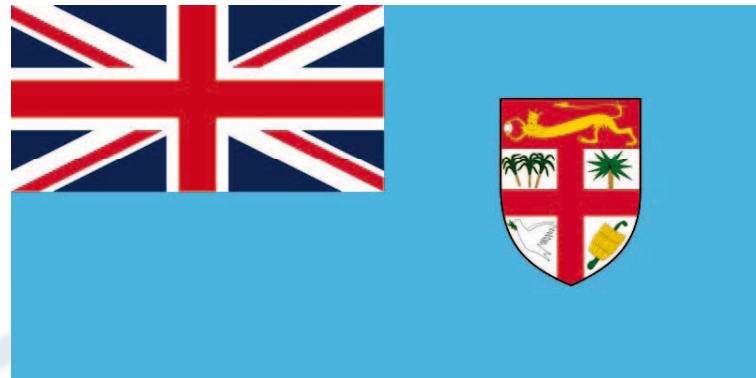




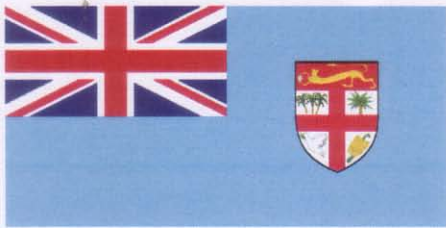
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DECENT WORK COUNTRY PROGRAMME
FIJI



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**THE GOVERNMENT OF FIJI
FIJI EMPLOYERS FEDERATION (FEF) ,
FIJI TRADES UNION CONGRESS (FTUC) ,
AND THE INTERNATIONAL LABOUR OFFICE**

On the occasion of the completion of the above
DECENT WORK COUNTRY PROGRAMME FOR FIJI,
Banyan Room, Holiday Inn, September 2010, Suva, Fiji

For the GOVERNMENT OF FIJI
represented by Hon. Filipe Nagera Bole,
Minister of Labour, Industrial Relations and Employment
Ministry of Labour, Industrial Relations and Employment

for the FIJI EMPLOYERS FEDERATION
represented by Mr. Nesbitt Hazelman, CEO, Fiji Employers' Federation

for the FIJI TRADES UNION CONGRESS
represented by Mr. Felix Anthony, National Secretary, Fiji Trades Union Congress

and the INTERNATIONAL LABOUR ORGANIZATION
represented by Mr. Trevor Riordan – Director a.i., ILO Office for Pacific Island Countries.

HON. FILIPE NAGERA BOLE
MINISTER
MINISTRY OF LABOUR, INDUSTRIAL RELATIONS
AND EMPLOYMENT

MR. NESBITT HAZELMAN
CEO
FIJI EMPLOYERS FEDERATION-FEF

MR. FELIX ANTHONY
NATIONAL SECRETARY
FIJI TRADES UNION CONGRESS -FTUC

MR. TREVOR RIORDAN
DIRECTOR A.I.
ILO OFFICE FOR PACIFIC ISLAND COUNTRIES

International Labour Office

Decent Work Country Programme

Fiji

(2010-2012)

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List of Abbreviations and Acronyms

ACP	African, Caribbean and Pacific
AIDS	Acquired Immune Deficiency Syndrome
AusAID	Australian Agency for International Development
CEARC	Committee of Experts on the Application of Conventions and Recommendations
CHRIS	Computerised Human Resource Information System
DWCP	Decent Work Country Programme
EC	European Commission
EDF	European Development Fund
EEZ	Exclusive Economic Zone
EPA	Economic Partnership Agreement
ERAB	Employment Relations Advisory Board
ERP	Employment Relations Promulgation
EU	European Union
FEF	Fiji Employers Federation
FIBOS	Fiji Islands Bureau of Statistics
FOA/CB	Freedom of Association and Collective Bargaining
FTA	Free Trade Agreement
FTUC	Fiji Trade Union Congress
HDI	Human Development Index
HIES	Household Income & Expenditure Survey
HIV	Human Immunodeficiency Virus
HRD	Human Resource Development
IHRDP	Integrated Human Resource Development Programme
ILC	International Labour Conference
ILO	International Labour Organisation
ILS	International Labour Standards
ITC-ILO	International Training Centre of the ILO
LMIA	Labour Market Information and Analysis
MDGs	Millennium Development Goals
MLIRE	Ministry of Labour, Industrial Relations and Employment
NEC	National Employment Centre
NZAID	New Zealand Agency for International Development
OSH	Occupational Safety and Health
PAC	Pacific Access Category
PACER	Pacific Agreement on Closer Economic Relations
PICs	Pacific Island Countries
PICTA	Pacific Island Countries Trade Agreement
PNG	Papua New Guinea
RO	Regional Office
RSE	Recognised Seasonal Employer
SDP	Strategic Development Plan
SIYB	Start and Improve Your Business
SPC	Secretariat of the Pacific Community
SRO	Sub-Regional Office
STIs	Sexually Transmitted Infections
TPAF	Training and Productivity Authority of Fiji
TVET	Technical and Vocational Education and Training
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
WTO	World Trade Organisation

Introduction

The primary goal of the ILO is to promote opportunities for men and women to obtain decent and productive work in conditions of freedom, equity, security and human dignity. Decent work country programmes (DWCPs) promote decent work as a key component of development policies and at the same time as a national policy objective of governments and social partners. The present country programme is informed by international and regional development agendas including the Millennium Development Goals (MDGs), the United Nations Development Assistance Framework (UNDAF) for the Pacific subregion 2008 – 2012, and the Pacific Plan as well as national development objectives as expressed in Fiji's Strategic Development Plan (SDP) 2007 – 2011.

The Fiji DWCP is the product of tripartite consultations. In August 2009, separate consultations with the **Fiji Trade Union Congress (FTUC)**, the **Fiji Employers Federation (FEF)**, and the **Ministry of Labour, Industrial Relations and Employment (MLIRE)** were followed by tripartite consultations in September 2009 during which priorities were agreed on. The priorities in the DWCP also take due account of Fiji Government's on-going Labour Reform agenda, the outcomes of the regional Tripartite High Level Meeting on 'Decent Work for Sustainable Development in the Pacific' held in Port Villa, Vanuatu between 5 and 9 February 2010, the Biennial Country Programme Review (2006-2007) for Pacific Island Countries (PICs), as well as ILO's comparative advantages vis-à-vis other UN and bilateral development partners, and the regional Tripartite Technical Meeting on Decent Work held in Nadi, Fiji between 26 and 28 November 2007.

This DWCP details the policies, strategies and results required to realise progress in Fiji towards decent work for all. It also reflects the final stages of Fiji Government's Labour Reform programme, and the strategic planning of ILO cooperation activities with Fiji for the period 2010 – 2012. Reflecting the constituents' as well as the ILO experts' assessment of past cooperation, the programme aims at ensuring a strong coherence of ILO activities in Fiji and thus to contribute to the achievement of sustainable impacts to the extent possible.

I. Country Context

The demographic, social and economic situation

Fiji's total land area of 18,272 square kilometres is spread over more than 300 islands of which some 100 islands are inhabited. At the time of the 2007 Census of Population and Housing, Fiji's population was 837,271. The population was comprised of 427,176 males (51%) and 410,095 females (49%). The median age in Fiji was 23.6 years. Fiji's population grew by approximately 0.7% per year between 1996 and 2007 which is a slow growth rate, caused by high rates of emigration and low fertility rates among the Indo-Fijian population group.

Urban dwellers comprised about 51% of the population in 2007, compared to 46% in 1996. The 2007 Census was the first Census which enumerated more people in urban than in rural areas. The increase in the urban population is the result of natural increase and rural-urban migration as well as incorporation of formerly rural areas into the urban sector.

Fiji's population is largely made up of two ethnic groups, indigenous Fijians and Indo-Fijians. Largely due to migration, the Indo-Fijian population has decreased in size relative to the indigenous Fijian population. In 2007, the population was comprised of 475,739 Fijians (57%), 313,798 Indo-Fijians (38%), and 47,734 others (6%). In contrast, in 1996, 51% of the population were indigenous Fijians and 44% were Indo-Fijians. Continuation of present

trends implies that by 2030, about 68% of the population will be indigenous Fijians and about 26% Indo-Fijians. Indo-Fijian fertility has dropped below replacement level.

Fiji faces a challenging future after the military takeover of the elected civilian government in December 2006 and abrogation of the Constitution on 10 April 2009. The average real GDP growth in Fiji was 3.4% in 2006, falling to a negative 6.6% in 2007 in the wake of the 2006 coup. ADB estimates that Fiji's economy grew by just 0.2% in 2008, and forecasts that it will contract by 0.5% in 2009, as key revenue sources such as tourism, remittances and sugar continue to decline. Fiji is experiencing deteriorating physical infrastructure, growing squatter settlements, unproductive farms, and rising unemployment. Although access to health services and education is reasonably good by Pacific standards, the quality of services is poor, especially in rural areas. Already about one third of people in Fiji live below the poverty line, with rural Indo-Fijians and women particularly vulnerable. Fiji is showing signs of decline against some of the Millennium Development Goals, particularly those related to health. In 2006, there had only ever been some 200 officially recorded cases of HIV infection in Fiji and 34 cases of AIDS including 11 deaths. These figures are likely to underestimate the real extent of the infections due to under-reporting and lack of testing materials. Fiji has a human development index (HDI) of 0.743, ranking 103 out of 179 countries with data.¹

The sugar industry has been in decline for years, with exporters routinely failing to fulfil their international commitments. In the first nine months of 2008 production of sugar fell by 17.6% year on year, according to the state-owned Fiji Sugar Corporation. The outlook for tourism is more promising. In the absence of political violence, visitor arrivals have continued to recover, following a fall of 1% in 2007. In the first eight months of 2008 visitor arrivals rose by 12.2% year on year. However, it will become more difficult to attract tourists as global economic conditions deteriorate and disposable incomes in visitor-generating markets come under pressure. Political uncertainties and weakening domestic demand have damaged the confidence of investors, leading to a slowdown domestic credit growth. Construction activity also remains weak. Modest economic recovery from the 6.6% contraction in 2007 has been driven by expansion in tourism, resumption of gold production and niche exports, like bottled water.

The Fiji Government is in the process of negotiating three Free Trade Agreements (FTAs). The 1999 Forum Leaders' Meeting in Palau endorsed in principle a free trade area among Forum Members. In August 2001 nine PICs including Fiji signed the Pacific Island Countries Trade Agreement (PICTA). PICTA is now in place, with the PICTA signatories having made a commitment to trade liberalisation. The Pacific Agreement on Closer Economic Relations (PACER), which has been signed and ratified by all PICs as well as Australia and New Zealand, is seen as an umbrella framework setting out possibilities for trade relations among all Forum members.

WTO Members agreed to let the European Union (EU) maintain its unilateral preference scheme for African, Caribbean and Pacific (ACP) states until the end of 2007. According to Article 36 of the Cotonou Agreement between the EU and ACP states, ACP states and the EU 'agree to conclude new WTO compatible trading arrangements'. On 29 November 2007, Fiji and PNG initialled 'interim' goods-only economic partnership agreements (EPAs) with the EU.

¹ Each year since 1990 the Human Development Report has published the HDI which provides a composite measure of three dimensions of human development: living a long and healthy life (measured by life expectancy), being educated (measured by enrolment at the primary, secondary and tertiary level) and having a decent standard of living (measured by purchasing power parity, PPP, income). Fiji's index was a result of the following indicators in 2006: 68.5 years of life expectancy at birth, a combined primary, secondary and tertiary enrolment ratio of 71.5% and a GDP per capita of PPP US\$ 4,548.

LMIA

The state of labour market information in Fiji is the most developed in the region. Fiji is the only country that has conducted a full Labour Force Survey, the “Employment/Unemployment Survey” which was conducted by the Fiji Islands Bureau of Statistics (FIBOS) in 2004/2005 and published in 2007. FIBOS has recently established a household survey unit to conduct the labour market survey every five years. The unit is also responsible for conducting the Fiji Household Income & Expenditure Survey (HIES). The most recent HIES was conducted in 2003. In addition, labour market information is available from an establishment survey in the form of an Annual Employment Survey, covering all registered establishments. Available administrative records include migration data, the Fiji National Provident Fund (FNPF) database, the Labour Standards database of MLIRE and FEF’s database. Since the Labour Force Survey broadly covers the internationally accepted labour market indicators, and is supplemented by ten-yearly censuses, establishment surveys and administrative data, the labour market data collection instruments are largely in place in Fiji. However, timeliness and frequency are still major issues in the conduct of the Labour Force Survey and the Annual Employment Survey insofar as long delays between survey conduct and publication are experienced, limiting their usefulness for decision-making purposes.

In contrast to the availability of labour market data, analysis and dissemination are less developed. Collaboration between different stakeholders in LMIA has been minimal in the past, and analysis, dissemination and usage of available labour market information has been sketchy. Currently, most labour market analysis is performed by academics, sometimes in collaboration with FIBOS. Although of high quality, dependence on external collaborators does not guarantee a sustainable and consistent stream of labour market analysis in the future.

The Fiji Government has acknowledged the need for improvements in the area of labour market analysis and dissemination. MLIRE and the Ministry of Finance and National Planning are open to collaboration with ILO to strengthen labour market analysis and the Labour Market Information System more in general. In 2006, with assistance of ILO, the Fiji Government has established the Integrated Human Resource Development Programme (IHRDP), which operates as an inter-governmental unit. Among the key objectives of the IHRDP are improvements in labour market information systems and increased collaboration between different stakeholders in LMIA. Recently, steps in the direction of increased dissemination have been taken by the Human Resource Department of the Ministry of Finance and National Planning, through the establishment of a LMIA dissemination website, called “Computerised Human Resource Information System” (CHRIS).

Because of the availability of labour market data collection instruments, ILO’s pipeline LMIA Project will focus on technical assistance in the field of analysis and dissemination. The Ministry of Finance & National Planning is the appropriate body to implement these activities in close collaboration with FIBOS. Technical assistance will also focus on creating a user-friendly LMIA database, easily accessible for all stakeholders. The CHRIS-website is an appropriate basis to work from in this regard. Finally, technical assistance will pay attention to improve the timeliness of survey reports.

Employment

Due to the social and economic consequences of political instability, Fiji has in recent years seen an increase in the unemployment rate. The overall unemployment rate has increased during the 1996-2007 intercensal period from 3.7% to 8.6%. This increase does not come as a surprise, considering that Fiji experienced two coups during this period which have led to a downturn in the economy. In addition, many cane farmers lost their land during this period, due to non-renewal of land leases. In 2007 (as in 1996), female unemployment was about two times higher than male unemployment. Proportionally, during the intercensal period, the

increase in male and female unemployment was about the same. Although rural unemployment in 2007 was still significantly lower than urban unemployment, it has, during the intercensal period increased more than three times.

The 2007 Census enumerated 594,150 persons aged 15 years and above (including 51% males, 49% females). Of these, 326,988 (55%) were economically active, i.e. part of the labour force, and 267,162 persons (45%) were not economically active, i.e. not in the labour force. There were considerable differences between males and females above the age of 15 with 72% of males being economically active, compared to 37% of females.

The economically active persons included 298,974 employed (203,120 males and 95,854 females) and 28,014 unemployed persons (13,835 males and 14,179 females). Of the employed persons, 252,399 earned a monetary income while 46,575 were subsistence workers without monetary incomes.

The 267,162 persons who were not economically active included 131,957 fulltime home workers (of whom 93% are female), 63,262 fulltime students (of whom 52% are female), 19,815 retirees (of whom 36% are female), 5,888 persons with disabilities, 25,707 persons not looking for work and 20,533 others.

The informal economy in Fiji is not particularly visible because much of it is home-based and consists of tailored products, handicrafts and the processing of agricultural produce. The informal service economy is largely confined to local transport providers, food stalls and shoe shine work. Nevertheless, in a situation where rural-urban migration is accelerating and job opportunities in the wage sector declining, the informal sector appears to play an important role in absorbing surplus labour, contributing to GDP and augmenting household income.

In 1999, the ILO Office for the Pacific Island Countries launched the Integrated Human Resource Development Project for Employment Promotion (IHRDPEP), an ambitious attempt to address employment generation in the informal sector in a holistic and coordinated manner. By 2007, the project had initiated 20 income generating activities, of which 17 (85%) were deemed successful. A total of 3,800 jobs were generated during the 8 year period. Being an ILO supported project it was able to draw on the expertise and previous experience of the organization in small business development and community based training.

In response to its commitment to the 2009 *ILO Global Jobs Pact* Government established an independent National Employment Centre (NEC) under the Ministry of Labour to be a "one stop shop" agency to actively engage Fiji's unemployed in meaningful economic activities. The NEC will consolidate, facilitate, coordinate and monitor all our current employment promotion and small business creation activities within Government into four (4) major Employment Services with the aim to boost employment creation and productivity both in the formal and informal sectors, locally and overseas. The four Services are the Formal Employment Service, the Self Employment Service, the Fiji Volunteer Service and the Foreign Employment Service. The IHRDP is a key component of the Self Employment Service under the NEC framework.

Youth employment

Each year over 17,000 new entrants join the labour market in Fiji. About 4,000 of these are graduates of tertiary level technical and academic institutions. An additional 2,400 are laid-off workers seeking new jobs while an estimated 800 are adults who either never attended school or who delayed entering the job market because of domestic commitments i.e. mostly women. The remainder, approximately 10,000, are mainly secondary school leavers who are unable or unwilling to continue their education.

The prospects of these young school leavers obtaining paid employment in the formal sector are limited. In 2004, an estimated 4,000 new jobs were generated by the economy and an additional 5,000 vacancies were created as a result of out-migration and natural attrition in

the labour force. Thus, jobs were available for only about half of those entering the labour market.

Young people experience significantly higher unemployment rates than their adult counterparts and constitute a significant proportion of the unemployed workforce. Recent figures indicate that unemployment in the age-group 15-24 is twice Fiji's national average. Young women are particularly vulnerable, facing higher unemployment rates than their male counterparts and having lower labour force participation rates. The consequences of youth unemployment, underemployment and inactivity are both personal and societal. It is now widely recognized that unemployment in early life can permanently impair young people's employability, as patterns of behaviour and attitudes established at an early age tend to persist later in life. The NEC will specially target unemployed youths into meaningful employment opportunities both in the formal and informal sectors, with emphasis in the productive utilization of lands through Government's new Land Bank initiative.

Skills development

Fiji experiences severe labour shortages which result from the ongoing emigration of skilled labour, as well as low levels of workplace competence. The most severe shortage of skilled workers is in the area of nursing. There is also a strong demand for competent tradespersons, particularly in the construction industry. The trades that require most attention in the construction industry are the finishing trades, such as plaster rendering, plaster board fixing and finishing, painting and tiling. Big hotels expect world-class finishings in tiling, plastering and painting. Construction companies regularly use expatriate labour to do the finishings. Skilled workers are also needed in plumbing, mechanical and electrical trades to install and maintain the services that hotel operators require. Significant training and retraining of the labour force are required in order to develop the tourism industry's potential to the full. There is a shortage of high quality cooks, chefs, barwomen, waiters and even housekeepers. With the opening of new resorts, this shortage is becoming more serious as evidenced by the increase in poaching even of low skilled labour such as bartenders between resorts.

Despite an ample supply of vocational and technical colleges in Fiji, many employers are not satisfied with the quality of training provided at existing institutes, emphasizing the lack of practical training in the form of workplace attachments as a major shortcoming.

The structure of TVET in Fiji includes three principal organizations: The Fiji Institute of Technology (FIT), school-based TVET under the Ministry of Education and non-formal training provided by the Training and Productivity Authority of Fiji (TPAF). In addition, private training institutions constitute an important part of training provision with over 130 registered and approved institutions.

FIT and TPAF are strong institutions and FIT recently became incorporated as part of the new Fiji National University. According to the Training and Productivity Act of 2002, TPAF is the apex organization for technical and vocational training in Fiji. Its mandate is to provide training closely related to industrial and enterprise needs for those outside the school system, and to promote improved productivity within enterprises. Training is provided to school leavers, and workers in enterprises. The quality of training offered by TPAF has been criticised by employers and workers alike. Despite extensive pre-vocational training in secondary schools and widespread vocational training in vocational centres attached to secondary schools, TVET is accorded a relatively low status compared to academic studies, leading to a situation where many students opt against TVET and in favour of academic studies. The National Employment Centre will also provide the pivotal link to facilitate the practical matching of labour supply with labour demand.

Child labour

Fiji has ratified the Child Labour Conventions: No. 138 addressing the Minimum Age of Work; and No. 182 addressing the Worst Forms of Child Labour. The principles of these conventions are addressed in the country's labour legislation which makes provision for the protection of children from child labour. Whilst there are legal provisions for children to be protected from child labour, there remains a need for more vigilant implementation, enforcement and monitoring mechanisms.

The 'Review of the Legislative and Policy Framework in Fiji' report (Siwatibau & Sloan, 2009), commissioned by the ILO-IPEC 'Tackling Child Labour through Education project' (TACKLE), has identified the lack of enforcement of legislation as the biggest gap in the application of the child labour Conventions in Fiji. The Review Report recommends the establishment of a child labour monitoring unit to enforce relevant legislation and coordinate a time-bound response to child labour issues in Fiji. The Review Report also asserts the need for technical assistance to formulate a national child labour policy and strategy, and to establish a centralised child labour database.

The recent Fiji Child Labour Surveys (TACKLE, 2009) conducted in rural agricultural communities, schools, informal and squatter settlements, on the streets and with children involved in commercial sexual exploitation, have found an increasing number of children in Fiji involved in the worst forms of child labour, namely child prostitution, illicit activities such as drug trafficking and hazardous work. Whilst the pathways into child labour are many, the increasing rates of children dropping out of school from primary to secondary level is a major concern as more children have less opportunities to achieve their full potential. Many of these children who are out of school and in child labour are at a very high risk of entering into the worst forms of child labour. For instance, approximately 65 percent of children interviewed who are involved in commercial sexual exploitation are not in school, with the majority being 17 year olds who had dropped out of school 2 to 3 years earlier and then entered into sex work.

In urban areas school dropouts are involved in scrap metal collection; work as wheelbarrow boys, supermarket packers, car washers, bottle collectors, beggars, street and market vendors, construction and mechanical workers and in small scale businesses in the informal sector. An increasing number of children who are still in school also work on the streets and in the informal sector, either missing school days to work or working after school hours or weekends.

In rural areas most school dropouts interviewed were engaged in agricultural activities such as ploughing land using hoes or bullocks; planting and harvesting tobacco, rice, dalo, yaqona; cutting copra; operating machinery; spraying fertilizers; cutting and carrying heavy loads of firewood; fishing or diving for seafood such as sea cucumbers at night; and many are exposed to long hours of work and psychological abuse. Seasonal labour is common in rural agricultural areas, with often negative impacts on education. For example, many children leave school for work during the cane harvesting season and do not return to school at the end of that season. Some children miss school days to assist parents to harvest produce for the market and/or to accompany their parents to the market to sell their produce.

The links between youth employment and child labour illustrate the importance of a life-cycle approach – identifying the key stages of life when young people are vulnerable to poverty and exploitation. Child labour tends to exacerbate the problem of youth employment in so far as it prevents children from acquiring the needed education and skills to compete on the labour market as young adults. Child labour and youth un- and underemployment exist side-by-side in Fiji. While there is a demand for certain types of labour that is met by children, who should not be working, there is a supply of labour from young people that is unutilized or

under-utilized. Further, these disadvantaged youth above the minimum working age but below 18 years are vulnerable to the worst forms of child labour.

Labour migration

As a result of Fiji's political situation, the country is not included in any of the bilateral seasonal or temporary work schemes such as New Zealand's Pacific Access Category (PAC) scheme, New Zealand's "Recognised Seasonal Employer" (RSE) Work Policy, or Australia's trial Pacific guest worker scheme. Nevertheless, Fiji has experienced high rates of migration for several decades. It is estimated that at least 20% of Fiji's current population has migrated permanently since independence in 1970. In the past, approximately 90% of migrants from Fiji were Indo-Fijians, leaving Fiji for reasons of political instability, the unresolved land issue and economic measures by which they feel discriminated against. Most have resettled in the developed Pacific Rim countries. However, recent years have witnessed an increasing number of indigenous Fijian emigrants. Fiji citizens have no privileged access to any country. Many that have migrated to Australia and New Zealand as skilled migrants are family migrants.

National, regional and global development frameworks

Strategic priorities of the Fiji Government are detailed in the **Strategic Development Plan (SDP) 2007 – 2011**. The SDP has the overriding aims of Maintaining Stability and Sustaining Growth, which are divided into several priorities on which the Government of Fiji must concentrate during the next 5 years (see Table 1 in Annex). The policies in the SDP are consistent with the MDGs.

To address its economic and social challenges, Fiji has adopted several regional and global development frameworks. The 8 **MDGs** form a blueprint that respond to the world's main development challenges and are to be achieved by 2015, agreed to by all the world's countries and all the world's leading development institutions (see Table 1 in Annex).

The **Pacific Plan** was endorsed by Pacific Leaders at their Pacific Islands Forum Meeting in Port Moresby in October 2005. With an overall focus of regionalism and sub-regionalism, the Pacific Plan includes 13 strategic objectives under four pillars (see Table 1 in Annex). It makes special reference to find decent income and employment opportunities for the growing number of unemployed youths, school leavers and people living below the poverty line.

For the **UNDAF** cycle 2008 – 2012 a joint UNDAF was undertaken by the UN Country Teams of Samoa and Fiji. This UNDAF was developed based on a review of national and regional plans, strategies and policies from 14 PICs and regional bodies, UN mandates, and UN areas of expertise, which led to the identification of four UN priority areas (see Table 1 in Annex). Particularly important in the analysis was the Pacific Plan, whose objectives closely align with the identified UN priorities. Human rights and gender equality have been mainstreamed in the design, implementation, monitoring and evaluation of programmes in the UNDAF.

The UNDAF has identified opportunities for ILO's involvement and potential partnership. ILO is listed as a partner in most programme outputs under the priorities "equitable economic growth and poverty reduction", "good governance and human rights" and "equitable social and protection services". ILO is the lead partner in the output "enabling environments support employment friendly micro-small and medium-sized enterprises" under the first priority. In addition, there are opportunities for ILO involvement in creating "Green Jobs" under the

fourth priority.² The UNDAF stakeholders' meeting in Suva in May 2007 during which the joint UNDAF was presented, also identified the importance of focused activities dealing with the youth bulge in PICs.

A further regional framework specifically applicable to the promotion of Decent Work, the **Port Vila Statement on Decent Work** incorporating the **Pacific Action Plan for Decent Work** was adopted by Pacific tripartite constituents on 9 February 2010. The Statement and Pacific Action Plan were further endorsed by Pacific Governments and development partners more broadly in the *Vanuatu Outcome Statement of the Pacific Conference on the Human Face of the Global Economic Crisis*. Importantly, the Pacific Action Plan sets out four common priorities for the Pacific region including improved labour market governance, employment and growth, expanded scope of social protection and capacity building of tripartite constituents.

Donor assistance

In the past, Fiji was fully supported by international and regional institutions and bilateral donors which endeavoured to closely align their contributions to the country's priorities. Due to the current political situation, many donors are avoiding to provide direct support to the Fiji Government. It may also be more difficult to generate donor support to support ILO's projects than would be the case under a democratically elected Government.

The Australian aid program valued at \$18 million for 2009/10 focuses on mitigating the economic and social hardship resulting from Fiji's political instability and the global recession. The main focus areas are the Health Sector Improvement Program, the Education Sector Program, and the Australian Civil Society Support Program and Rural Enterprise Development. Aid to the Pacific region is also provided under the *ILO-Australia Agreement for the Asia/Pacific Region for 2010 to 2015*, entered into in April 2010.

The 2005-2010 NZAID/Fiji aid programme strategy remains largely in place despite the December 2006 coup leading to several activities partnering with the Fiji Government being frozen. Programme implementation is now focused on promoting democratic governance, strengthening civil society and assisting people living in poverty, especially those in squatter and informal settlements.

The EU is another major donor in Fiji and has earmarked EURO 30.2 million under the 10th EDF 2008-2013 for the focal sector water and sanitation.

Several UN agencies maintain subregional offices in Fiji. UNDP maintains a Multi-Country Office in Fiji which is responsible for UNDP's national programmes in various PICs. The priorities of UNDP in Fiji are closely aligned to UNDP's global focus on equitable economic growth and the MDGs, good governance and human rights and environmental sustainable management. UNICEF maintains a subregional office in Fiji. Its work is largely driven by country policies. Its three priority countries in the region are Kiribati, Solomon Islands and Vanuatu. UNICEF's Pacific programme in 2008-2012 has five major components. First, health and sanitation in all 14 countries; secondly, education in at least the three priority countries; thirdly, HIV/AIDS among the most at-risk population in at least Fiji, Tuvalu and the three priority countries; fourthly, child protection in at least Fiji, Kiribati, Samoa, Solomon Islands, Vanuatu; and fifthly, policy advocacy, planning and evaluation.

² Efforts to tackle climate change could result in the creation of millions of new **green jobs** in the coming decades, according to the report "Green Jobs: Towards Decent work in a Sustainable, Low-Carbon World" from the United Nations on the impact of the emerging global green economy, released in September 2008. Green jobs reduce the environmental impact of enterprises and economic sectors, ultimately to levels that are sustainable. Changing patterns of employment and investment result from efforts to reduce climate change and its effects are already generating new jobs in many sectors and economies, and could create millions more in both developed and developing countries.

ILO's partnership with Fiji

Fiji became a member of the ILO in 1974. In 1975 ILO opened its Office for the Pacific Island Countries in Suva. Fiji has ratified 33 Conventions including the eight Fundamental Conventions, of which 30 remain in force.

The social partners are the **Fiji Trades Union Congress (FTUC)** and the **Fiji Employers Federation (FEF)**. Labour issues are the responsibility of the **Ministry of Labour, Industrial Relations and Employment (MLIRE)**.

The **Fiji Trades Union Congress** is the national umbrella organisation for trade unions in Fiji and recognised by the Government as the representative of workers. It was originally founded in 1952 as the Fiji Industrial Workers Congress. The FTUC is affiliated to the International Trade Union Confederation and has a close relationship with the Fiji Labour Party. It has 30 trade union affiliates, covering the public and private sectors. Major affiliates include the Fiji Public Service Association, the Fiji Teachers Union, the Fiji Sugar and General Workers Union, the National Union of Hospitality, Catering and Tourism Industries Employees, and the National Union of Factory and Commercial Workers. In 2008, its membership was 32,000. FTUC has vibrant youth and women's wings.

The **Fiji Employers Federation (FEF)** was registered as a private company under the name of Fiji Employers Consultative Association in 1960. It changed its name in 1991 to Fiji Employers Federation. Any organisation that is registered as an employer with the Fiji National Provident Fund (FNPF) is eligible to apply for membership of FEF. Its members cover the full range of private enterprise endeavours, as well as many of the public sector activities entrusted to statutory undertakings or Government owned corporations. In 2004, 236 enterprises were registered as members of FEF, representing 36,248 employees. FEF is a non-profit organization principally financed by members' subscriptions.

The core functions of the **Ministry of Labour, Industrial Relations and Employment (MLIRE)** include the Policy and Legal Service, the Labour Compliance Service, the Labour Administration Service, the Employment Relations Service, the National Occupational Health & Safety and Workers Compensation Service and the Corporate Service. The Policy and Legal Service is responsible for providing sound policy advice and the promotion of workplace productivity. It also formulates and coordinates new policies pertaining to labour matters and facilitates the review of existing labour legislation to be responsive to contemporary practice in industrial relations. The Labour Compliance Service aims to protect workers by ensuring that employers are complying with at least the minimum labour standards under the labour legislations. The Labour Administration Service is responsible for the effective administration of trade unions and industrial associations and is also Secretariat to the Employment Relations Advisory Board and the ten Wages Councils. The legal section is responsible for provision of professional legal advice in all facets of the Ministry's responsibilities and conducts prosecutions on alleged breaches to the administered legislation. The Employment Relations Service facilitates the processing of employment disputes and promotes good faith employment relationships that contribute to productivity, economic growth and employment generation. The National Occupational Health & Safety and Workers Compensation Services aims to promote and maintain a working environment, which is healthy and safe to both workers and employers and directly contributes to improved productivity. It also investigates cases of workplace deaths and injuries for compliance purposes and process workers compensation claims. The Corporate Service is responsible for the management of human resources, finance, assets and human resources development including the administration of the Asian Productivity Organization (APO) overseas programs.

After several years in the making, the Employment Relations Promulgation (ERP) came into effect in April 2008 and the Mediation Services, Employment Relations Tribunal and Employment Relations Court became operational in September 2008. MLIRE presented a discussion paper to the last Employment Relations Advisory Board (ERAB) in May 2009 to

seek five amendments to the ERP. A subcommittee has been set up for the Employment Relations Advisory Board to look at amendments to the ERP. Tripartite institutions have been formalised since the passing of the ERP. Some of the current labour issues in Fiji include a lack of understanding of the new labour legislation, especially among the social partners. ILO assistance is required for the interpretation of certain clauses.

The setting up of a new Productivity Unit within MLIRE is under way which will be linked to the new functions under the ERP. A National Employment Centre aimed at increasing employment has been established with tripartite support. The Centre has the following functions: formal employment service, self employment service, foreign employment service and the introduction of a national volunteer service. This Centre integrates all employment services that are currently administered by different Government ministries. The establishment of a Child Labour Monitoring Unit is also planned.

Currently, the only social security scheme in Fiji is run by the Fiji National Provident Fund (FNPF). It includes a degree of protection for formal economy workers against loss of income due to age, death and disability. Basic health cover is provided by the government but includes a relatively high levy in the form of out-of-pocket expenses. ILO's Social Security for All Study of 2006 showed that a compulsory health insurance scheme was seen as the greatest priority by workers in Fiji. Retirement income support was also rated as a high priority, especially as FNPF's pension scheme is limited to formal economy workers and around 53% of workers have no retirement income at all. A compulsory unemployment insurance scheme was seen as another priority. In addition, the social assistance provided by the government to the poor, elderly, sole parents and homeless families is insufficient and needs to be extended. Social security reform aims at providing social assistance for the working aged population and income security for the elderly and disabled.

Fiji has provided reports on most ratified conventions in time and to the satisfaction of the supervisory bodies.

CEARC has published 33 observations on Fiji. In various observations published in 2008, CEARC has expressed its general satisfaction with the ERP. Some issues are outstanding and include the following: In regards to the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), ratified by Fiji in 2002, CEARC noted in 2008 that a few discrepancies remained between the provisions of the ERP and the ILO Convention. Furthermore, in regards to the Equal Remuneration Convention, 1951 (No. 100), ratified by Fiji in 2002, CEARC asked the Government in 2008 to amend section 78 of the ERP to bring it into conformity with the Convention and to provide information on the measures taken in this regard. It also asked the Government to provide information on any case or dispute concerning equal remuneration for men and women for work of equal value decided by the competent authorities under section 6(2) or part 9 of the Promulgation. CEARC also asked the Government to provide detailed information on the implementation in practice of sections 79 and 80 of the ERP. Finally, CEARC noted that the Government's report on the Indigenous and Tribal Peoples Convention, 1989 (No. 169), ratified by Fiji in 1998, is overdue.

In the past, no formal DWCP document has existed. Nevertheless, ILO has undertaken a range and projects of activities in Fiji (see Table 2 in Annex).

II. Country Programme Priorities

The 2010-2014 ILO Decent Work Country Programme for Fiji was formulated together with the tripartite constituents and fully and comprehensively reflects their priorities. The specific concerns of each of the tripartite partners were voiced in separate meetings, who agreed on four overall priorities in the tripartite meeting, held subsequent to the individual meetings. A draft of this DWCP was then sent to the constituents who were given the opportunity to

provide comments. The four priorities of this DWCP reflect the constituents' needs at the present time, while also responding to Fiji's social and economic needs, corresponding with strategies and activities spelled out in the Pacific Plan, the UNDAF and the SDP. They also take due account of the outcomes of the regional Tripartite Technical Meeting on Decent Work held in Nadi, Fiji, in November 2007, the Biennial Country Programme Review (2006-2007) for Pacific Island Countries, ILO's past initiatives as well as ILO's comparative advantages vis-à-vis other UN and bilateral development partners. Fiji's volatile political and economic situation may compromise the capacity of the tripartite partners to collaborate effectively and to work towards the DWCP priorities. Moreover donor funding is unlikely. Despite these uncertainties, ILO will concentrate on the following four country programme priorities in Fiji within the overarching theme of "decent work for all men and women" and in recognition of ILO's Declaration on the Promotion of Social Justice for a Fair Globalisation:

Priority 1. Review and implementation of the ERP and related legislation;

Priority 2. Promotion of decent employment opportunities;

Priority 3. Extending social protection;

Priority 4. Capacity building of tripartite partners and strengthening of tripartism.

By focusing on these four priorities, ILO's DWCP is closely aligned with the major development frameworks in Fiji (see Table 1 in Annex).

III. Country Programme Outcomes, Indicators and Strategy

Each Country Programme priority includes at least one outcome. Outcome indicators will be used to measure achievement of the outcomes and targets are set for each indicator. Strategy summaries describe the activities and outputs that will lead to the achievement of the outcomes. According to ILO's *Declaration on the Promotion of Social Justice for a Fair Globalisation of 2008*, "Gender equality and non-discrimination must be considered to be cross-cutting issues in the strategic objectives". In this DWCP, gender mainstreaming will be used as a strategy in all DWCP activities in order to promote gender equality.

PRIORITY 1: Review and implementation of the ERP and related legislation

Outcome 1.1: Selective review and improved implementation of the ERP

Outcome indicators:

1.1.1. At least ten amendments to the ERP will have been made.

Target: By 31 December 2012.

1.1.2. The tripartite partners will have agreed on a common interpretation of at least ten currently ambiguous areas of the ERP.

Target: By 31 December 2012.

1.1.3. Improved implementation of the ERP.

Target: A survey among the tripartite partners shows their satisfaction with the working of the Mediation Services and the Employment Relations Tribunal.

Strategy including activities and outputs to achieve outcome 1.1.:

After twelve (12) years of tripartite and wider stakeholders' social dialogue, the Employment Relations Promulgation (ERP) came into effect in April 2008 and the Mediation Services, Employment Relations Tribunal and Employment Relations Court became operational in September 2008.

While the tripartite partners agree that the ERP has generally been working well, there have been a number of practical difficulties. FTUC and FEF have identified gaps and ambiguous areas in the ERP. There are different understandings even within MLIRE. The tripartite partners therefore agree it is time to review sections of the ERP that present impediments to the smooth operation of the labour laws. MLIRE presented a discussion paper to the last Employment Relations Advisory Board (ERAB) in May 2009 to seek five amendments to the ERP. These have already been agreed by the tripartite partners and are currently with the Solicitor General awaiting approval. FTUC has thoroughly reviewed the ERP and drafted a report that it provided to MLIRE.

FTUC is concerned about the jurisdiction of the Employment Relations Tribunal, unfair dismissal procedures and enforcement of minimum wage legislation. FEF is concerned about the maternity leave provisions with small companies struggling to pay for 12 weeks of maternity leave as well as public holidays and mediation procedures.

ILO will organise a workshop with a Labour Law Specialist to identify ambiguous clauses and agree on a single interpretation between the tripartite partners, taking account of international practices and the ILS.

ILO will provide technical assistance for the review of certain clauses of the ERP, including minimum wage legislation, dismissal processes, jurisdiction and mediation in order to improve the clarity, equity and fairness of the ERP. ILO will also conduct an economic impact assessment of the ERP, as suggested by FEF. This assessment will assist with the review of the ERP and will include an economic assessment of the maternity leave provisions.

Following the review process, ILO will provide training for unions and employers' associations on the new labour legislation and its application, ensuring equal participation of women and men. ACTRAV and ACT/EMP will be involved in organising and delivering this training for unions and employers organisations respectively. Joint workshops will be organized with ITC-ILO and NORMES on labour law.

Apart from reviewing sections of the ERP, MLIRE needs to raise awareness on the rights and obligations under the ERP and related labour legislation among workers and employers. This will facilitate the implementation. ILO will provide technical assistance to facilitate this process and will organise a survey among the tripartite partners about their satisfaction with the working of the Mediation Services and Employment Relations Tribunal in particular.

The enforcement of and compliance with the ERP will be enhanced through strengthening the Labour Department. ILO will support this by training and technical assistance to ensure the smooth running of vital institutions such as the Employment Relations Tribunal.

FTUC and FEF will be important partners involved in implementing all activities under Outcome 1.1.

Outcome 1.2: Ratification of ILO Conventions and compliance of Fiji's labour legislation with the International Labour Standards

Outcome indicators:

1.2.1. Compatibility of Fiji's labour legislation with the ILS.

Target: The technical memorandum of the ILO will conclude that the new labour legislation is fully compatible with the ILO Constitution and the Fundamental Conventions.

1.2.2. Ratification of the Maritime Labour Convention (MLC), 2006, with CEARC being satisfied with a detailed first report of good quality on their application.

Target: By 31 December 2012.

Strategy including activities and outputs to achieve outcome 1.2:

The comments by the supervisory bodies address the issue of the compatibility of Fiji's labour legislation with the ILS. ILO will provide technical and other assistance to help Fiji achieve compatibility wherever required.

Fiji has ratified 33 ILO Conventions including the eight Fundamental Conventions and the four Priority Conventions, of which 30 remain in force. The ratification of the MLC, 2006 which sets out seafarers' rights to decent conditions of work and aims at establishing a set of minimum conditions relating to the work and life of seafarers is a priority. ILO will provide technical assistance for the ratification of MLC 2006.

PRIORITY 2. Promotion of decent employment opportunities

Outcome 2.1. Adoption of employment related policies and plans

Outcome indicators:

2.1.1: Adoption and implementation of a National Employment Policy

Target: By 31 December 2011.

2.1.2: Adoption and implementation of a National Strategic Human Resource Plan

Target: By 31 December 2011.

Strategy including activities and outputs to achieve outcome 2.1:

The tripartite partners regard the generation of decent and productive employment in the formal and informal economy as a priority. In the current economic climate, contract employment has been on the rise with the associated insecurity of employment and inadequate working conditions. Existing working conditions in the informal economy are frequently below the minimum standards. Workers in the formal economy do not always have basic security in terms of statutory compensation in the event of closure of a company, unemployment allowance, retraining and access to social security. There are also continuing inequalities in employment and discriminatory treatment of women in the labour force.

After committed tripartite social dialogue in response to the 2009 *ILO Global Jobs Pact*, MLIRE established the first National Employment Centre (NEC) to be a "one stop shop" agency to actively engage Fiji's unemployed in meaningful economic activities under the NEC legislations on 3rd November 2009. The NEC became effective on 1st January 2010, and its target, under Government's 10 Point Plan, (in collaboration with all employment creation entities in the country) is to promote and secure jobs for the unemployed and to bring unemployment rate down from 8.6% (2007 rate) to 4.2% by 2012.

The National Employment Centre will consolidate, facilitate, coordinate and monitor all our current employment promotion and small business creation activities within Government into four (4) major Employment Services with the aim to boost employment creation and productivity both in the formal and informal sectors, locally and overseas. The four Services are the Formal Employment Service, the Self Employment Service, the Fiji Volunteer Service and the Foreign Employment Service. The NEC will manage the Self Employment Service under the Centre of Appropriate Technology and Development (CATD), Ministry of Indigenous Affairs, the Integrated Human Resources Development Programme (IHRDP), Ministry of National Planning and the National Centre for Small and Micro Enterprise Development (NCSMED), Ministry of Trade.

This Centre will cost-effectively integrate all employment services that are currently administered by different Government units and benchmarked them to ISO 9001 quality management standard, ISO 2600 governance standard and the Fiji Business Excellence standard. A national database on unemployment will capture all unemployed persons including women and youth. ILO assistance is required to organise this data.

In addition to the plans to sign employment related Conventions (see Priority 1), MLIRE will draft a comprehensive National Employment Policy after consultations at the National Employment Centre Board and present it to Cabinet for endorsement. This policy will cover a range of areas including LMIA, cooperatives, youth employment, labour migration, gender and women in employment, and the informal economy.

The development and implementation of a National Strategic Human Resources Plan is seen as a priority by the Ministry of Finance and National Planning and the Ministry of Labour, although technical expertise in this area is unavailable. ILO will provide technical assistance to train staff and to assist the Ministry of Finance and National Planning in the implementation of specific action plans as required under the National Strategic Human Resource Plan. The National Strategic Human Resources Plan will need to take into account population projections, youth employment, migration, and will be used to advise scholarship agencies.

ILO recognises the importance of the informal sector in Fiji as a potential source of employment and income generation. Utilizing ILO's Community-based training for rural economic empowerment methodology (TREE), the Government's Integrated Human Resource Development Programme (IHRDP) seeks to link short-cycle skills training for women and youth to self employment and micro enterprise development in the country's rural sector. Technical assistance will focus on strengthening the existing TREE approach with elements of other ILO employment promotion products, such as SIYB and ASSIST, capacity building to implement the methodology at local and community levels and adaptation of materials and instruments to the socio-economic and cultural conditions of Fiji. All these capacity building activities will now come under the jurisdiction of the MLIRE's National Employment Centre.

ILO recognises that the situation and perspectives of young women and men are different and will ensure that women are not only represented in sufficient numbers but that they are provided with appropriate opportunities and means to have their views incorporated. All activities under Outcome 2.1 will be inclusive of persons with disabilities and will ensure equal participation of women and men. The Human Resources Development Convention, 1975 (No. 142) will provide guidance, as this instrument covers both young persons and persons with disabilities. In addition, the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), the Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168) and the Vocational Rehabilitation (Disabled) Recommendation, 1955 (No. 99), will be used as much as possible as tools for legislation, policies and programmes dealing with persons with disabilities. Certain provisions of these Conventions have been incorporated in the ERP 2007 and the NEC 2009 legislation.

Outcome 2.2: Skills development which is relevant to labour market needs and based on improved production and analysis of labour market statistics.

Outcome indicators:

2.2.1. Alignment of skills development to labour market needs.

Target: Skills development initiatives and policies are based on reliable, up-to-date and sex-disaggregated labour market data.

Strategy including activities and outputs to achieve outcome 2.2:

As discussed in the background section, Fiji experiences severe labour shortages particularly in the areas of nursing, construction trades and the tourism industry. Despite an ample supply of vocational and technical colleges in Fiji, many employers are not satisfied with the quality of training provided at existing institutes, emphasizing the lack of practical training in the form of workplace attachments as a major shortcoming.

Labour market data are required to effectively match the demand and supply sides of employment. Some emphasis has to be placed on forecasting future demand of jobs. A national database on unemployment will capture all unemployed persons including women and youth. The National Employment Centre (NEC) is currently capturing this primary unemployment data since May 2010 throughout the whole of Fiji under the 'compulsory registration of unemployed' provision under the new NEC legislation. ILO assistance is required to organize this data.

Because of the availability of labour market data collection instruments, ILO's technical assistance will focus on data analysis and dissemination. The Ministry of Finance & National Planning and the NEC are the most appropriate bodies to implement these activities in close collaboration with FIBOS. Technical assistance will focus on the creation of a user-friendly LMIA database, easily accessible for all stakeholders. The CHRIS-website is an appropriate basis to work from in this regard. Finally, technical assistance will pay attention to improve the timeliness of survey reports.

ILO will provide training for tripartite constituents to increase their capacity to analyse labour market data and use it for policy formulation. Labour market analysis will include sectoral data analysis. Improved LMIA is needed to achieve all the other priorities of the DWCP including improved policy making and the alleviation of unemployment. Skills development can be more closely linked to labour market needs. Improved LMIA will make available sex-disaggregated statistics and thereby assist the discussion of gender aspects.

In addition to improving the use of LMIA for labour market planning, ILO will provide assistance to review the structure of TVET and make recommendations to aligning existing training initiatives more closely with workplace requirements.

Outcome 2.3: Effective progress is made towards the elimination of child labour.

Outcome indicators:

2.3.1. Progress towards developing a National Action Plan for the Elimination of the Worst Forms of Child Labour.

Target: A National Action Plan for the Elimination of the Worst Forms of Child Labour will have been drafted and implemented by 31 December 2010, taking into account the particular needs of girl and boy children.

2.3.2. Mainstreaming of child labour issues into national policies and programmes.

Target: Child labour issues will have been mainstreamed into at least two national policies and programmes.

2.3.3. Progress towards implementation of the Minimum Age Convention, 1973 (C.138) and the Worst Forms of Child Labour Convention, 1999 (C.182).

Target: Labour, education, family and criminal legislation will have been reviewed to ensure their conformity with the ratified Minimum Age Convention, 1973 (C.138) and the Worst Forms of Child Labour Convention, 1999 (C.182) by 31 December 2010.

Strategy including activities and outputs to achieve outcome 2.3:

The ‘**Tackling Child Labour through Education**’ (**TACKLE**) project was launched in Fiji in 2008 and operates in 11 countries from the ACP. The EU-funded 4-year project is implemented by ILO-IPEC and aims to address child labour issues through strengthened legal frameworks and policies, strengthened capacity leading to improved implementation of child labour laws, the creation of replicable models for direct interventions to remove children from hazardous work and give them access to appropriate educational alternatives, taking into account the specific needs of girl and boy children, and an enhanced knowledge base and networks on child labour and education. Recent surveys carried out under the TACKLE project have indicated the existence of child labour, including its worst forms, in Fiji (see background section).

Fiji has ratified the Minimum Age Convention, 1973 (C.138) and the Worst Forms of Child Labour Convention, 1999 (C.182). ILO will help the constituents in building up capacity for the application of C.138 and C.182 with a view to developing and implementing interventions against the worst forms of child labour. Technical assistance will be given for improving the enforcement of existing laws protecting children, and the creation of new employment standards relating to child labour as part of the ERP, and for the mainstreaming of child labour in national policies and programmes. ILO will assist in harmonising the national legislation with standards related to the protection of children from labour and sexual exploitation. ILO will assist the Government in drafting and implementing a National Plan of Action for the Elimination of the Worst Forms of Child Labour. As required by C.182, ILO will assist the social partners to construct a list of hazardous work for children in Fiji. Outcome 2.3 will be addressed through the TACKLE project under which technical assistance and training will be provided.

PRIORITY 3: Extending social protection

Outcome 3.1: Extension of the scope of social protection.

Outcome indicators:

3.1.1. Adoption of a new Workers Compensation Policy.

Target: By 31 December 2010.

3.1.2. Reform of FNPF's pension scheme.

Target: By 31 December 2012.

3.1.3. Development of roadmaps to extend social protection to workers in the informal economy and to introduce a national Unemployment Benefits Scheme.

Target: By 31 December 2012.

Strategy including activities and outputs to achieve outcome 3.1:

Activities in the area of social protection will build on the 2006 'Social Security for All' project in Fiji and will include continued discussions with the Fiji National Provident Fund (FNPF). Currently, the only social security schemes in Fiji are run by the FNPF. They include a degree of protection for formal economy workers against loss of income due to age, death and disability. There is a need to extend existing schemes and introduce new schemes in the fields of health insurance, unemployment benefits and pensions. The tripartite partners agreed that an extension of social protection is a priority, becoming even more urgent in the light of the current global economic crisis. Consideration has to be given to developing a basic social security package for all workers in Fiji including those in the informal economy. Currently, only formal sector workers benefit from benefits under the FNPF.

The Minister for Labour announced in his address to the ILC in June 2009 that the government will strengthen the social protection regime by replacing an outdated workers compensation system and will provide better health care and social security for injured workers, dependents and deceased workers. The new Workers Compensation Policy is planned to be introduced in 2010. In addition, the existing pension scheme is currently under review in order to ensure better coverage and social protection. Reports on pension reform have been completed with assistance from ILO, World Bank, Mercer Australia and lately by Singapore Cooperation Enterprise. There is need to organise a tripartite technical consultative meeting on this report.

ILO will provide technical assistance to support the process of extending social protection. ILO will organize a workshop involving tripartite constituents and the FNPF to develop a road map for the extension of FNPF services. ILO's Programme on Safety and Health at Work and the Environment (SafeWork) will provide technical assistance in the area of social protection, if required.

The social partners are concerned about their lack of representation on the FNPF Board. ILO will organise a workshop with the tripartite partners and FNPF representatives to discuss the importance of representation on the FNPF Board. Technical assistance from the ILO will be provided to review the sustainability of the FNPF Board.

ILO technical assistance will also be provided to assist with the revision of the pension scheme, introduction of an Unemployment Benefits Scheme and to assist with organising informal economy workers and extending social protection to them.

Tripartite constituents will be encouraged to utilise the Social Security (Minimum Standards) Convention, 1952 (C102), as this instrument provides for principles concerning social security schemes and their administration.

Outcome 3.2: HIV/AIDS workplace policies will be adopted and implemented**Outcome indicators:**

3.2.1. The number of workers covered by HIV/AIDS workplace policies.

Target: The number of workers covered by HIV/AIDS workplace policies will have doubled by 31 December 2012, compared to 31 December 2009.

Strategy including activities and outputs to achieve outcome 3.2:

HIV/AIDS is an increasing health challenge in Fiji. ILO is uniquely placed to address the issue through workplace programmes and policies and has a successful record of making the workplace a platform for disseminating programmes on prevention, treatment and support to ensure universal access. Over the past few years, ILO has raised awareness of the social, economic and development impact of HIV/AIDS. ILO constituents have acknowledged the usefulness of the ILO Code of Practice on HIV/AIDS and the World of Work as a tool to guide workplace responses to HIV/AIDS. The constituents have contributed to the adoption of a Fiji National Code of Practice for HIV/AIDS in the Workplace 2008. ILO will assist in the promotion of the Code of Practice.

The awareness of the issue of HIV/AIDS in the workplace will be raised further within unions, employer federations and MLIRE. The full and equal participation of men and women will be ensured. Technical assistance will be provided to establish a database on HIV/AIDS workplace policies. Constituents will be assisted to draft HIV/AIDS workplace policies in accordance with the ILO Code of Practice and International Labour Standards and the recently adopted 2010 Recommendation on HIV /AIDS (no.200)

Through the project “Men as partners in reproductive health”, funded by UNFPA and implemented by ILO, the capacity of workers’ and employers’ organisations will be further strengthened to deal with the issue of reproductive health and HIV/AIDS prevention.

PRIORITY 4. Capacity building of tripartite partners and strengthening of tripartite institutions***Outcome 4.1: Strengthening of tripartite structures and institutions*****Outcome indicators:**

4.1.1. The Tripartite Forum is reactivated.

Target: By 31 December 2012.

4.1.2. The number of meetings regularly held by the tripartite Decent Work Steering Committee to monitor the DWCP with on average at least 30% women.

Target: Tripartite meetings are held at least twice a year, starting in 2011.

4.1.3. The tripartite reports prepared and submitted under the ILO supervisory system.

Target: Annual reports due under the Article 22 of the ILO Constitution on ratified Conventions will be prepared involving the social partners and sent on time to the ILO.

Strategy including activities and outputs to achieve outcome 4.1:

According to the social partners there is a need to strengthen tripartism as tripartite dialogue has not been as frequent and deep as it used to be. The tripartite partners require leadership training in order to strengthen the collective leadership approach. A review of the tripartite institutions including the Tripartite Forum and the FNPB Board is also necessary. The reactivation of the Tripartite Forum has already been approved by Cabinet in 2008 but has remained dormant and needs to be revisited. It is planned to be working before the end of 2012. ILO will provide technical assistance to review the structure, TOR, management, and representation of the Tripartite Forum.

A tripartite Decent Work Steering Committee with representatives of MLIRE, FEF and FTUC will be set up that will be responsible for ILO's DWCP and all other ILO interventions that will be jointly reviewed by ILO and the Decent Work Steering Committee. The active inclusion of women in the Steering Committee will be promoted by ILO. The tripartite Decent Work Steering Committee is envisaged to be a supreme-decision making body in this DWCP. It will participate in preparing a detailed Monitoring and Evaluation Plan for the DWCP and will monitor the progress of the DWCP during the life of the DWCP. FTUC has emphasised the vital importance of ensuring regular meetings of the Decent Work Steering Committee and of including at least one FTUC representative who is consistently involved. Increased tripartism will also lead to improved policy coherence within the Government on social and labour issues.

ILO will continue to assist to upgrade the skills of the tripartite constituents to understand and comment on existing and proposed ILO Conventions and Recommendations and to fulfil the ILS reporting obligations. Specific training on reporting to CEARC will be provided by ILO in order to assist the constituents to discharge the reporting obligations. This is an area where ILO's International Labour Standards Department (NORMES) and the International Labour Standards (ILS) specialists in the field will be of particular assistance. In this connection, technical assistance by NORMES will be provided towards developing and adopting national legislation necessary for ratification, as well as assistance to enable ratification and implementation of some ILO Conventions. The Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) will be used as a tool for legislation, policies and programmes dealing with tripartite consultations on ILS.

A "capacity assessment" of the constituents will be conducted in the first year of the DWCP in order to determine the required organisational capacities and staff skills to deliver DWCP priorities and be actively involved in tripartite institutions. This assessment will incorporate a gender perspective in its design, implementation and outputs with a view to ensuring success in gender-sensitive implementation and thus success on indicators. ILO's International Training Centre (ITC-ILO) will assist with the capacity assessment and determine a range of targeted training interventions over the DWCP period. Training will also be provided by ITC-ILO, preferably in Fiji in order to ensure the participation of a larger number of participants. Training specifically targeting unions and employers' organisations especially in the areas of advocacy of the ERP, mediation services process and the expectations from legal practitioners at Employment Court Sessions will be provided by ACTRAV and ACT/EMP respectively. As a priority, capacity-building activities will be implemented aimed at enhancing the tripartite constituents' capacity of absorbing other programmes and activities under the DWCP.

All constituents require training in the management of tripartite structures and institutions. Some specific training and other needs of the constituents have been identified during meetings with constituents in Fiji. In addition, the skills of the staff of unions and employers' organisations in establishing and managing their organisations need to be upgraded. The capacity of FEF and FTUC to effectively participate in policy implementation also needs to be improved. ILO will provide technical assistance and training to employers and unions to address these areas of need.

Training for unions will include leadership capacity building, training on international and regional trade agreements including PICTA and PACER, and on strategies on organizing and economic and social policy making. There is a need for extending union membership to informal economy workers. In order to do that the unions need to be seen as relevant to the needs of informal economy workers. Capacity building activities will therefore involve training of FTUC in organising activities specifically targeting informal economy workers.

Women and persons with disabilities will be encouraged to be trade union officials with a view to representing the specific interests of women and persons with disabilities respectively in the process of collective bargaining. In order to increase women participation, men need to be sensitized about the benefits of gender-related activities, and need to also be included as champions for these. It is also necessary to educate men about sharing unpaid reproductive work duties more equally with women than is currently the case. This will allow women to find time to participate in training, trade union responsibilities, and other roles of responsibility. ILO will organise awareness raising workshops for the tripartite constituents on these issues.

FEF requires training on the interpretation of labour legislation, the MLC, collective bargaining, and dealing with brain drain and migration. TPAF could be involved here as more effective training is required to fill the gaps caused by migration.

MLIRE requires technical assistance and training for establishing a child labour monitoring unit, and a productivity unit including productivity measurement. In addition, capacity building required for newly appointed Mediators on mediation and conciliation. The Labour Department requires strengthening with the aim of increasing its ability to influence policy development.

IV. Implementation and management

The programme will be implemented by ILO in cooperation with the Government of Fiji, employers' and trade unions' organisations and on the basis and to the extent resources are available or can be mobilised. Fiji's volatile political and economic situation may compromise the capacity of the tripartite partners to collaborate effectively and to work towards the DWCP priorities. Moreover donor funding is unlikely.

In addition to working closely with the tripartite constituents, ILO will attempt to mobilise support of the UNRC and to have joint programmes with other UN organizations. The implementation plan will be developed by ILO after the document is signed and will include biennial milestones with due regard for outputs by the ILO and tripartite constituents, including other implementing partners. The implementation plan will show how tripartite partners are involved in the implementation phase of the programme and what outputs and deliveries are expected from each implementing partner. Outputs and resources will be identified in accordance with current and pipeline projects, their goals and objectives. Extra-budgetary resources and ILO's regular budget resources will be used to finance the implementation of this programme. The ILO network will continue to seek further funding. A costed implementation plan will be developed on a biennial basis. This will take into account the many overlapping interests of ILO and donor agencies. The impact of the global financial downturn will be monitored for potential risks in order for the DWCP to be responsive to any changes that may happen.

The implementation of the programme will be facilitated by the different ILO units including the ILO Office for the Pacific Island Countries in Suva as the lead unit, the Decent Work Team in Bangkok, the Regional Office in Bangkok, the International Training Centre of the ILO (ITC-ILO) in Turin, and technical units at headquarters in Geneva on the side of ILO, and the tripartite Decent Work Steering Committee on the side of Fiji. The Programme implementation plan envisages close collaboration between ILO and tripartite constituents in Fiji. ILO will continue and expand its cooperation with other stakeholders in Fiji such as AusAID, NZAID, the EU and various UN agencies.

The objectives of the programme will be pursued in particular through technical cooperation projects, advisory services, seminars and capacity building. Given the increasing number of DWCPs being developed in the Pacific Island countries, efforts to mobilise resources and share knowledge within the region will be made.

V. Performance monitoring and evaluation arrangements

Monitoring and evaluation of the progress of implementation will be undertaken in order to ensure progress towards achieving results as defined in country outcomes. A detailed Monitoring and Evaluation Plan for the duration of the DWCP will be prepared by the ILO Office for Pacific Island Countries in Suva with the assistance of the tripartite Decent Work Steering Committee within the first six months of the DWCP. The Monitoring and Evaluation template designed by the RO in Bangkok will be used. The RO in Bangkok will be responsible for overseeing the Monitoring and Evaluation Plan which will also define the role of the ILO Office for Pacific Island Countries, and implementing partners in monitoring, reporting and evaluating the DWCP. Since DWCPs are being developed for all ILO member states in the Pacific, there is scope for PICs to share best practices within the region, especially as there are considerable overlaps in the priorities across the region.

The ILO Office for Pacific Island Countries in Suva will also prepare six-monthly output progress reports and annual outcome progress reports. Adjustments to the Monitoring and Evaluation Plans can be made on an annual basis taking account of the progress reports and/or self-evaluation, including changing situations. Work plans will be defined on a biennial basis, based on the implementation plan.

In response to progress reports, adjustments will be made, if necessary, in order to secure the most efficient implementation of the DWCP, and take into account new developments and emerging issues. A comprehensive mid-term review of the DWCP will be done in 2011.

Annex

Table 1: Alignment of DWCP priorities with major development frameworks in Fiji

	Priorities	Corresponding DWCP priorities
Strategic Development Plan, 2007-2011	Promoting peace and harmony	DWCP Priority 3. Extending social protection
	Enhancing security, law and order	DWCP Priority 2. Promotion of decent employment opportunities; DWCP Priority 3. Extending social protection
	Alleviating poverty	DWCP Priority 2. Promotion of decent employment opportunities; DWCP Priority 3. Extending social protection
	Strengthening good governance	DWCP Priority 1. Review of ERP and related legislation ; DWCP Priority 4. Capacity building of tripartite partners and strengthening of tripartism
	Reviewing the Constitution	n/a
	Resolving the agricultural land lease issue	n/a
	Implementing affirmative action	n/a
	Macro-economic stability	n/a
	Restructuring to promote competition and efficiency	DWCP Priority 1. Review of ERP and related legislation
	Raising Export Earnings	n/a
	Raising investment levels for jobs and growth	DWCP Priority 2. Promotion of decent employment opportunities
	Rural and outer island development	DWCP Priority 2. Promotion of decent employment opportunities; DWCP Priority 3. Extending social protection
	Pacific Plan, adopted in 2005 by Pacific leaders	1) Increased sustainable trade (including services), and investment;
Priority 2: Improved efficiency and effectiveness of infrastructure development and associated service delivery;		n/a
Priority 3: Increased private sector participation in, and contribution to, development;		DWCP Priority 4. Capacity building of tripartite partners and strengthening of tripartite institutions
Priority 4: Reduced poverty;		DWCP Priority 2. Promotion of decent employment opportunities; DWCP Priority 3. Extending social protection
Priority 5: Improved natural resource and environmental management;		n/a

	Priority 6: Improved health	DWCP Priority 3. Extending social protection
	Priority 7: Improved education and training	DWCP Priority 2. Promotion of decent employment opportunities;
	Priority 9: Enhanced involvement of youth	DWCP Priority 2. Promotion of decent employment opportunities;
	Priority 8: Improved gender equality	<i>All activities in the DWCP will be inclusive of women and persons with disabilities</i>
	Priority 10: Increased levels of participation and achievements in sports	n/a
	Priority 11: Recognised and protected cultural values, identities and traditional knowledge	n/a
	Priority 12: Improved transparency, accountability, equity and efficiency in the management and use of resources in the Pacific	DWCP Priority 4. Capacity building of tripartite partners and strengthening of tripartism.
	Priority 13: Improved political and social conditions for stability and safety	DWCP Priority 2. Promotion of decent employment opportunities; DWCP Priority 3. Extending social protection
MDGs, adopted in 2000 by all countries, to be achieved by 2015	Goal 1: Eradicate extreme poverty and hunger	DWCP Priority 2. Promotion of decent employment opportunities; DWCP Priority 3. Extending social protection
	Goal 2: Achieve universal primary education	n/a
	Goal 3: Promote gender equality and empower women	<i>All activities in the DWCP will be inclusive of women and persons with disabilities</i>
	Goal 4: Reduce child mortality	n/a
	Goal 5: Improve maternal health	n/a
	Goal 6: Combat HIV/AIDS, malaria and other diseases	DWCP Priority 3. Extending social protection
	Goal 7: Ensure environmental sustainability	<i>Promoting green jobs which is a possible ILO contribution to the UNDAF</i>
	Goal 8: Develop a Global Partnership for Development	n/a
UNDAF, 2008-2012	1) Equitable economic growth and poverty reduction;	DWCP Priority 1. Review of ERP and related legislation; DWCP Priority 2. Promotion of decent employment opportunities
	2) Good governance and human rights;	DWCP Priority 1. Review of ERP and related legislation; DWCP Priority 4. Capacity building of tripartite partners and strengthening of tripartism.
	3) Equitable social and protection services;	DWCP Priority 3. Extending social protection
	4) Sustainable environmental	<i>Promoting green jobs which is a</i>

	management.	<i>possible ILO contribution to the UNDAF</i>
Pacific Action Plan, 2010-2015	1) Improved Labour Market Governance	DWCP Priority 1. Review of ERP and related legislation
	2) Employment and Growth	DWCP Priority 2. Promotion of decent employment opportunities
	3) Expanded Scope of Social Protection	DWCP Priority 3. Extending social protection
	4) Capacity building of Tripartite Constituents	DWCP Priority 4. Capacity building of tripartite partners and strengthening of tripartism

Table 2: Past and present ILO activities in Fiji

Area / Project name	Background / Aims	ILO activities	Duration
Integrated Human Resource Development Programme for Employment Promotion (IHRDPEP)	<ul style="list-style-type: none"> - Employment generation - Human resource development through training - Labour market information 	-	1999-2007
Technical cooperation project: Social Security in Pacific Island Countries (funded by the Netherlands)	<ul style="list-style-type: none"> - The main social security programmes in Fiji are the pension scheme provided through the FNPF; - 	<ul style="list-style-type: none"> - Conduct of baseline social security studies with the aim of determining the areas of productivity improvement of provident fund institutions as well as possible extension of coverage and feasibility studies on extending social security. 	2004-2006
Walking out of Poverty	<ul style="list-style-type: none"> - Employment creation; - Employment in the informal economy. 	<ul style="list-style-type: none"> - Training of poor people in urban and rural areas in vocational skills. 	
Pacific Regional Strategy Implementation Programme for HIV/AIDS		<ul style="list-style-type: none"> - Formulation of a National HIV/AIDS Workplace Policy 	
Strengthening the Creative Industries in Five ACP Countries Through Employment and Trade Expansion (funded by the EU, managed by the	<ul style="list-style-type: none"> - Poverty reduction targeting the creative industries in developing countries; - Strengthening the creative industries in Fiji, Mozambique, Senegal, Trinidad and Tobago and Zambia; - Through offering policy guidance to decision-makers as well as providing entrepreneurship training for people working in the creative sector, this project is tackling the 	<ul style="list-style-type: none"> - ILO's contribution will be in the area of employment perspectives for artists and the enhancement of entrepreneurial skills of artists. 	Pipeline project: 2009-2013

Secretariat of the African, Caribbean and Pacific Group of States, and implemented jointly by the ILO, UNCTAD and UNESCO)	challenges facing the creative industries.		
TACKLE (“Tackling Child Labour through Education”) project (funded by the EU)	<ul style="list-style-type: none"> - Addressing child labour issues through strengthening legal frameworks and policies, strengthening capacity leading to improved implementation of child labour laws, creating replicable models for direct interventions to remove children from hazardous work and give them access to appropriate educational alternatives. 	<ul style="list-style-type: none"> - Formation of a Project Advisory Committee on Child Labour; - Conduct of a legislative review of child labour; - Finalisation of research paper; - Training of seven persons in Turin; - Support to FEF for the organisation of workshops. 	2008-2012
Men as Partners in Reproductive Health (funded by UNFPA)	<ul style="list-style-type: none"> - Building of capacity workers’ and employers’ organisations in the areas of HIV/AIDS prevention, domestic violence, gender issues and reproductive health 	<ul style="list-style-type: none"> - Some 1,000 in 30 organisations have already been reached. 	2006-2010
Capacity building	<ul style="list-style-type: none"> - Awareness raising among tripartite constituents on collective bargaining, ILS, reporting obligations to ILO supervisory mechanism, labour laws, OSH, HIV/AIDS. 	<ul style="list-style-type: none"> - Training in the areas of labour law, industrial relations, tripartism and social dialogue, conciliation, mediation and dispute settlements; - Equipment provided to FTUC and FEF. 	Ongoing
Labour market information and analysis’ (LMIA)	<ul style="list-style-type: none"> - Improving labour market information and analysis. 		Pipeline project
Improving OSH in Ports	<ul style="list-style-type: none"> - Improving working conditions and the welfare of maritime workers and of workers involved in cargo handling. 		Pipeline project