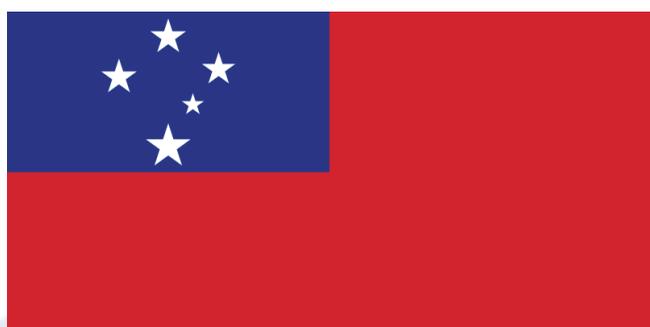




International  
Labour  
Organization

International Labour Organization  
**DECENT WORK COUNTRY PROGRAMME**

**SAMOA**





International Labour Organization

THE GOVERNMENT OF SAMOA,  
THE CHAMBER OF COMMERCE & INDUSTRY OF SAMOA,  
THE SAMOA PUBLIC SERVICE ASSOCIATION, AND  
THE INTERNATIONAL LABOUR OFFICE

On the occasion of the completion of the Decent Work Country Programme (DWCP) for Samoa,  
28<sup>th</sup> April 2009, at Aggie Grey's Resort, Apia, Samoa,

For the Government of Samoa represented by the Deputy Prime Minister and Minister for  
Commerce, Industry and Labour, Honourable Misa Telefoni Retzlaff;

for the Chamber of Commerce & Industry of Samoa represented by the President, Mrs Sina  
Retzlaff-Lima;

for the Samoa Public Service Association, represented by the President, Mrs. Solialofi Papali'i; and

for the International Labour Organisation, represented by Mr. Werner Blenk – Director, ILO Office  
for Pacific Island Countries.

Honourable Misa Telefoni  
Retzlaff, Deputy Prime Minister  
& Minister for Commerce,  
Industry & Labour

Mrs. Sina Retzlaff-Lima  
President  
Chamber of Commerce & Industry  
of Samoa

Mrs. Solialofi Papali'i  
President  
Samoa Public Service  
Association

Mr. Werner Blenk

Director

ILO Office for the Pacific Island Countries

**International Labour Office**

**Decent Work Country Programme**

**Samoa**

**(2009-2012)**

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**FINAL REVISED DRAFT**

**20 April 2009**

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## List of Abbreviations

ADB	Asian Development Bank
AIDS	Acquired Immune Deficiency Syndrome
AusAID	Australian Agency for International Development
CEARC	Committee of Experts on the Application of Conventions and Recommendations
DWCP	Decent Work Country Programme
EC	European Commission
EDF	European Development Fund
EEZ	Exclusive Economic Zone
EU	European Union
FOA/CB	Freedom of Association and Collective Bargaining
HDI	Human Development Index
HIES	Household Income & Expenditure Survey
HIV	Human Immunodeficiency Virus
HRD	Human Resource Development
ILC	International Labour Conference
ILO	International Labour Organisation
ILS	International Labour Standards
ITC-ILO	International Training Centre of the ILO
JSPS	Joint Samoa Program Strategy
LMIA	Labour Market Information and Analysis
MCIL	Ministry of Commerce, Industry and Labour
MDGs	Millennium Development Goals
MOF	Ministry of Finance
MTDS	Medium Term Development Strategy
MWCSD	Ministry of Women, Community and Social Development
NZAID	New Zealand Agency for International Development
OSH	Occupational Safety and Health
PICs	Pacific Island Countries
PNG	Papua New Guinea

RO	Regional Office
RSE	Recognised Seasonal Employer
SAME	Samoa Association of Manufacturers and Exporters
SBDP	Small Business Development Project
SBEA	Small Business Enterprise Association
SDS	Strategy for the Development of Samoa
SIYB	Start and Improve Your Business
SPSA	Samoa Public Service Association
SRO	Sub-Regional Office
STIs	Sexually Transmitted Infections
STUC	Samoa Trade Union Congress
TALAVOU	Towards a Legacy of Achievement, Versatility and Opportunity through Unity
TVET	Technical and Vocational Education and Training
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
USP	University of the South Pacific
WTO	World Trade Organisation

## Introduction

The primary goal of ILO is to promote opportunities for women and men 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 the Strategy for the Development of Samoa (SDS), 2008-2012. The DWCP is the product of tripartite consultations. In December 2008, separate consultations with the **Samoa Trade Union Congress (STUC)**, represented by the **Samoa Public Service Association (SPSA)**, the **Samoa Chamber of Commerce and Industry**, the **Samoa Association of Manufacturers and Exporters (SAME)**, and the **Ministry of Commerce, Industry and Labour (MCIL)** were followed by tripartite consultations during which priorities were agreed on. The priorities in Samoa also take due account of the outcomes of the regional Tripartite Technical Meeting on Decent Work held in Nadi, Fiji between 26 and 28 November 2007, the Biennial Country Programme Review (2006-2007) for Pacific Island Countries, as well as ILO's comparative advantages vis-à-vis other UN and bilateral development partners. This DWCP details the policies, strategies and results required to realise progress towards decent work for all. It reflects the strategic planning of ILO cooperation activities with Samoa for the period 2009 – 2012, in alignment with the UNDAF and the SDS. 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 Samoa and thus to contribute to the achievement of sustainable impacts.

## I. Country context

### The demographic, social and economic situation

Samoa was the first island state in the Pacific to become independent in 1962 and until 1994 it was identified as Western Samoa. It comprises nine islands with the

population concentrated on the two main islands of Upolu where the capital Apia is located and Savaii. Samoa's total land area is 2,934 skm. The 2006 Census of Population and Housing enumerated 179,186 persons, a slight increase from the 176,710 enumerated five years earlier. In 2006, the population was comprised of 92,961 males (52%) and 86,225 females (48%). In 2006, 37,237 people or 21% of Samoa's population lived in Apia.

The median age for Samoa is only 19.7 which, together with a continuing high birth rate, means that Samoa will continue to have a very youthful population. The estimated annual population growth rate between 2006 and 2015 is 0.8% which, due to considerable emigration, is lower than in most other PICs.

Sound economic management and high governance standards have led to strong economic growth in recent years. The annual growth rate of GDP was 3.1% in 2007 and 3.3% in 2008. ADB has forecast that real GDP growth will average 2.5% in 2009. Absolute poverty is not evident in Samoa which can be attributed to strong traditional social institutions, the church and considerable remittance income. However, increasing population pressures particularly in Apia are putting stress on services and communal systems. In 2006, Samoa had a human development index (HDI) of 0.760, ranking 96 out of 179 countries with data.<sup>1</sup>

The Samoan economy is vulnerable due to remoteness, income volatility, limited economic diversification, susceptibility to natural disasters, environmental damage and limited institutional capacity. Samoa's reliance on development assistance from overseas looks set to continue, despite the recent success of the tourism industry. The economy is heavily reliant on private remittances from overseas, particularly from New Zealand, where many expatriate Samoans live. Such remittances are likely to fall in 2009-10, given the prolonged recession that is expected in New Zealand.

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<sup>1</sup> 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 adult literacy and enrolment at the primary, secondary and tertiary level) and having a decent standard of living (measured by purchasing power parity, PPP, income). Samoa's index was a result of the following indicators: 71.1 years of life expectancy at birth, an adult literacy rate of 98.7%, a combined primary, secondary and tertiary enrolment ratio of 74.1% and a GDP per capita of PPP US\$ 3,828.

## **Employment and the labour market**

The 2001 Census enumerated 104,688 persons over 15 years of age, of which 52,945 were grouped as economically active (51%). The economically active group included 36,739 males and 16,206 females. Of the economically active group, 47% were engaged in paid employment, 3% were self-employed, 1% were paid workers in a family enterprise, 5% were looking for work and 44% were unpaid subsistence workers. For the economically inactive group, 24% were attending school, 15% reported not doing any activity and 61% were involved in housework.

The Census also provided an analysis of employees by sector of employment. This showed that 26% worked for government ministries, 12% worked for government corporations and 62% worked for the private sector, both formal and non-formal. In regards to industry, the majority of the working population were in the agriculture, fisheries and forestry sector, pointing to the agricultural base of the economy in Samoa.

MCIL carried out three labour market surveys in the years 2000, 2001 and 2004. The surveys were of the formal private sector employers (2000 and 2004) and the semi formal sector (2001), the latter referring to those who work for themselves or 'unpaid' workers in family run ventures. In the survey of the semi formal work force, a total of 870 ventures were covered. It was found that 88% of these ventures were run by males and 12% by females.

Coverage of the formal private sector employers was almost 100%. The total workforce registered for all private sector industries was 12,168 (including 41% females) in 2000. In 2004, there were a total of 15,854 employees including 9,533 males (60%) and 6,321 females (40%). 46% of the overall private sector workforce was under 30 years of age but 49% of working women were under 30 years of age compared with 44% of working men. The number of permanent public servants in 2004 was 3,761 including 2,087 males (55%) and 1,674 females (45%). 32% of the Public Service workers were under 30 years of age compared with 46% of workers in the private sector.

Due to the global economic downturn, the current employment situation in Samoa is tough, with 53% of employers having frozen or cut employment in recent months. Samoa's largest private employer, a Japanese-owned vehicle-parts company, Yazaki

Eds Samoa, is facing severe financial strife as a result of the global slump in the automotive industry. Owing to the global economic situation, the tourism industry is likely to experience only weak growth in 2009.

Samoans have a long history of emigrating to New Zealand, the United States and Australia. A new employment opportunity has opened up as Samoa is part of a scheme for the seasonal employment of workers in the horticulture and viticulture industries from some PICs which has been trialled by New Zealand since April 2007. The pilot scheme of the “Recognised Seasonal Employer” (RSE) Work Policy was introduced for workers from Kiribati, Tuvalu, Vanuatu, Samoa and Tonga.

By June 2007, the Samoan Government had received as many as 4,000 applications for the RSE scheme, indicating a high level of interest within the population. 640 workers were recruited by April 2008 with the number to be lifted to 1,000 in 2009. Representatives of both the governments of Samoa and New Zealand expressed satisfaction with the way the scheme had progressed. The scheme is administered by the Ministry of the Prime Minister and Cabinet which also organises pre-departure training with input from Immigration New Zealand on various aspects of living and working in New Zealand including climate, clothing and footwear requirements, taxation, insurance (particularly health insurance), health and wellbeing, accident compensation, banking and remitting, budget advice and travel arrangements.

Recent years have also seen an increase in the number of migrant workers in Samoa, many coming from neighbouring PICs. There are concerns that their rights at work are not always protected.

### **Youth employment**

In 2001, there were 1,621 unemployed males and 999 unemployed females in Samoa. Of the 1,621 unemployed males, 879 or 54% were between 15 and 24 years of age. Of the 999 unemployed females, 638 or 64% were between 15 and 24 years of age.

The Household Income and Expenditure Survey 2002 by the Ministry of Finance highlighted the main challenges faced by youth which are rural to urban migration and the inability of the Samoan economy to provide sufficient paid employment to the majority of its youth. Most school leavers are poorly equipped to compete for scarce

jobs in terms of knowledge and marketable skills and young people face certain disadvantages in the labour market which often include a lack of labour market information, a lack of employment experience and constraints to self-employment.

Young people with limited education, especially those dropping out of school early, are particularly vulnerable because the current education system provides few opportunities for training of school dropouts. There is also an emerging problem of child labour linked to tourism and the inability to enforce compulsory education in Samoa.

MCIL is the only provider of apprenticeship training in cooperation with the National University of Samoa Institute of Technology (NUSIOT). The Apprenticeship Scheme was established by the Apprenticeship Act 1972 and Apprenticeship Regulations 1973. It is administered by MCIL under the general supervision of a tripartite Apprenticeship Council, which is chaired by the CEO of MCIL, with other members including the Chairman of PSC, the CEO of the Ministry of Works, the President of the Chamber of Commerce, a representative of NUSIOT, a representative each of workers in the electrical trade, the carpentry/joinery trade and the mechanical trade. The seven areas currently covered under the apprenticeship scheme include Automotive Engineering, Plumbing, Electrical Engineering, Fitting & Machining, Carpentry & Joinery, Welding & Fabrication, and Refrigeration & Air Conditioning.

### **National Youth Policy and the TALAVOU Programme**

The Samoan Government is committed to improving opportunities for youth, as stated in its National Youth Policy (2001-2010) which defines youth as aged between 12 and 29 years. The Government's vision for youth is "For every Samoan youth to have the freedom to enjoy all human rights, with equal access and opportunities to participate and contribute fully to all aspects of development." A total of 21 policy areas are emphasized in the policy document, out of which the highest priorities have been accorded to youth health, education and training, employment and occupation, justice, natural resource use and recreation. Among the major issues that the Government hopes to address through the policy document are (i) youth unemployment and lack of employment opportunities; (ii) education and the high rate

of school drop outs; (iii) lack of viable alternatives for school drop out; and (iv) youth crime.

The TALAVOU (Towards a Legacy of Achievement, Versatility and Opportunity through Unity) Programme is a combined effort of the Government of Samoa and the United Nations and is coordinated and managed by the Division for Youth of the Ministry of Women, Community and Social Development (MWCSD) with the support of the Ministry of Finance, and the United Nations Country Team. It is the leading project for national youth development, and is primarily funded by UNDP for the period of September 2005 – September 2009. The programme puts into action the Samoa National Youth Policy, adopting a holistic and sector-wide approach to youth development. Its four objectives are

1. Self worth improvement initiatives: To improve the self worth of Samoan youth through education and training and other capacity building measures;
2. Skills formation and human development initiatives: To foster flexible and inclusive learning environments conducive to school retention, skills formation and human development for youth in formal and informal sectors by 2009;
3. Income generation and livelihood initiatives: To increase employment and income generation opportunities for urban and rural youth in formal and informal sectors by 2009;
4. Programme management and coordination: To strengthen the capacity of the Division for Youth in collaboration with stakeholders, in managing the implementation of the Samoa National Youth Policy through the TALAVOU Programme.

In the Programme's logframe, ILO is mentioned as one of the agencies funding and implementing the training of trainers for small business under TALAVOU's second objective.

## **LMIA**

Currently, there is not a complete labour force survey in Samoa nor is there a plan to conduct one in the near future. In 2004, the Samoa Statistics Department carried out a Labour Market Survey among private sector employers, thereby covering formal

employees in paid jobs, which make up around half of the total Samoan labour force (see above).

Samoa's census is carried out every five years, significantly filling in the information gap. The latest census was held in 2006. The census covers basic labour market indicators, so that labour market analysis is possible to a certain extent. The census does not however produce essential labour market indicators like hours worked, long-term unemployment and (un)employment by educational attainment.

Furthermore, the Samoa Household Income & Expenditure Survey (HIES) is generally also conducted every five years, funded by the Government of Samoa and the Asian Development Bank. The latest HIES was conducted in 2008. The usefulness of the HIES for labour market information and analysis is limited since it does not produce basic labour market indicators like economic activity and unemployment. However, it produces data on employment, occupation and wages and is an extra source of information for labour policy development.

As an administrative source of the registered unemployed and job vacancies, the Job Seekers Register of MCIL can serve as an additional source of unemployment data.

### **National, regional and global development frameworks**

Strategic priorities of the Samoan Government are detailed in the **Strategy for the Development of Samoa (SDS) 2008 – 2012**, indicated in Table 1.

To address its economic and social challenges, Samoa 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).

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). 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). 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.

Geographically, the UN has chosen to focus on the region's five Least Developed Countries – Kiribati, Samoa, Solomon Islands, Tuvalu, and Vanuatu. The five LDCs will receive roughly 65% of an estimated USD 309.7 million over the five-year period. 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.<sup>2</sup>

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.

Finally, the notes that were adopted at the **Tripartite Technical Meeting on Decent Work** held in Nadi, Fiji between 26 to 28 November 2007 identify common regional priorities for ILO assistance.

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<sup>2</sup> 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.

**Table 1: Overview of major development frameworks in Samoa**

Development framework	Duration	Priorities
Strategy for the Development of Samoa (SDS)	2008-2012	<p>Priority Area 1: Economic Policies</p> <ul style="list-style-type: none"> <li>• Goal 1: Sustained Macroeconomic Stability</li> <li>• Goal 2: Private Sector Led Economic Growth and Employment Creation</li> </ul> <p>Priority Area 2: Social Policies</p> <ul style="list-style-type: none"> <li>• Goal 3: Improved Education Outcomes</li> <li>• Goal 4: Improved Health Outcomes</li> <li>• Goal 5: Community Development: Improved Economic and Social Wellbeing and Improved Village Governance</li> </ul> <p>Priority Area 3: Public Sector Management and Environmental Sustainability</p> <ul style="list-style-type: none"> <li>• Goal 6: Improved Governance</li> <li>• Goal 7: Environmental Sustainability and Disaster Risk Reduction</li> </ul>
Pacific Plan	Adopted in 2005 by Pacific leaders	<p>Economic Growth Pillar:</p> <ol style="list-style-type: none"> <li>1) Increased sustainable trade (including services), and investment;</li> <li>2) Improved efficiency and effectiveness of infrastructure development and associated service delivery;</li> <li>3) Increased private sector participation in, and contribution to, development;</li> </ol> <p>Sustainable Development Pillar:</p> <ol style="list-style-type: none"> <li>4) Reduced poverty;</li> <li>5) Improved natural resource and environmental management;</li> <li>6) Improved health;</li> <li>7) Improved education and training;</li> <li>8) Improved gender equality;</li> <li>9) Enhanced involvement of youth;</li> <li>10) Increased levels of participation and achievements in sports;</li> <li>11) Recognised and protected cultural values, identities and traditional knowledge</li> </ol> <p>Good Governance Pillar:</p> <ol style="list-style-type: none"> <li>12) Improved transparency, accountability, equity and efficiency in the management and use of resources in the Pacific;</li> </ol> <p>Security Pillar:</p> <ol style="list-style-type: none"> <li>13) Improved political and social conditions for stability and safety.</li> </ol>
MDGs	Adopted in 2000 by all countries, to be achieved by 2015	<p>Goal 1: Eradicate extreme poverty and hunger</p> <p>Goal 2: Achieve universal primary education</p> <p>Goal 3: Promote gender equality and empower women</p> <p>Goal 4: Reduce child mortality</p> <p>Goal 5: Improve maternal health</p> <p>Goal 6: Combat HIV/AIDS, malaria and other diseases</p> <p>Goal 7: Ensure environmental sustainability</p> <p>Goal 8: Develop a Global Partnership for Development.</p>
UNDAF	2008-2012	<ol style="list-style-type: none"> <li>1) Equitable economic growth and poverty reduction;</li> <li>2) Good governance and human rights;</li> </ol>

		3) Equitable social and protection services; 4) Sustainable environmental management.
DWCP	2009-2012	1) Modernisation of labour laws; 2) Promotion of decent employment opportunities, particularly for young women and men; 3) Capacity building of tripartite partners and improvement of social dialogue

### **Donor assistance**

Samoa is fully supported by international and regional institutions and bilateral donors which endeavour to closely align their contributions to the country's priorities. The Joint Samoa Program Strategy (JSPS) 2006-2010 prepared by the Governments of Samoa, Australia and New Zealand provides the guiding framework for development and delivery of Australian and New Zealand aid to Samoa. The proposed goal for the JSPS is "to enhance people's choices through improved social and economic development". The two strategic objectives are to improve opportunities for employment and investment; and to enhance the wellbeing of all Samoans through improved service delivery and community development. Australia has taken a lead donor role in the areas of public sector reform, law and justice, and rural development (with a focus on income generation activities) while New Zealand has taken a lead donor role in respect of the private sector and tourism, civil society and community development, and health. Australia and New Zealand work jointly with the ADB and other donors to support Samoa's education sector.

The EU is another major donor in Samoa and has earmarked EURO 31.3 million under the 10<sup>th</sup> EDF 2008-2013 for the focal sector water and sanitation. ADB's assistance to Samoa is focussed on the delivery of basic social services (education, power, drainage and sanitation) and private sector development.

### **ILO's partnership with Samoa**

Samoa became a member of the ILO in 2005. It ratified ILO's eight Fundamental Conventions in 2008. As in many countries across the world, much work in several key areas remains to be done to achieve the desired international labour standards in Samoa.

The Labour and Employment Act 1972, No. 12 is the principal law governing the terms and conditions of employment. This was amended by the Labour and Employment (Employment of Expatriates) Amendment Act 1999, No. 17. Other employment related legislation include the Apprenticeship Act 1972, No. 13; the Remuneration Tribunal Act 2003, No. 17; the Occupational Safety and Health Act 2002; and the Public Service Act 2004, No. 14.

The Samoan Government is obliged to supply reports on the application of ratified conventions. Since Samoa has only recently joined ILO, the first reports for the eight ratified fundamental Conventions are only due in 2010 and ILO's Committee of Experts on the Application of Conventions and Recommendations (CEARC) has not noted any observations on Samoa.

### **Tripartite Constituents and Social Dialogue**

The social partners are the **Samoa Trade Union Congress (STUC)**, represented by the **Samoa Public Service Association (SPSA)**, and the **Samoa Chamber of Commerce and Industry (SCCI)** as well as the **Samoa Manufacturers and Exporters Association (SMEA)**. Labour issues are the responsibility of the **Ministry of Commerce, Industry and Labour (MCIL)**.

The **Samoa Trade Union Congress (STUC)** is a national trade union center in Samoa. It was founded in 1995 and has a membership of approximately 3,000. It is currently dormant and represented by SPSA. In January 2009, SPSA and an ILO Workers Specialist revised a project proposal for reviving STUC, which had earlier been submitted by SPSA. It was agreed that the project would take 10 months, and that at the end of the project, STUC should be able to stand on its own feet. Several staff associations exist in Samoa, the biggest being the Teachers' Association (appr. 2,000 members), followed by the Public Service Association (1,274 members).

There are several independent employers' organisation in Samoa. The Samoa Chamber of Commerce and Industry has been in existence before Samoa became a member of the ILO in 2005 and has since been the main employers' representative

for ILO. Other sectoral employers' organisations include the Samoa Association of Manufacturers and Exporters (SAME) and the Small Business Enterprise Association (SBEA). The Government of Samoa recognises these three employers' organisations which are consulted on economic and business issues. About 80% of the employers are affiliated to one of the three employers' organisations, while employers in the informal economy are generally unorganised.

The Ministry of Commerce, Industry and Labour (MCIL) came into existence in May 2003, (via the Ministerial and Departmental Arrangement Act 2003). Previously, it held Government Department status. With its upgrade to a Ministry, the identity of MCIL is now well established, and has evolved into a better and more efficient public service provider. The Ministry's primary role is to provide services for the government, private sector and workers' associations. Delivery of its wide-ranging responsibilities which are governed by 26 legislations is performed by six core Ministry Divisions:

- Apprenticeship, Employment & Labour Market Division (AELM)
- Corporate & Strategic Services Division (CSSD)
- Fair Trading & Codex Development Division (FTCD)
- Industry Development & Investment Promotion Division (IDIPD)
- Industrial Relations, Occupational Safety & Health and Work Permits Division (IROSH&WP)
- Registration of Companies & Intellectual Property Division (RCIP)

MCIL is also the Secretariat to the Apprenticeship Council Secretariat for the Prices Board secretariat and the focal points for ILO as well as the World Intellectual Property Organisation (WIPO).

Some of the current labour issues of relevance in Samoa include weak labour legislation, an inadequate minimum wage, large income disparities, insufficient OSH on construction sites, at airports and in regards to shift work, a workforce in the private and public sectors that is unaware of their rights at work, incidences of illegal workplace practices such as firing on the spot, lack of collective bargaining, lack of

involvement of workers' organisations in the ratification of ILO conventions, and inadequate maternity protection.

ILO has provided training to the tripartite constituents in the areas of labour law review, industrial relations, tripartism and social dialogue, conciliation and mediation and dispute settlements. Trade unions have received equipment as part of ILO's institutional capacity building exercise.

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

**Table 2: Past and present ILO activities in Samoa**

Area / Project name	Background / Aims	ILO activities	Duration
Technical cooperation project: Sub-Regional Programme on Education, Employability and Decent Work for Youth in the Pacific Island Countries (RAS/06/53/NET)	<ul style="list-style-type: none"> <li>- Enhancing the knowledge of how to better address the challenges faced by young women and men in securing decent wage and self-employment;</li> <li>- Strengthening the capacity of governments, employers' and worker's organizations to take a more proactive role in developing national and local policies as well as other practical initiatives to achieve Decent Work for youth;</li> <li>- Facilitating greater access by young men and women to support services for wage and self-employment through new tools and methodologies adapted to national circumstances.</li> </ul>	<ul style="list-style-type: none"> <li>- LMI technical training conducted through a workshop in 2008;</li> <li>- Desk review on youth employment completed;</li> <li>- Pacific Trade Union Training on Decent Work for Youth and Labour Migration in Samoa in September 2008;</li> <li>- Regional Workshop on Youth Employment organised in Nadi in November 2008.</li> </ul>	April 2008 - 2010
Technical cooperation project: Social Security in Pacific Island Countries (funded by the Netherlands)	<ul style="list-style-type: none"> <li>- Samoa has a range of formal social security programmes including the National Provident Fund, Senior Citizens Benefit Fund, Workers Compensation and Accident Insurance, Universal health care, Workplace conditions of service, and selected social assistance programmes;</li> <li>- There are possibilities to extend social security by introducing social health insurance, social insurance pensions, unemployment insurance, and maternity protection.</li> </ul>	<ul style="list-style-type: none"> <li>- 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.</li> </ul>	2004-2006
Technical cooperation project: Samoa Qualifications Authority (funded by UNDP)	<ul style="list-style-type: none"> <li>- Establishment of Samoa Qualifications Authority which provides policy advice on post-school education and training to promote national economic social and cultural development</li> </ul>		2005-2006
Labour market information and analysis' (LMIA)	<ul style="list-style-type: none"> <li>- Improving labour market information and analysis;</li> <li>- Providing data for the Youth Employment Programme.</li> </ul>		Pipeline project
Improving OSH in Ports	<ul style="list-style-type: none"> <li>- Improving working conditions and the welfare of maritime workers and of workers involved in cargo handling.</li> </ul>		Pipeline project
Labour law reform	<ul style="list-style-type: none"> <li>- Implementing Samoa's modernised labour legislation in compliance with the ILS</li> </ul>	<ul style="list-style-type: none"> <li>- Review of Samoa's labour legislation;</li> </ul>	Ongoing

	<ul style="list-style-type: none"> <li>- Ratification and progress in the application of additional ILS;</li> <li>- Improving labour relations.</li> </ul>	<ul style="list-style-type: none"> <li>- An ILO Labour Law specialist visited Samoa in 2006, providing comments on existing labour legislation.</li> </ul>	
Capacity building	<ul style="list-style-type: none"> <li>- Awareness raising among tripartite constituents on collective bargaining, ILS, reporting obligations to ILO supervisory mechanism, labour laws, OSH, HIV/AIDS.</li> </ul>	<ul style="list-style-type: none"> <li>- Workshops for employers and trade unions;</li> <li>- Equipment provided to trade unions.</li> </ul>	Ongoing
OSH	<ul style="list-style-type: none"> <li>- Improving OSH in line with the Global Strategy on OSH through the application of the systems approach and the reinforcement of national OSH systems and programmes.</li> </ul>	<ul style="list-style-type: none"> <li>- Awareness raising through workshops for tripartite constituents;</li> <li>- Sub-regional seminars on OSH run by the ILO Office for the Pacific Islands and ILO's International Training Centre (ITC-ILO) in Turin.</li> </ul>	Ongoing

## **II. Country Programme priorities**

The 2009-2012 ILO Decent Work Country Programme for Samoa 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 with the tripartite partners, who agreed on three 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 comment on the draft. The three priorities of this DWCP reflect the constituents' needs at the present time, while also responding to Samoa's social and economic needs, corresponding with strategies and activities spelled out in the Pacific Plan, the UNDAF and the SDS. 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. ILO will concentrate on the following three country programme priorities in Samoa 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. Modernisation of labour law;

Priority 2. Promotion of decent employment opportunities, particularly for young women and men, and inclusive of persons with disabilities;

Priority 3. Capacity building of tripartite partners and improvement of social dialogue.

By focusing on these three priorities, ILO's DWCP is closely aligned with the major development frameworks in Samoa (see Table 3).

Table 3: Alignment of DWCP priorities with major development frameworks in Samoa

<b>Development framework</b>	<b>Priorities</b>	<b>Corresponding DWCP priorities</b>
Strategy for the Development of Samoa (SDS)	Goal 2: Private Sector Led Economic Growth and Employment Creation	DWCP Priority 1: Modernisation of labour law; DWCP Priority 2: Promotion of decent employment opportunities, particularly for young women and men, and inclusive of persons with disabilities
	Goal 5: Community Development: Improved Economic and Social Wellbeing and Improved Village Governance	DWCP Priority 2: Promotion of decent employment opportunities, particularly for young women and men, and inclusive of persons with disabilities
	Goal 6: Improved Governance	DWCP Priority 1: Modernisation of labour law; DWCP Priority 3: Capacity building of tripartite partners and improvement of social dialogue
	Goal 7: Environmental Sustainability and Disaster Risk Reduction	<i>Promoting green jobs which is a possible ILO contribution to the UNDAF</i>
Pacific Plan	Priority 4: Reduced poverty;	DWCP priority 2: Promotion of decent employment opportunities, particularly for young women and men, and inclusive of persons with disabilities
	Priority 7: Improved education and training	DWCP Priority 2: Promotion of decent employment opportunities, particularly for young women and men, and inclusive of persons with disabilities
	Priority 9: Enhanced involvement of youth; DWCP priority	DWCP Priority 2: Promotion of decent employment opportunities, particularly for young women and men, and inclusive of persons with disabilities
	Priority 8: Improved gender equality	<i>All activities in the DWCP will be inclusive of women and persons with disabilities</i>
	Priority 12: Improved transparency, accountability, equity and efficiency in the management and use of resources in the Pacific	DWCP Priority 3: Capacity building of tripartite partners and improvement of social dialogue
	Priority 13: Improved political and social conditions for stability and safety	DWCP Priority 2: Promotion of decent employment opportunities, particularly for young women and men, and inclusive of persons with disabilities
MDGs	Goal 1: Eradicate extreme poverty and hunger	DWCP Priority 2: Promotion of decent employment opportunities, particularly for young women and men, and inclusive of persons with disabilities
	Goal 3: Promote gender equality and empower women	<i>All activities in the DWCP will be inclusive of women and persons with disabilities</i>
UNDAF	1) Equitable economic growth and poverty reduction;	DWCP Priority 1: Modernisation of labour law; DWCP Priority 2: Promotion of decent

		employment opportunities, particularly for young women and men, and inclusive of persons with disabilities; <i>LMIA activities under DWCP Priorities 2 and 3</i>
	2) Good governance and human rights;	DWCP Priority 1: Modernisation of labour law; DWCP Priority 3: Capacity building of tripartite partners and improvement of social dialogue
	4) Sustainable environmental management.	<i>Promoting green jobs which is a possible ILO contribution to the UNDAF</i>

### 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.

#### Priority 1. Modernisation of labour laws

***Outcome 1.1: International Labour Standards are broadly ratified and significant progress is made in their application***

##### **Outcome indicators:**

1.1.1. Compatibility of Samoa's modernised labour legislation with the ILS.

Target: The technical memorandum of the ILO will conclude that the modernised labour legislation is fully compatible with the ILO Constitution, fundamental Conventions and the other Conventions ratified by Samoa.

1.1.2. Ratification of at least three additional ILO Conventions with CEARC being satisfied with a detailed first report of good quality on their application.

Target: By 2012.

1.1.3. 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 outcomes 1.1:**

A labour law reform project is already underway in Samoa funded under the Public Service Improvement Facility (PSIF) by AUSAID. ILO will ensure that the consultant will liaise closely with ILO Geneva. The aim is to modernise outdated labour laws and regulations and to ensure compliance with the ILO Constitution and ratified Core Conventions; to draft new legislations; to draft regulations for the OSH Act; and to conduct awareness raising workshops. This will be done in consultation with the social partners. The improvement of national OSH systems and programmes will be pursued in line with the Occupational Safety and Health Convention No. 155 and the Promotional Framework for Occupational Safety and Health Convention No.187 and their subsequent ratifications will be encouraged.

ILO will provide technical assistance in reviewing and revising national labour legislation and practice in line with the ILS and will ensure tripartite involvement in the process. ILO will provide training in labour and employment law to the tripartite constituents, ensuring equal participation of women and men. This will involve training in employment relations, conditions of work, minimum wage fixing and collective employment relations. Joint workshops will be organized with ITC-ILO and NORMES on labour law and ILS. Specific training on reporting to CEARC will be provided by ILO in order to assist the constituents to discharge the reporting obligations, especially as no reports have so far been received.

As part of ILO's technical assistance provided for the review of labour legislation, a comprehensive gender-sensitive assessment will be conducted on whether any inequalities, in law and practice, in employment and occupation exist with respect to certain groups of the population such as women or persons with disabilities.

ILO will organise a tripartite workshop to raise awareness on the ILO Constitution and the ILS to ensure that the tripartite constituents fully understand these. Tripartite

constituents will then undertake the task to educate the Samoan public about the ILO and ILS.

The ratification of additional Conventions is vital in reducing decent work deficits in Samoa through promoting decent employment and income for new labour market entrants. ILO will encourage Samoa to ratify an additional three ILO Conventions by 2012. Since the maritime industry is important in Samoa, Samoa will be encouraged to ratify the Maritime Labour Convention, 2006 and Work in Fishing Convention, 2007 (No. 188). Samoa will also be encouraged to C159 Vocational Rehabilitation and Employment The Maritime Labour Convention (MLC) 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. (Disabled Persons) Convention, 1983 with a view to integrating persons with disabilities at workplaces. Another ILO Convention that Samoa will be specifically encouraged to ratify is the Maternity Protection Convention, 2000 (No. 183) for which ILO technical assistance will be required. In addition, the governance Conventions concerning labour inspection (C.81 and 129), tripartite consultation on international labour standards (C.144) and employment policy (C.122) provide useful inputs on governance structure and procedures, especially those related to labour matters. 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 or all of these Conventions.

Staff in MCIL, SCCI, SMEA and STUC require training on the ILS. ILO will 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. 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.

## ***Outcome 1.2: Improved protection of the rights of migrant workers in Samoa***

### **Outcome indicators:**

1.2.1. Samoa's modernised labour legislation will protect the rights of male and female migrant workers in Samoa by incorporating the principles of the Migration for Employment Convention (Revised), 1949 (No 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).

Target: The technical memorandum of the ILO will conclude that the modernised labour legislation is adequately protecting the rights of migrant workers.

## ***Outcome 1.3: Increased awareness about their rights among Samoan seasonal migrant workers.***

### **Outcome indicators:**

1.3.1. The capacity of the Samoan Government to provide pre-departure training for all RSE workers to New Zealand and Pacific Seasonal Workers to Australia, taking into account the specific needs of male and female workers.

Target: The number of trainers within the Samoan Government providing quality pre-departure training on a range of issues for seasonal workers is doubled by 2012, compared to 2009.

### **Strategy including activities and outputs to achieve outcomes 1.2 and 1.3:**

Samoans have a long tradition of labour migration, particularly to New Zealand. In recent years, increasing numbers of migrant workers have also been received by Samoa, many coming from neighbouring PICs.

In order to improve the protection of migrant workers in Samoa, ILO will provide technical assistance to ensure that the modernised labour legislation in Samoa will adequately deal with the issue of male and female migrant workers. The Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) will supply useful guidance to support labour migrants in Samoa as well as Samoans overseas more generally.

Samoa will be encouraged to ratify C.97 and C.143 with a view to protecting the rights of migrant workers.

Seasonal labour migration to New Zealand under the RSE scheme is administered by the Ministry of the Prime Minister and Cabinet with MCIL not having any role in the process. ILO will emphasise the importance of MCIL as well as workers' representatives being included in the pre-departure orientation committee. ILO will organise a tripartite conference including the tripartite constituents as well as representatives of the Ministry of the Prime Minister and Cabinet to discuss important labour mobility issues and emphasise the importance of sufficiently protecting migrant and seasonal workers, including in the areas of maternity protection, and termination of employment.

The Ministry of the Prime Minister and Cabinet is conducting pre-departure training for RSE workers. ILO will conduct a training of the trainers in order to raise the Samoan Government's long-term capacity to address a variety of issues including benefits of unionisation, workers' rights, enterprise planning and forecasting techniques (EREP), HIV/AIDS prevention as well as the specific needs of female migrants. Lessons learnt from the work of the Mekong sub-regional project to combat "Trafficking in Children and Women" (TICW) project, especially in terms of equipping migrant workers to ensure that they are less likely to be victims of exploitative work practices, will also be taken into account. The 'TICW Travel Smart, Work Smart' manuals will be of particular use in this regard. Selected activities under this outcome will take place at a subregional level including other PICs sending seasonal workers to New Zealand and Australia.

**Priority 2. Promotion of decent employment opportunities, particularly for young women and men, and inclusive of persons with disabilities**

***Outcome 2.1: Improved decent employment opportunities for youth through entrepreneurship development and support services.***

**Outcome Indicators:**

2.1.1. Percentage of young women and men having received entrepreneurship training setting up their own businesses.

Target: 50% of those who have received entrepreneurship training will have set up their own businesses by 2012.

2.1.2. Percentage of young women and men having accessed employment support services being employed in decent employment.

Target: 50% of those who have accessed employment support services will be employed in decent employment by 2012.

2.1.3. A youth employment strategy, linked to the National Youth Policy.

Target: A youth employment strategy will have been integrated into the National Youth Policy and is being implemented by 2012.

**Strategy including activities and outputs to achieve outcome 2.1:**

ILO has accumulated a stock of knowledge and practical tools and model approaches that can benefit the implementation of youth policies and programmes in Samoa. Outcome 2.1 will be achieved under ILO's Youth Employment Programme (YEP) in close alignment with the TALAVOU Programme. ILO's YEP is aimed at contributing to improved employability and decent work for young men and women in Samoa and provides entrepreneurship training to young people to allow them to engage in small-scale businesses and earn regular incomes. Entrepreneurship training will adopt ILO methodologies already tested like the "Start and Improve Your Business" (SIYB) and the TREE methodology as a tool for enterprise creation. In addition, ILO will provide technical assistance to develop career guidance materials which are gender neutral. Under the YEP, entrepreneurship training will be provided

to young people to start or improve their business, ensuring equal participation of men and women. In addition, young entrepreneurs / students will access employment support service, at least 50% of these will be young women and at least 10% will be persons with disabilities. Young men and women will also access technical and vocational skills training.

Young men and women in Samoa have limited access to support services that will help them secure wage or self-employment opportunities. Constituents require ILO assistance to offer such services.

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. ILO will work with its partners in Samoa to more closely examine the training curricula to avoid gender stereotyping, support efforts towards equal employment opportunity and move towards the equal representation and participation of women and men in all facets of social and economic development. Through its “Women’s Entrepreneurship Development and Gender Equality” (WEDGE) activities, ILO has well established experience and tools in promoting women’s entrepreneurship. The WEDGE team is part of ILO’s Small Enterprise Development (SEED) Programme and works on enhancing economic opportunities for women through a variety of approaches.

In addition, the recently developed “Asia Pacific Youth Employment Knowledge Network” (APYouthNet) platform developed by ROAP and operational at <http://ap-youthnet.ilobkk.or.th/> will be used. This online community of practice is a new mechanism for providing technical advisory services and support to regional youth employment initiatives and youth employment activities.

All activities in this area 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.

ILO will provide technical assistance and training tools to develop policies and programmes that promote productive and decent employment for young women and men. With its expertise, tripartite constituency and global alliances, ILO can act as a

catalyst in mobilising support and implementing integrated policies and programmes to effectively meet the Millennium Summit Declaration's commitment on decent and productive work for youth. There is an urgent need for a youth employment strategy, including national action plans and programmes, that promotes productive employment for young people, taking account of the specific and particular needs of women and men.

Under the YEP, a national workshop on youth employment and for the formulation of a National Action Plan on Youth Employment will be organized in 2009 and staff of MCIL and relevant line ministries will be trained to analyse the youth labour market situation, and to review and coordinate the delivery of youth employment support services and contribute to policy.

Through the YEP and ILO technical assistance, the influence of the social partners will be strengthened with the aim of formulating a youth employment strategy well integrated or incorporated in the National Youth Policy.

### ***Outcome 2.2: Improved decent employment opportunities for youth through skills training***

#### **Outcome indicators:**

2.2.1. Adoption of effective training standards for the apprenticeship scheme.

Target: Training standards for the apprenticeship scheme reflect industry needs by 2012.

2.2.2. Percentage of young women and men having accessed technical and vocational skills training being employed in decent employment.

Target: 50% of those who have accessed technical and vocational skills training will be employed in decent employment.

#### **Strategy including activities and outputs to achieve outcome 2.2:**

The apprenticeship scheme administered by MCIL faces several constraints including insufficient support from industry to employ apprentices, the lack of qualified workplace trainers, the need to upgrade the standard of training at NUSIOT,

and the fact that many employers regard training as a cost, rather than an investment.

ILO will organise a workshop for all stakeholders in the apprenticeship scheme including the tripartite constituents. The aim of the workshop is to increase all stakeholders' commitment to improving the apprenticeship scheme and to set up a taskforce to develop effective training standards by 2010. The taskforce will comprise of stakeholders from employers, workers, training providers and Government.

ILO has a proven track record in designing and delivering appropriate TVET training programmes. In view of the importance of human resources for Samoa's overall development, skills development through TVET has to obtain a more prominent place in national development strategies and programmes. ILO will assist this process by raising the awareness of the importance of technical and vocational education and training which need to be tailored to the particular and specific needs of women and men and persons with disabilities among its tripartite constituents.

Strong links can be made with the ILO's International Programme on Child Labour (ILO-IPEC) which has been supporting countries to develop tools, methodologies, and good practices to better reach vulnerable youth in the areas of education and skills training as well as OSH in the work place in order to prevent the worst forms of child labour and ease the transition from school to work. ILO's intervention and support in this important area will help Samoa to ensure smooth school to work transition. In addition, the linkages between child and youth employment will be reviewed, and possibilities of initial data collection on child labour as well as future activities on the elimination of child labour will be explored with the assistance of ILO-IPEC.

***Outcome 2.3: The capacity of production, analysis and use of sex-disaggregated labour market statistics is increased.***

**Outcome indicators:**

2.3.1. Improved availability of labour market information.

Target: Conduct of complete labour market survey every two years, starting in 2010.

### 2.3.2. The linkage between sex-disaggregated labour market statistics and policy.

Target: Youth employment policies and programmes are based on reliable, up-to-date and sex-disaggregated youth employment data.

### 2.3.3. 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 2.3:**

Since no complete labour market survey is in place in Samoa, technical assistance from the pipeline LMIA Project will focus on introducing a labour force questionnaire tailored for the country's specificities. Since the pipeline LMIA Project is a regional initiative, ILO will investigate possibilities to improve the availability of labour market information through a regional or sub-regional mechanism.

There is also scope for capacity building in labour market analysis and possibly for production of a Samoa labour market report, based on the limited set of labour market indicators that is already available. MCIL is the most appropriate governmental body where such capacity will be established and where such activities will take place. In order to produce proper analysis, introduction of a central database in which all labour market data is stored is essential. Regional activities on improvement of the PRISM database can serve as a blueprint for such a database.

ILO will provide training for tripartite constituents to increase their capacity to analyse labour market data and use it for policy formulation. Improved LMIA is needed to achieve all the other priorities of the DWCP including improved policy making and the alleviation of youth employment. Currently, many statistics are not disaggregated by sex. Improved LMIA will make available sex-disaggregated statistics and thereby assist the discussion of gender aspects.

A desk review on labour market information has been carried out as part of the YEP. The constituents require assistance to analyse formal and non-formal education and training issues and youth employment issues, and to identify strategies to address the problem of youth unemployment, underemployment and inactivity, taking into account the particular and specific needs of young women and young men. Under its

LMIA pipeline project, ILO will provide technical assistance to develop and implement strategies to collect quality youth labour market data. Under the YEP, recommendations will be made available in 2009 on how to improve national collection and analysis of data on the labour market for youth. Convention No. 111, already ratified by Samoa, can provide useful guidelines for the contents of analyses envisaged under outcome 2.3.

### **Priority 3. Capacity building of tripartite partners and improvement of social dialogue**

***Outcome 3.1: The social partners are strengthened to provide meaningful services to their members and to extend the representation of their organisations.***

#### **Outcome indicators:**

##### **3.1.1. Number of members of SCCI and SAME**

Target: At least 20% increase by 2012, compared to 2009, with at least 15% women among the new members.

##### **3.1.2. Re-establishment of the currently dormant STUC as the umbrella body for workers**

Target: Re-establishment of STUC by 2010.

#### **Strategy including activities and outputs to achieve outcome 3.1:**

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. ILO’s International Training Centre (ITC-ILO) will assist with this activity and determine a range of targeted training interventions over the DWCP period. Training will also be provided by ITC-ILO, preferably in Samoa in order to ensure the participation of a larger number of participants. 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.

Some specific training and other needs of the constituents have been identified during meetings with constituents in Samoa. Workshops for employers' organizations will be organized on OSH. In addition, the skills of the staff of employers' organisations in establishing and managing their organisations need to be upgraded. The capacity of SCCI and SMEA to effectively participate in policy implementation also needs to be improved. ILO will provide technical assistance to address these areas of need.

ILO will provide technical assistance to revive and strengthen STUC so that it can play an important role in labour relations. ILO will map existing trade union associations in Samoa with the view to affiliation to STUC and better coordination amongst workers' organizations. Unions need to build capacity to use the supervisory mechanism of the ILO to protect and promote the fundamental rights.

In order to create and promote an enabling environment for collective bargaining, the capacity of both unions and employers for concluding CBAs has to be built with ILO assistance. Increased institutional capacity of employers' and workers' organisation is expected to lead to better consultation and information sharing with the Government, particularly on the key labour issues such as wage increases, OSH etc. There is also need for improved communication between the ILO and the trade unions in Samoa.

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.

***Outcome 3.2: Tripartite partners are strengthened and an effective tripartite social dialogue mechanism is established to make tangible progress in promoting Decent Work***

**Outcome indicators:**

3.2.1. The number of meetings/consultations on social and labour policy development held with participation of tripartite partners, including on average at least 30% women.

Target: 80% of all the relevant meetings participated by tripartite partners.

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

Target: Tripartite meetings are held at least twice a year.

3.2.3. Decrease in the number of illegal workplace practices.

Target: The reports by the Labour Inspectorate show a 50% decrease in the number of illegal workplace practices such as in the areas of OSH, unfair dismissals, gender related discrimination, HIV/AIDS related discrimination, and others.

3.2.4. Improved linkage between sex-disaggregated labour market statistics and policy.

Target: Labour policy is based on reliable, up-to-date and sex-disaggregated labour market data.

**Strategy including activities and outputs to achieve outcome 3.2:**

The strengthening of tripartite institutions is a priority in order to improve social dialogue and the functioning of tripartism. In the past, labour issues have not always been dealt with in a tripartite process. Cabinet has recently approved the establishment of a National Tripartite Labour Forum composed of 3 members of each of the tripartite partners. The active inclusion of women in their Forum will be promoted by ILO.

ILO will assist to upgrade the skills of staff of MCIL, SCCI, SMEA and STUC in collective bargaining techniques and procedures and dispute resolution by providing technical assistance and training. As part of this assistance, Samoa will be encouraged to ratify the Tripartite Consultation (International Labour Standards) Convention, 1976 (C.144).

Tripartite partners require information on how tripartite structures work elsewhere. An analysis of the National Tripartite Labour Forum after its formation and the DWCP Steering Committee as social dialogue institutions will be conducted and recommendations for improvement will be provided and implemented by ILO. The tripartite DWCP Steering Committee is envisaged to be a supreme-decision making body in the DWCP programme. 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. Increased tripartism will also lead to improved policy coherence within the Government on social and labour issues.

ILO will encourage tripartite constituents to develop national plans of action to promote tripartism and social dialogue as well as develop tripartite institutions to foster different economic and social issues. A formalisation of the tripartite labour forum has already been approved by Cabinet and ILO will encourage the tripartite constituents to include this in the modernised labour legislation. Collective bargaining will be promoted in Samoa as an initiative targeting trade unions and employers in order that more employers and trade unions engage in regular, systematic and productive collective bargaining in good faith with a view to concluding a collective agreement on issues of common interests. Sectoral social partners will be invited in all activities under Outcome 3.2.

Because of the limited amount of available labour market data, labour market analysis is virtually non-existent. Improved LMIA is needed to achieve all the other priorities of the DWCP including improved policy making. Currently, many statistics are not disaggregated by sex. Improved LMIA will make available sex-disaggregated statistics and thereby assist the discussion of gender aspects. Increased availability of sex-disaggregated labour market statistics that are of better quality and more in line with international standards can primarily be achieved through providing technical assistance. In collaboration with technical teams in Geneva and regional partners, ILO will identify immediate and longer term training needs of professional staff among the major stakeholders in LMIA. This will form the basis of a training plan to increase capacity of production, analysis and use in LMIA. Training programmes will be implemented through workshops (regional and national) and on-the-job training and will focus on the two areas of data collection/storage and analysis/use.

## **IV. Implementation and management**

The programme will be implemented by the Samoa Government, employers' and trade unions' organisations in close cooperation and with the assistance of ILO and on the basis and to the extent resources are available or can be mobilised. 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. The 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 Sub-Regional Office (SRO) in Manila including the workers' and employers' specialists based in the SRO, 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 a tripartite committee on the side of Samoa. The Programme implementation plan envisages close collaboration between ILO and tripartite constituents in Samoa. ILO will continue and expand its cooperation with other stakeholders in Samoa such as AusAID, NZAID, the EU and UNDP.

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 a Tripartite Steering Committee within the first six months of the Decent Work Country Programme. 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.

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. Workplans 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 review of the DWCP will be done in 2010.