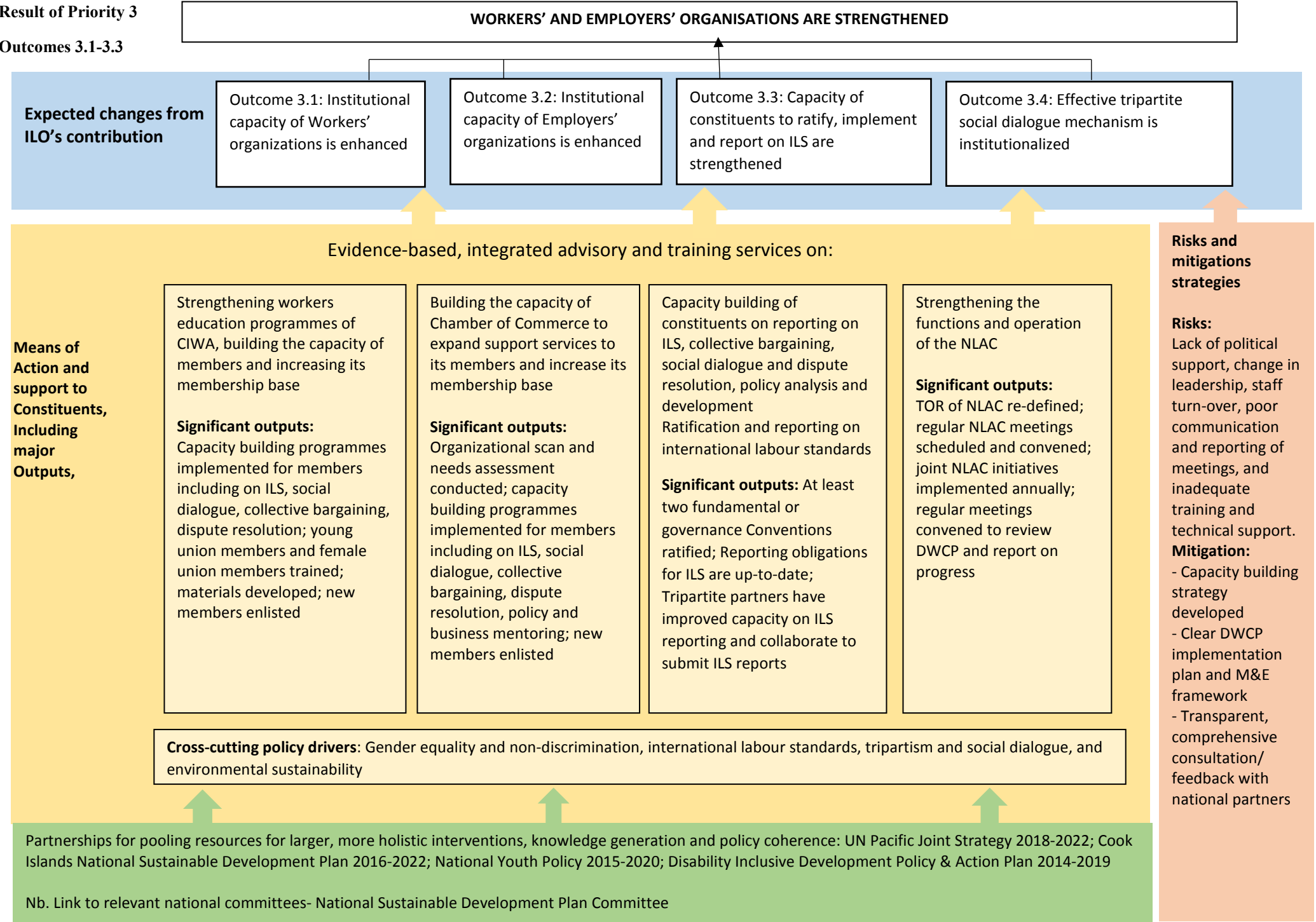
Outcome 3.2: Institutional capacity of Employers' organizations is enhanced.	
Indicators of achievement	Targets
3.2.1 Organizational procedures to improve governance, financial sustainability, and increase membership are implemented by the Cook Islands Chamber of Commerce	3.2.1 (a) Organizational scan and needs assessment of the Chamber of Commerce conducted by end 2019 and sustainability plan developed 3.2.1 (b) Membership drive conducted by mid-2020 and new members approved
3.2.2 Improved workplace policies, are implemented by employers' organisations as a result of strengthened capacity.	3.2.2(a) Employers representatives trained on arbitration, dispute resolution systems and mediation by 2020 3.2.2(b) Employers representatives trained on social dialogue, collective bargaining and tripartism by end 2019 3.2.2(c) Employers representatives trained on policy analysis and development by end 2020 3.2.2(d) Business mentoring training provided by Chamber of Commerce to members by 2021
<p>Outcome strategy: The private sector is the main engine of economic growth and job creation around the world, and as the voice of the private sector, employers' organizations play a critical role in promoting an enabling business environment, but many of them have significant capacity challenges and have to address economic and environmental issues in addition to their traditional mandate to represent the private sector in social policy and in social dialogue processes. Employers' organizations that constantly adapt their structures and services to respond to their members' needs and rapidly changing contexts remain relevant and effective in the long term.</p> <p>This outcome focuses on improving the representation and financial sustainability of the Chamber of Commerce and building capacity of the Chamber of Commerce to be the effective voice for the private sector. A comprehensive organizational scan and needs assessment of the Chamber of Commerce will be conducted to identify capacity gaps including an analysis of members' needs and a gender assessment. Priorities will be determined and marketing strategies to gain members will be outlined.</p> <p>Constituent capacity on analyzing and formulating evidence-based policy and contributing to economic and social development will be strengthened in collaboration with the Turin Centre and ACT/EMP. Training opportunities will be provided for representatives from the Chamber of Commerce and member organisations in resource mobilization strategies, developing relevant member services, on arbitration and mediation and to engage effectively in social and tripartite dialogue on international labour standards and related matters. Equal participation of women and men in training workshops will be promoted. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • Operational capacity of employers' organization is strengthened through addressing human resources and infrastructure needs • Capacity of employers' in policy analysis and development is strengthened • Capacity of employers to comply with and improve labour standards and monitoring is improved • Capacity of employers to train businesses on arbitration and mediation is enhanced • Capacity of employers to engage in social dialogue is strengthened 	

Outcome 3.3: Capacity of constituents to ratify, implement and report on International Labour Standards are strengthened	
Indicators of achievement	Targets
3.3.1 Ratification of fundamental and governance Conventions are approved.	3.3.1 Fundamental and Governance Conventions are discussed and considered for ratification by the end of 2022
3.3.2 ILS reports are completed by the joint efforts of government, workers' and employers' and approved by the CEACR	3.3.2(a) Representatives from government, workers' and employers are trained on the application and reporting of ratified Conventions by end of 2019 3.3.2(b) ILS reports and ILO general surveys are completed and updated annually
<p>Outcome strategy: International labour standards provide the normative foundation for the Decent Work Agenda and for ILO's contribution to the SDGs and 2030 Agenda, however there are gaps in the effective application of standards, largely as a result of deficiencies in legal frameworks, social dialogue institutions and enforcement mechanisms.</p> <p>This outcome strategy focuses on building social dialogue and the tripartite constituents' capacity to engage in ILO standards related processes globally and at the country level, including ratification of standards, implementing of standards, reporting on standards and providing feedback on the comments of the supervisory system. In particular this outcome will provide an opportunity for constituents to discuss and consider for ratification the fundamental and governance Conventions, including the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), Right to Organise and Collective Bargaining Convention, 1949 (No. 98), Minimum Age Convention, 1973 (No. 138), Equal Remuneration Convention, 1951 (No. 100), and Discrimination (Employment and Occupation) Convention, 1958 (No. 111) .</p> <p>The ILO will provide technical support to constituents to ratify Conventions, prepare ILS reports and to build the capacity of social partners to engage with government to review and respond to comments of the CEACR in relation to the application of ratified Conventions. Government partners particularly from the Ministry of Internal Affairs and representatives of the Cook Islands Workers Association and Cook Islands Chamber of Commerce will be engaged in processes leading to the adoption, ratification, implementation, supervision and reporting on standards, supported by the ILO through the <i>Standards Initiative</i> aimed at ensuring that the relevance of ILO's standards- related activities is enhanced and kept relevant and updated (ILO Strategic Plan 2018-2021). National workshops and training opportunities for constituents will be organised in collaboration with the ILO International Training Centre (Turin Centre) and the workers' (ACTRAV) and employers' (ACT/EMP) departments. Equal opportunity for women and men to participate in training workshops and consultations will be promoted. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • At least one fundamental or governance Convention is ratified • Capacity of tripartite partners to implement the recently ratified Conventions No.182 and No.144 are strengthened • Capacity of tripartite partners to report on ratified Conventions and general surveys (Article 19 and Article 22) are strengthened 	

Outcome 3.4: Effective tripartite social dialogue mechanism is institutionalized	
Indicators of achievement	Targets
3.4.1 The National Labour Advisory Council as a coordinating tripartite body is strengthened.	3.4.1(a) Review of the terms of reference for the NLAC by end of 2019 and endorsement by Cabinet 3.4.1(b) At least four NLAC tripartite meetings convened annually 3.4.1(c) At least one joint programme developed and implemented by the tripartite NLAC
3.4.2 Policy papers are endorsed by the National Labour Advisory Council.	3.4.2(a) DWCP document, implementation plans and strategies submitted to NLAC by end 2019 for endorsement 3.4.2(b) Review of OSH and ERA submitted to NLAC, and recommendations endorsed by 2020
<p>Outcome strategy: Tripartism is the ILO's key comparative advantage and central to all aspects of ILO activity. The success of tripartism depends on the existence of strong, representative and independent organizations of workers and employers interacting with each other and with governments in full mutual respect and in a supportive institutional framework. The Cook Islands has a National Labour Advisory Council made up of tripartite partners including government, workers' and, established in 2016 by cabinet approval. The NLAC has a terms of reference to govern its functions and membership. The high level tripartite council meets every quarter to dialogue on matters related to labour policies and international labour standards. The social partners, Cook Islands Chamber of Commerce and Cook Islands Workers Association are members of the NLAC chaired by the Ministry of Internal Affairs.</p> <p>This outcome strategy focuses on building the capacity of the NLAC to function effectively as a tripartite body and nurturing the tripartite mechanism to promote positive and respectful interaction between government, workers and employers. This will be achieved through building the institutional capacity of the secretariat of the NLAC and supporting joint initiatives between members of the NLAC, which may include observing OSH Day or World Day Against Child Labour, conducting joint awareness campaigns and so forth. The Ministry of Internal Affairs will be supported to strengthen its role as the secretariat of the NLAC and regular NLAC meetings will be convened to ensure that social partners are actively engaged in important matters relevant to the employment sector and ILO related work. Gender parity in representation in the NLAC will be promoted. The following major outputs will be delivered during the DWCP period:</p> <ul style="list-style-type: none"> • Terms of reference for the National Labour Advisory Council is reviewed and approved by the tripartite partners • DWCP Implementation Plan and M&E Framework developed and adopted, including joint planning on resource mobilization • Functions of the Secretariat of the NLAC is enhanced • Social dialogue and tripartism is strengthened through joint programmes and initiatives implemented by NLAC members 	

Result of Priority 3

Outcomes 3.1-3.3



4 Management Arrangements and Funding

The Cook Islands government and social partners are both key beneficiaries as well as implementers of the DWCP. In this respect, the government and social partners are expected to participate fully in the management, implementation, monitoring, reporting and evaluation of the DWCP throughout the course of the four years cycle from 2019 to 2022.

The ILO Office of Pacific Island Countries in Fiji, ILO's technical specialists based in the ILO Regional Office for Asia and the Pacific, the ILO's International Training Centre (ITC) in Turin and technical units at ILO headquarters in Geneva (including ACTRAV, ACT/EMP, ILS, Fundamentals, Youth Employment and Skills), will provide technical assistance through advisory services, seminars and capacity building activities.

The implementation of the DWCP will be driven and overseen by the NLAC, which is comprised of the Government, and Employers' and Workers' organizations. Technical secretariat support to the NLAC will be provided by the Ministry of Internal Affairs Division of Labour. The NLAC will perform the functions of a DWCP Steering Committee and will be responsible for addressing operational issues related to DWCP implementation, monitoring and assessing progress, and where necessary propose adjustments in response to changing realities, priorities, or economic and political circumstances. The NLAC members will decide on inviting other relevant institutions to the Committee, specifically for the review of the DWCP. A draft Implementation Plan for the DWCP has been drafted to be endorsed by the NLAC, and is a time-bound plan that outlines the inputs, activities, milestones and outputs required to achieve the outcomes under the 3 priority areas. The progress of the Implementation Plan will be reviewed on a quarterly basis through special sessions of the NLAC and, as necessary appropriate, adjustments will be made to the Implementation Plan.

At the beginning of each biennium, with technical support provided by the ILO Programme Officer for Cook Islands, ILO Specialists and NLAC, a monitoring and evaluation plan will be formulated. The ILO Programme Officer will provide support to the NLAC to produce annual progress reports.

Possible risks relate to political commitments, political stability and legislative/regulatory issues which will be addressed through mitigation measures including:

- i) **Political commitments:** Political commitment from the Government and the Social Partners is essential for the successful implementation of the DWCP. To ensure that the constituents have ownership over the DWCP, the DWCP has been prepared in close consultation with constituents and the DWCP represents the priorities put forward by constituents. These priorities are aligned with national development goals, policies and strategies.
- ii) **Political stability:** A lack of political stability may pose risks to the DWCP. It may for example result in a high rate of turnover senior Government Officials. This possible risk is mitigated through the inclusion in the DWCP of broad-based capacity building activities, and the integration of transparent and comprehensive consultation mechanisms with national partners.
- iii) **Legislative or regulatory issues:** Outcomes of the DWCP involving interventions related to the development of policies, new regulations and procedures, and the strengthening of existing legislation often involve long timeframes. To mitigate these risks, the ILO Office will work closely with the Government and Social Partners to ensure that policies, regulations and procedures are developed or strengthened, based on review findings and synergized with existing national

frameworks. Furthermore, realistic timeframes will be set to implement interventions related to legislative, policy and regulatory processes.

The ILO and NLAC will support internal and external resource mobilization for activities to achieve the objectives of the DWCP and will build on current projects and relationships with development partners, such as the development of OSH legislation and labour force surveys, funded by the NZAID through the Ministry of Internal Affairs.

4 Communications and Advocacy

Effective knowledge management is an important element of results sharing. The Cook Islands DWCP will promote a culture of cooperation, knowledge sharing and strategic engagement with key partners at the national, regional and global levels including across the UN and multilateral levels. Developing these communication and advocacy partnerships will promote the acceptance of evidence-based policy recommendations that are evolving from the DWCP among relevant ministries, social partners, development partners and donors. The NLAC will decide on guidelines for communications for the Cook Islands DWCP including:

- establishing efficient and effective internal and external communication mechanism and tools,
- informing national partners and development partners of the progress and outcomes of the DWCP, and
- showcasing success stories of the DWCP through the Cook Islands TV, radio and printed media as channels for communication.

Key target groups for advocacy and communications include:

- **Government:** Ministry of Internal Affairs (Labour and Youth Divisions), Ministry of Finance and Economic Management, Statistics Division, Ministry of Health, Public Service Commission, Solicitor General's Office, Ministry of Immigration, Cook Islands Tourism Corporation, Police, Local Governments;
- **Social partners:** CIWA and Chamber of Commerce and their affiliated organizations and members;
- **Civil Society:** NGOs and Community-based organizations; youth networks
- **Academia:** University of the South Pacific and other national universities and schools
- **General Public:** community and church groups; networks
- **UN Agencies and Development Partners;**
- **Media:** Cook Islands television operators, radio stations and print media.

The Ministry of Internal Affairs and the Social Partners participate as members of national committees, such as the National Sustainable Development Plan committees. Members of the NLAC who are members of various national committees will share critical findings from the DWCP through these mechanisms to inform policy development, including findings from the Labour Force Survey and other research and reviews completed through the DWCP. Joint initiatives by the members of the NLAC will be developed and implemented, including awareness campaigns for members, stakeholders and the general public, with the aim of promoting the Decent Work Agenda.

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SUSTAINABLE DEVELOPMENT GOALS



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