



TUVALU NATIONAL LABOUR MIGRATION POLICY

**Ministry of Foreign Affairs, Trade,
Tourism, Environment and Labour**



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FOREWORD

Tuvalu has a proud history of labour migration. As a seafaring nation, our people are familiar with the benefits and challenges of working abroad – deriving remittances and new skills, but also coping with the challenges associated with being away from family and the community. With the difficulties of creating sufficient work opportunities on our small islands, labour migration is a central plank in the government's employment agenda. The importance of labour migration as an option for our people is likely to increase further still as climate change continues to batter at our shores and wreak havoc on rain patterns, groundwater and oceans, impacting on subsistence agriculture and other livelihoods options.

For these reasons, I am very happy to be presenting this first National Labour Migration Policy and Action Plan for Tuvalu. Opportunities for labour migration have diversified over the last decade – while seafaring continues to remain a source of jobs, seasonal work in agriculture and potentially opportunities in hospitality, trades, tourism and care work, can also help to provide employment for our workers. Whilst it is not a comprehensive document on climate change induced migration, the National Labour Migration Policy ties together our plans for educating our population, with a better understanding of what opportunities exist abroad helps to ensure that we have a cohesive plan for how to create work for our people. We can also help to ensure growing and engaged diaspora communities in other countries, which can participate in integrating future migrants into different countries and contribute to development back in Tuvalu.

This document is much more than an aspirational list of ideas but a fully-fledged action agenda with specific activities that the government is committed to undertaking over the next five years. As the number of our seafarers has fallen to the lowest levels in a decade, we are at a critical juncture at which we need to urgently prepare for the changing nature of employment opportunities in seafaring and other labour migration schemes, and to compete with workers from other countries.

I would like to extend a sincere fafetai lasi to government, civil society and private sector representatives who contributed to this policy. In particular, I am grateful for the tireless work of the staff of the Ministry of Foreign Affairs, Trade, Tourism, Environment and Labour, as well as consultants Professor Richard Bedford and Charlotte Bedford, experts from the leading agency in this work - the International Labour Organization - and Pacific Climate Change and Migration project staff for their assistance in developing the successive drafts and facilitating numerous consultations. Thanks also go to the European Union which, through funding under the Pacific Climate Change and Migration Project, has helped to make the development of this policy possible.



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ABBREVIATIONS AND ACRONYMS

ADB	Asian Development Bank
APNL	Alpha Pacific Navigation Ltd
APTC	Australia-Pacific Technical College
DCC	Development Coordination Committee
DoE	Department of Employment, Australia
EEZ	Exclusive Economic Zone
FNU	Fiji National University
GFC	Global Financial Crisis
IAU	Inter-Agency Understanding
ITF	International Transport Workers' Federation
ILO	International Labour Organization
IMO	International Maritime Organization
LDC	Least Developed Country
MBIE	Ministry of Business, Innovation and Employment, New Zealand
MCT	Ministry of Communications and Transport
MFAT	Ministry of Foreign Affairs and Trade, New Zealand
MFATTEL	Ministry of Foreign Affairs, Trade, Tourism, Environment and Labour
MFED	Ministry of Finance and Economic Development
MLC	Maritime Labour Convention 2006
MNR	Ministry of Natural Resources
MEYS	Ministry of Education, Youth and Sports
MOU	Memorandum of Understanding
NLMP	National Labour Migration Policy
NPF	National Provident Fund
NPP	National Population Policy
NZAID	New Zealand Aid
PAC	Pacific Access Category
PACER	Pacific Agreement on Closer Economic Relations
PAISL	Pacific Islands Labour Sending Forum
PICTA TMNP	Pacific Island Countries Trade Agreement Temporary Movement of Natural Persons
PNA	Parties to the Nauru Agreement
RSE	Recognised Seasonal Employer scheme, New Zealand
SPBEA	South Pacific Board of Educational Assessments
SPC	Secretariat of the Pacific Community
SPP	Strengthening Pacific Partnerships programme
STCW	Standards of Training, Certification and Watchkeeping
SWP	Seasonal Worker Program, Australia
TMTI	Tuvalu Maritime Training Institute
TNPSO	Tuvalu National Private Sector Organisation
TOSU	Tuvalu Overseas Seafarers' Union
TVET	Technical and Vocational Education and Training
USP	University of the South Pacific



1. INTRODUCTION

Tuvalu, one of the world's smallest independent states in terms of land area (26 km²) and population (11,000),¹ has an extensive history of labour migration overseas dating back to the 1800s as one conduit for increasing development in the country.² The second decade of the 21st century is, however, shaping up to be a challenging one in so far as opportunities for overseas labour migration from Tuvalu are concerned,³ with fewer than 220 Tuvaluans employed as seafarers, seasonal workers, or on other temporary employment contracts during 2014.⁴ This compares with around 500 in 2008 (376 seafarers, 99 seasonal workers, and 25 other temporary workers overseas). Since the onset of the Global Financial Crisis (GFC) in 2008 numbers of seafarers employed offshore have fallen to their lowest levels since the 1990s when Tuvaluans still had access to employment on Nauru and to a work permit scheme in New Zealand.

Re-establishing openings for employment of Tuvaluan seafarers on overseas shipping lines and developing new opportunities for work (temporary and long-term) in other countries in and outside the Pacific region is a major priority for the Government of Tuvalu. To facilitate this, and to take advantage of several initiatives to foster greater collaboration between groups of countries in the region in the search for and supply of labour to overseas markets,⁵ the Government of Tuvalu has developed this National Labour Migration Policy (NLMP).

A comprehensive, whole-of-government approach to labour migration in Tuvalu is particularly timely given the recent release of the results of the Tuvalu Census of Population and Housing in 2012 which recorded high levels of youth unemployment, especially in the urban area on Funafuti (see section 2.1). The Government of Tuvalu's next National Strategy for Sustainable Development (2016-2026) will have a strong focus on generating training and employment opportunities, both domestically and overseas. A NLMP will inform this planning process, given that labour migration has played a major role in the development of Tuvalu's economy for over 50 years (see section 2.2).

To date, identification of new labour migration opportunities for Tuvaluans has largely been addressed in an ad-hoc manner, with a number of high-level diplomatic missions sent to garner interest among foreign governments and employers. An overarching strategy on how labour migration can best contribute to development in Tuvalu has not been formulated.

Importantly, there is a lack of medium-term strategy planning for whether, and how, the Government should facilitate migration through training and education opportunities that align with likely labour market shortages in selected destination countries. With the exception of the Tuvalu Maritime Training Institute, there have been few domestic initiatives to train workers for specific overseas employment opportunities.

The International Labour Organization's (ILO) Office for Pacific Countries, supported by the EU-funded Pacific Climate Change and Migration Project, has been requested by its partner – the Ministry of Foreign Affairs, Trade, Tourism, Environment and Labour (MFATTEL) – to help develop a coherent strategy and action plan for Tuvaluan labour migration. The product of this collaboration is the NLMP and its associated Action Plan which contains the following substantive sections: context, vision and policy statement, policy areas and action plan, and inception of the NLMP including follow-up, monitoring and evaluation.

The National Labour Migration Policy is designed to provide a coherent strategy for promoting overseas employment and protecting the welfare of Tuvaluan citizens abroad, within the broader context of generating productive and decent employment opportunities for all Tuvaluans. A fundamental requirement for the successful achievement of better labour migration outcomes for Tuvalu is a co-ordinated, whole-of-government approach (including the island communities) to growing work opportunities overseas, and mainstreaming of labour migration into the country's policies for national development.

1 Tuvalu's usually resident population at the time of the Population and Housing Census 4 November 2012 was 10,782 (Central Statistics Section, 2013). The Secretariat of the Pacific Community's estimates for Pacific populations as at June 2013 had Tuvalu's population at 10,900, (<http://www.spc.int/sdd/> (accessed 20 August 2014)). By August 2014 the total would be in excess of 11,000.

2 Munro (1982).

3 Note that labour migration and labour mobility are used interchangeably in this document to describe permanent, temporary and circular migration, including the employment of seafarers and fishers on international vessels.

4 This total comprises an estimated 100 seafarers, (Eti Estela pers comm, 15 September 2014), 90 seasonal workers on the New Zealand (70) and Australian (20) managed temporary migration schemes for the horticulture and viticulture industries, and 30 (an estimate) on other temporary work arrangements in the Pacific region.

5 These initiatives include: the Pacific Islands Labour Sending (PILS) Forum, the negotiations surrounding PACER-Plus and the PICTA-Temporary Movement of Natural Persons, and the emergence of sub-regional groupings of states seeking greater co-operation in areas such as trade and migration such as the Melanesian Spearhead Group and the Polynesian Leaders Group.

2. CONTEXT

The Government of Tuvalu recognises that there are three key pressure points on the domestic labour market: 1) the number of school leavers entering the labour market and seeking employment is increasing at a much faster rate than the production of opportunities for waged employment in the domestic economy; 2) Tuvalu has fewer opportunities for offshore labour migration than it has had since independence, leading to a decline in remittance income to support Tuvaluan households; and 3) the fall in global demand for Tuvaluan seafarers is threatening the long-term sustainability of the country's most established overseas labour migration programme.

These three challenges call for a review of the current situation and for the development of a National Labour Migration Policy that promotes a balanced approach to future labour migration. It is crucial that this policy is in line with the Government's overall strategy for national development, and provides Tuvaluans with opportunities for safe and productive employment abroad that can contribute to the maintenance of sustainable livelihoods at home.

2.1 Tuvalu's Economic and Demographic Context

Tuvalu is recognised as one of the most environmentally vulnerable states in the region,⁶ and has been classified as a Least Developed Country (LDC) by the United Nations for almost thirty years.⁷ Since independence in 1978, Tuvalu's living standards have hinged on attracting external financial assistance, sovereignty rentals, Tuvalu Trust Fund receipts and securing offshore employment opportunities to supplement the local village economy which remains predominantly subsistence in nature.

National economy

In 2013 the Secretariat of the Pacific Community (SPC) estimated Tuvalu's total resident population at 10,900, with women accounting for 49.5 percent of the total population. The per capita income (GDP) in the same year was estimated at USD\$3,861, slightly higher than the GDP per capita of Samoa (USD\$3,647), and more than twice the GDP per capita of Kiribati (USD\$1,651), Tuvalu's former partner (sometimes referred to as 'sister nation') in the Gilbert and Ellice Islands Colony (GEIC).⁸ The Government's revenues are bolstered by income from the Tuvalu Trust Fund (TTF),⁹ fishing licenses,¹⁰ the marketing and licensing of the '.tv' internet domain name, remittances from seafarers and workers overseas,¹¹ and development assistance from a number of countries and international agencies.¹² Annual growth has, however, been slow following the Global Financial Crisis. Negative growth was reported in 2009 (-1.7 percent) and 2010 (-2.9 percent), with the country returning to a positive growth rate of 1.1 percent in 2011, and forecast to reach 1.3 percent in 2014.¹³

The country's economy faces a number of constraints to development. These include: 'natural' constraints - a widely scattered and sparsely populated island geography; a small domestic market with little potential for economies of scale and limited business opportunities; few natural resources; high dependence on imports; significant vulnerability to external economic shocks; expensive access to global markets with high internal transportation costs; limited capacity for major investment; and social and governance constraints - a large public sector with a low productivity rate; a small, under-developed private sector; a land tenure system that makes it difficult to obtain land for commercial practices; and a growing labour force experiencing high levels of under-employment.¹⁴

⁶ United Nations Development Programme (UNDP) (2010).

⁷ United Nations Conference on Trade and Development (UNCTAD) (2012, 2013).

⁸ <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD> (accessed 5 October 2014).

⁹ The Government of Tuvalu established the TTF in 1987, with contributions from New Zealand, Australia, Britain, Japan and South Korea. The fund, which provides an essential source of revenue for the Government's recurrent budget, is a publicly owned investment, managed to maximise interest income from a diverse portfolio of assets. As at 30 September 2013 the market value of the TTF was AUD\$142.59m (Pacific Islands Forum Secretariat, 2008; Government of Tuvalu, 2013a).

¹⁰ Income received from fishing licenses was expected to almost double from AUD\$7.1m in 2013 to AUD\$13.859m in 2014 (Government of Tuvalu, 2012, 2013a).

¹¹ Exact figures are not available.

¹² At present Tuvalu's major development partners are: Australia, New Zealand, Japan, Taiwan, and the European Union (Secretariat of the Committee for Development Policy, 2011).

¹³ Government of Tuvalu (2013a, 2013b).

¹⁴ Government of Tuvalu (2005, 2014); Asian Development Bank (2008); Committee on the Elimination and Discrimination against Women (2008); International Labour Organization (2010a); Hayes (2011).

Labour force

Tuvalu has a relatively youthful population, with 33 percent of the total population in 2012 below 15 years of age, and a further 19 percent of the total population aged between 15-24 years old.¹⁵ With an annual population growth rate of 1.3 percent, rising youth unemployment is a concern as increasing numbers of school leavers enter the labour market. While the country's primary school enrolment rates are nearly universal at 98 percent¹⁶ - one of the highest rates in the Pacific - basic numeracy and literacy rates are dropping, and there is a high failure rate of the Year 8 secondary school entrance exam (averaging 40 percent). Students dropping out of the school education system at this point contribute to the growing population of young Tuvaluans with few skills or opportunities for employment.¹⁷

Between the country's last two censuses, in 2002 and 2012, the population aged 15 and over (the 'working-age population') grew by 20 percent, from 5,954 to 7,144. However the share employed in the formal economy - the cash-earning sectors - fell from 57 percent of the economically active population in 2002 to 51 percent in 2012.¹⁸ This contraction in cash-earning activity and opportunity was occurring at the same time as overseas demand for Tuvaluan seafarers began to decline following the GFC, and the share of households receiving remittances also fell (see section 2.2).

In 2012 the census recorded an economically active population of 4,243, with 51 percent classified as 'paid workers' (Table 2.1). Males dominated in the paid workforce (56 percent) but the gender disparity was not large and there were more females than males among the self-employed producing goods and services for sale (Table 2.1). The Government remains the largest employer in Tuvalu, accounting for two-thirds (66 percent) of paid workers. There is, however, increasing pressure to contain, rather than expand, the numbers employed in government departments and agencies.¹⁹ Opportunities in the private sector are limited, and cash-earning activity in agriculture and fishing has not held widespread appeal for many years.²⁰

The 2012 census recorded a much higher incidence of unemployment than that recorded in 2002 though at least some of the change is due to definitional changes in the way labour force activity has been defined.²¹ Problems of un- and under-employment in the domestic economy have been exacerbated by continued urbanisation of the country's capital, Funafuti, as those in the working age populations move from the outer islands to the main urban centre in search of employment. By 2012 over half (57 percent) of Tuvalu's total population of 10,782 was living on Funafuti, compared with only 15 percent of the population of 5,887 in 1973.²² Rising population levels on Funafuti not only place significant stress on the atoll's limited urban infrastructure, fragile environment,²³ and on family units resulting in pockets of poverty around Funafuti,²⁴ but they also raise significant concerns over depopulation of the outer islands and the decline in outer island economic activity.²⁵

Addressing domestic unemployment is a government priority, and one that has informed the development of national strategies for education, youth, population planning and sustainable development over the preceding decade.²⁶ With rising numbers of school leavers aged 15-19 entering the labour market, two key questions face development planners: "whether these school leavers can be absorbed into the labour force, and in what type of employment".²⁷

15 Government of Tuvalu (2013b).

16 Primary education in Tuvalu is free, and it is compulsory, by law, for young Tuvaluans between the ages of six and 15 to attend school (Government of Tuvalu, 2013b).

17 Government of Tuvalu (2013b, p.28).

18 Data from unpublished tables, Tuvalu 2012 Population and Housing Census.

19 Temate Melitana pers comm 19 September 2014.

20 See, for example, Bertram (1979, pp.69-85); Connell (1984); Chambers and Chambers (1985).

21 Forty percent of the economically active population in 2012 were recorded as 'unemployed' compared with 6.5 percent in 2002. Central Statistics Division (2013, p.26) and Secretariat of the Pacific Community (2002, p.31).

22 Bailey and Groenewegen (1975); Central Statistics Division (2013). However, it should be noted that Tuvalu, as a separate country, did not exist prior to 1978. The sharp increase in total population and also the Funafuti population post-1976 (separation) is attributed to independence and the movement of Ellice-islanders from Tarawa to Funafuti (the country's new capital).

23 Hayes (2011); Government of Tuvalu (2013b, 2014a).

24 McCubbin, Smit and Pearce (2015).

25 Government of Tuvalu (2005, 2014b); Hayes (2011).

26 Government of Tuvalu (2005, 2010, 2011a); Hayes (2011).

27 Hayes (2011, p.57).

Table 2.1: Main economic activity in week before 2012 census (population aged 15 years and over)				
Economic activity	Males	Females	Total	% Female
<i>Economically active</i>				
a) Paid work				
Employer	21	9	30	30.0
Employee	1,135	880	2,015	43.7
Self-employed (goods for sale)	64	69	133	51.9
b) Unpaid work				
Self-employed goods (for family)	164	112	276	40.6
Unpaid worker (family business)	38	24	62	38.7
Voluntary work	14	32	46	69.6
c) Unemployed				
Unemployed	987	694	1,681	41.3
<i>Sub-total - economically active</i>	2,423	1,820	4,243	42.9
% unemployed	40.7	38.1	39.6	
<i>Not economically active</i>				
Full-time home duties	761	1,224	1,985	61.7
Student	212	315	527	59.8
Retired	62	43	105	41.0
Inactive	126	158	284	55.6
<i>Sub-total - economically inactive</i>	1,161	1,740	2,901	60.0
% not economically active	32.4	48.9	40.6	
Total Tuvalu	3,581	3,560	7,144	49.8

Source of data: Central Statistics Division (2013, p.37).

2.2 Labour Migration from Tuvalu: Trends, Issues and Opportunities

Tuvalu has a long history of engagement with overseas labour migration in niche markets, including in the sectors of seafaring, seasonal fruit picking (particularly New Zealand) and phosphate mining (Nauru and Ocean Island).

Current migration trends

The seafarer training scheme, which currently provides trained seamen for selected European and Asian employers, is Tuvalu's most established programme. Following independence in 1978, the Government, with support from international donors, established the Tuvalu Maritime Training Institute (TMTI) (formerly Tuvalu Maritime School) which has remained the anchor of the country's engagement with international labour migration.

In 2014 Tuvalu had approximately 1,000 trained seafarers who were looking for employment offshore.²⁸ Securing work on-board international shipping lines has, however, become increasingly difficult due to changing demands in the global shipping industry. Prior to the GFC up to 700 seafarers were contracted to work on ships at any one time during the year, and wages and savings remitted by seafarers provided a crucial source of income for many Tuvaluan families.²⁹ Following the GFC however, the number of Tuvaluan seafarers employed offshore has steadily fallen. In conjunction with this decline, remittances from overseas workers – mostly from Tuvaluan seafarers – more than halved between 2008 and 2012.³⁰ At present there is only one manning agency in operation in Tuvalu, providing fewer than

²⁸ Alpha Pacific interview, 16 September 2014.

²⁹ ADB (2011).

³⁰ World Bank (2013a).

100 seafarers for overseas shipping lines. Future employment opportunities remain uncertain, and the possibility that seafarer income does not recover, and is not replaced by other offshore employment opportunities, “poses a huge risk to long-term sustainable growth”.³¹

Tuvalu also participates in New Zealand’s Recognised Seasonal Employer (RSE) scheme and the Australian Seasonal Work Program (SWP), but the numbers engaged in both programmes remain small, with 70 RSE workers in New Zealand and 20 SWP workers in Australia during the 2013/14 financial year. In addition to these managed labour migration programmes there are flows of Tuvaluan visitors, students, business people and small numbers of residents to Australia and New Zealand, as well as flows to several Pacific countries including Fiji, Kiribati and Samoa.

A small number of Tuvaluans participate in the Pacific Access Category (PAC) every year, which provides residence in New Zealand, subject to an existing job offer. The PAC was initiated in 2002, and is open to Tonga, Tuvalu, Kiribati and Fiji – countries with which New Zealand has close historical ties but no agreements for free movement. The scheme grants a residence permit, hence it is a means for long-term migration. The PAC quota is 250 per annum for Tonga and Fiji, and 75 for Tuvalu and Kiribati (including applicants and dependents). To register, applicants must fulfil certain educational, English fluency and residency in Tuvalu requirements. Registrants can apply for a residence permit through PAC on the receipt of a job offer in New Zealand offering a minimum designated income.³²

Between the censuses in 1979 and 2012 the number of Tuvaluans overseas doubled from just under 2,000 in 1979³³ to over 5,000 in 2013.³⁴ The main locations of Tuvaluans overseas in 1979 were Nauru, Fiji, and Samoa, with 255 absent as seafarers.³⁵ In 2013 the great majority were in New Zealand (3,500) with much smaller numbers in Fiji, Australia and other Pacific Island countries.

Remittance transfers by Tuvaluans temporarily employed offshore, or resident overseas, have been a major contributor to the country’s cash economy since independence. At the time of the Tuvalu census in 1979 more than half of Tuvalu’s 1,076 households were receiving remittances (Table 2.2). By 2012, however, only 40 percent of Tuvalu’s households reported receiving remittances from either within or outside Tuvalu.

Table 2.2: Percentages of households receiving remittances, 1979, 2002 and 2012

Island	1979	2002	2012
Nanumea	63	51	47
Nanumanga	64	78	37
Niutao	68	53	47
Nui	57	62	45
Vaitupu	54	34	43
Nukufetau	81	61	48
<i>Funafuti</i>	24	41	36
Nukulaelae	88	37	31
Niulakita	11	0	57
Total Tuvalu	54	47	40

Sources: Census reports, 1979, 2002 and 2012.

31 Government of Tuvalu (2013, p.19).

32 For the Tuvalu 2015 Pacific Access Category, there were a total of 335 registrations received, representing 888 people (including dependents). Of the 335 registrations, 38 were drawn from the ballot and invited to apply for a residence visa (communication with MBIE, 24 June 2015).

33 Bedford R.D. and Bedford C.E. (2010).

34 There were over 4,000 Tuvalu-born living overseas in 2013 according to the UN Population Division’s estimates (see Bedford, R.D. et al. 2014, p.52). If the Tuvaluans born overseas are also included the total number overseas is estimated to be between 5,500 and 6,000.

35 Bedford R.D. and Bedford C.E. (2010, p.99).

Migration opportunities

The Government recognises that sustaining remittance flows requires continuous renewal of employment opportunities, while increasing these flows can only be achieved by expanding the number of work and/or residence opportunities offshore. However, for these opportunities to exist Tuvalu needs to be able to maintain and expand a labour force with skills, qualifications and work ethic, and maintain transport connections to facilitate migration.

Attaining recognised skills and qualifications in Tuvalu is challenging, with limited access to both vocational training and tertiary education.

With regards to vocational education, the following sources of training currently exist:

- Tuvalu Maritime Training Institute (TMTI);
- Vocational training at secondary schools;
- The University of South Pacific Extension Center (Center for Vocational Programs);
- Fiji National University (FNU) Franchise; and
- Australia-Pacific Technical College (APTC)

Table 2.3 Tuvalu graduates from APTC (2007-2014)			
School/Course	Female	Male	Total
SCHOOL OF HOSPITALITY AND COMMUNITY SERVICES (SHCS)			
Certificate III in Children's Services	26		26
Certificate III in Community Services Work	1		1
Certificate III in Disability	1	1	2
Certificate III in Home and Community Care/Certificate III in Aged Care	3		3
Certificate III in Hospitality	7	1	8
Certificate III in Hospitality (Commercial Cookery)	2	6	8
Certificate III in Hospitality (Patisserie)	4	1	5
Certificate IV in Disability	2		2
Certificate IV in Hospitality	1		1
Certificate IV in Youth Work	2	2	4
Diploma of Children's Services (Early Childhood Education and Care)	1		1
SHCS Total	50	11	61
SCHOOL OF TRADES AND TECHNOLOGY (STT)			
Certificate III in Automotive Mechanical Technology		4	4
Certificate III in Carpentry		1	1
Certificate III in Electrotechnology Electrician		2	2
Certificate III in Light Vehicle Mechanical Technology		1	1
Certificate III in Painting and Decorating		1	1
Certificate III in Wall and Floor Tiling	2		2
Certificate IV in Training and Assessment		3	3
STT Total	2	12	14
Total: All Schools – Stages I & II	52	23	75

Source: APTC records

Some tertiary education is available through the USP Extension centre though further studies are usually taken up in Fiji, elsewhere in the Pacific, or in New Zealand. About 160 scholarships are awarded per year to Tuvaluans for further education – some by the Government (pre-service and in-service) and some by donors (Australia, New Zealand,

Taiwan, India, Cuba). Completion rates for scholarship-funded studies are reported to be low.

To improve opportunities for labour migration overseas, Tuvalu must overcome a number of constraints including ensuring that increasing numbers of young Tuvaluans have qualifications and skills in areas that meet the requirements of New Zealand and Australian employers seeking temporary and permanent migrants to fill domestic labour shortages; as well as breaking into new labour markets for relatively low-skilled workers.

2.3 Legal and Institutional Framework for Managing Migration

2.3.1 Legislation and Regulations

There is no specific legislation relating to the recruitment and employment of Tuvaluan citizens abroad, with the exception of the Merchant Shipping Act (2008 Revised Edition, CAP 48.28), and the Merchant Shipping (Maritime Labour Convention 2006) Regulations 2013, which regulate the employment of seafarers (but not persons employed on fishing vessels). Some regulations relating to overseas employment are also found under the Employment Act (2008 Revised Edition, CAP 40.28) - which states that all employment contracts must be in writing, and be attested to by the Commissioner of Labour before the worker leaves Tuvalu, and also creates a licensing scheme for persons wishing to recruit Tuvaluans for overseas work. The Employment Act, along with other legislation relating to labour unions in Tuvalu, is currently being reviewed (see section 4.1).

2.3.2 Institutional Framework

The ministries and agencies that deal with aspects of labour migration are detailed in Table 2.3 below. The lead agency responsible for regulating labour migration is the Ministry of Foreign Affairs, Trade, Tourism, Environment and Labour. The Commissioner of Labour's office is located in the MFATTEL and the current Commissioner is also the Permanent Secretary of the Ministry. Within the MFATTEL there is a Labour Officer who administers the labour regulations and oversees an Assistant Labour Officer whose primary responsibility is to manage the seasonal work schemes in New Zealand and Australia.

MFATTEL is directly responsible for managing Tuvalu's participation in the seasonal worker programmes under bilateral labour agreements with the Governments of Australia and New Zealand respectively.³⁶ Recruitment is managed in accordance with the 'Labour Scheme Recruitment (LSR) Policy (2011), "which provides guidelines for the recruitment of Tuvaluan workers for labour schemes in New Zealand, Australia or any other country Tuvalu can send workers to".³⁷ The objectives of the policy are: 1) to improve Tuvalu's selection and recruitment processes; and 2) to ensure equal opportunities to Tuvaluans seeking employment abroad and who meet the selection criteria.³⁸ Selection of labour recruits is managed centrally, via a work-ready pool administered by Labour Officers in the MFATTEL, and an inter-departmental team is involved in both the selection and pre-departure training of new recruits. The Government of Tuvalu also operates a revolving fund to assist Tuvaluan workers with the costs of participating in the seasonal work schemes. For workers participating in the RSE scheme, the Tuvaluan High Commissioner in New Zealand recovers these loans from workers' earnings during the season, and arranges payments back into the revolving fund. As of September 2014 there were no reported unpaid loans.

Labour migration for seafarers is managed by a number of institutions. The Tuvalu Overseas Seafarers' Union (TOSU) is a member of the International Transport Workers' Federation (ITF) whose mandate is to protect the rights of workers and improve conditions for seafarers by ensuring there is adequate regulation of the global shipping industry.³⁹ The ITF negotiates wage rates, working conditions and contract terms for seafarers. All seafarers signing contracts from Tuvalu must have their contracts approved by TOSU to ensure that wage rates and contract terms are in agreement with ITF regulations. TOSU can also intercede on behalf of member seafarers in case of any disputes with employers and breach of contract, including late payment or non-payment of wages, compensation in cases of illness or injury, and repatriation of workers for disciplinary reasons. All seafarers with contracts must be members of TOSU and have paid their membership fee.

MFATTEL has residual functions for managing other labour migration sectors.

³⁶ An Interagency Understanding (IAU) with New Zealand was signed in 2007 and a Memorandum of Understanding (MOU) was signed with Australia in 2013 giving Tuvalu access to each of the country's seasonal worker scheme respectively.

³⁷ Government of Tuvalu (2011b).

³⁸ Eligibility criteria include: the worker shall be a Tuvaluan citizen, over 18 years of age, medically and physically fit to work, with a satisfactory employment history and a good police record. The worker must not have a record of bad drinking behaviour, misbehaviour in the community or violence, and must not have been sentenced to imprisonment for more than 12 months.

³⁹ International Transport Workers' Federation (2012), accessed 25 September 2014, <http://www.itfglobal.org/seafarers/index.cfm>.

Table 2.4 Institutional Framework: Government of Tuvalu's line ministries and responsibilities on labour migration	
Line ministry	Responsibilities
The Office of the Prime Minister	Oversees immigration policy.
Ministry of Foreign Affairs, Trade, Tourism, Environment and Labour (MFATTEL)	Lead agency overseeing employment relations and labour administration across different sectors of employment, including licensing of private recruiters for the seafaring industry. The Ministry also assists with finding new employers for the seafaring sector.
Ministry of Education, Youth and Sports (MEYS)	Lead agency for youth and education including the national technical and vocational education and training (TVET) strategy. Oversees the TMTI and deals with the budget for its operation and recruitment of student intakes. The Ministry pays the fees and accommodation/living costs for the trainees (A\$12,000 each for the 18-month programme).
Ministry of Communications and Transport (MCT) (Marine Department)	Oversees compliance with the Maritime Labour Convention 2006, works with TMTI to make sure 'White List' status is retained and that seafaring employers are compliant with its provisions.
Ministry of Natural Resources (MNR) (Department of Fisheries)	The Department of Fisheries will manage the new fisheries training curriculum to be offered at TMTI from 2015.
Ministry of Finance and Economic Development (MFED)	Responsible for the provision of financial loans to RSE/SWP workers and manages the National Provident Fund. Will be responsible for overall coordination of the Government's next 10-year National Strategy for Sustainable Development (2016-2026).
Tuvalu Maritime Training Institute (TMTI)	TMTI offers the country's only formal post-secondary vocational programme, enrolling up to 60 males per intake for an 18-month seafarer training course. TMTI will offer an additional six-week fisheries training programme for work on purse seiners and long liners from 2015.
Tuvalu Overseas Seafarers' Union (TOSU)	Tuvalu's only registered union, TOSU is a member of the ITF which monitors compliance with the MLC 2006, negotiates wage rates, working conditions and contract terms for seafarers with overseas shipping companies. TOSU reviews seafarers' contracts, and handles any disputes with employers. TOSU may become involved in reviewing and monitoring contracts for fishermen in future.
Private recruitment agency	There is only one recruitment agent – Alpha Pacific Navigation Ltd (APNL) for German, Chinese and Taiwanese employers.

3. VISION AND POLICY STATEMENT

3.1 Vision

The long-term vision of the National Labour Migration Policy is to provide Tuvaluan citizens with increased opportunities to circulate and migrate for decent work opportunities abroad. Without promoting large-scale migration, it is part of government policy for temporary labour migration, as well as long-term residence overseas, to become realistic options for increasing numbers of people who wish to migrate with dignity to pursue opportunities in other countries.⁴⁰

3.2 Goals and Objectives

- To facilitate the movement of Tuvaluan citizens overseas through promoting opportunities for safe and productive employment abroad;
- To enhance Tuvalu's competitiveness in the global market for skills and labour, while protecting the domestic economy by ensuring relevant skills are retained at home;
- To maximise the development benefits of migration through a reduction of remittance transfer costs, and effective use of savings and remittances;
- To involve all concerned stakeholders, including government ministries and agencies, social partners, the private sector and international partners, in good governance of labour migration and the protection of migrant workers;
- To adopt a whole-of-government approach to the management of labour migration, encouraging inter-agency cooperation, information sharing and institutional capacity building.

3.3 Policy Statement

The National Labour Migration Policy has been formulated with reference to *Te Kakeega II*, the Government's National Strategy for Sustainable Development 2005-2015; the National Population Policy 2010-2015; the National Youth Policy 2012-2016; the Education Strategic Plan II 2011-2015; the Tuvalu National Strategic Action Plan for Climate Change and Disaster Risk Management 2012-2016. The development of the NLMP has been framed with reference to a context that includes:

- Tuvalu's growing population and increasing urbanisation as the majority of working-age Tuvaluans seek employment in town;
- The youthfulness of Tuvalu's population, with 33 percent of the total population in 2012 under 15 years of age and a further 19 percent of the total aged 15-24 years,⁴¹ and the challenges presented by increasing numbers of school leavers entering the labour market in a country with relatively limited options for domestic wage employment;
- The threat of environmental degradation and climate change, which is likely to further minimise job opportunities and livelihoods;
- Fewer contracts for temporary employment offshore in 2014 than Tuvaluans have had since gaining independence in 1978, and the resulting reduction in remittance income for Tuvaluan households;
- Global changes in the seafaring industry leading to a decline in demand for Tuvaluan seafarers and impacting negatively on the country's most established overseas labour migration programme;
- A growing Tuvaluan diaspora, particularly in New Zealand, that may be able to facilitate the development benefits of migration and assist individuals seeking employment abroad.

⁴⁰ Note that the scope of this policy was limited to outgoing labour migration and does not include policy issues associated with immigration of foreign labour migrants into Tuvalu

⁴¹ Central Statistics Division (2013).

The Government of Tuvalu, under the leadership of the responsible Ministry, MFATTEL, is committed to securing decent and productive employment opportunities for Tuvaluan citizens overseas. The Government recognises the importance of creating decent work for its citizens and the centrality of this goal both to the Millennium Development Goals, and the proposed Sustainable Development Goals, the latter of which contains a specific goal to ensure full and productive employment and decent work for all.⁴²

The country has a lengthy history of migration offshore for employment, and this experience has been drawn on to inform recommendations contained in the NLMP. The government recognises that labour migration should be promoted as one option within a broader decent work agenda that addresses the generation of productive employment opportunities for all Tuvaluans.

The Government acknowledges the timeliness of the NLMP and its significance for the Government's next planning phase which begins in 2016. Migration is likely to be a key focus of attention in the forthcoming 10-year National Strategy for Sustainable Development (2016-2026). The NLMP is aligned with other national policies addressing future population growth, education, youth and women. This ensures that the Government has a cohesive policy framework in which supply-side factors, such as the employability of labour market entrants and their access to skills training, are linked with demand-side factors in both the domestic and foreign labour markets. Several policies already reference the importance of labour migration - according to the National Population Policy "migration is now the principal determinant of population change in Tuvalu as a whole and its constituent islands".⁴³ The proposed activities will build on the work currently being done by inter-ministerial committees, including the Cabinet Sub-Committee examining the seafaring industry.

The NLMP seeks to ensure the protection of male and female migrant workers and their access to decent work and living conditions abroad. The Government acknowledges that a key element in protection of all migrant workers is the possession of skills and internationally recognised qualifications. The importance of education and skills training for Tuvaluans has been recognised in the Government's policies on youth, education, population planning and sustainable development. Developing the skills of Tuvalu's labour force will not only improve productivity and domestic employment outcomes, but will enhance the country's competitiveness in the global market for skills and labour.

The Policy promotes continued bilateral and regional dialogue and cooperation on labour migration, with the aim of strengthening Tuvalu's existing labour migration arrangements and developing new opportunities. Such cooperation will be founded within a rights-based framework that places migrant worker protection at the forefront of negotiations.

The NLMP will be based on local ownership to ensure the commitment of relevant stakeholders and the Policy's longer-term sustainability. International actors may support and facilitate the development of the NLMP, but the policy reflects the vision and goals, priorities, and implementation capacity of the Government of Tuvalu and other social partners.\

⁴² The proposed Sustainable Development Goals include migration as a suggested strategy to decrease inequality, promoting the 'facilitation of orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies'.

⁴³ Hayes (2011, p.38).

4. POLICY AREAS AND ACTION PLAN

4.1 Protection of Migrant Workers and Support Services

The Government of Tuvalu acknowledges the importance of a robust regulatory framework to protect the rights of national workers employed in Tuvalu and abroad, and to ensure their access to decent and productive employment opportunities. To this end, MFATTEL has established a Labour Law Advisory Committee to review the Employment Act, the Trade Unions Act and the Industrial Relations Code with a view to benchmarking them to international standards with technical support from the ILO. The review of legislation will include an examination of current regulations governing overseas recruitment, with the aim of identifying and strengthening areas related to the protection of migrant workers.

Some of the main areas of priority in the protection of migrant workers are:

- Safe recruitment of workers;
- Preparation of workers prior to departure, and upon return to Tuvalu;
- Support services abroad, particularly in light of limited consular offices abroad that can provide support.

Safe recruitment

As noted in Section 2.3 above, recruitment is currently managed differently in various migration sectors – with seasonal work recruitment managed by government, seafarer work managed by a private recruitment agency based in Funafuti and monitored by TOSU, and all other recruitment less regulated. The government is currently considering introducing recruitment by private agents alongside the centrally managed work-ready pool of labour which will be maintained by MFATTEL. The Government acknowledges that if a dual recruitment model is adopted then the terms under which private agents operate will need to be clearly specified through legislation and commits to working with non-government partners (including the Tuvalu Seafarers Union) to establish a legislative and regulatory framework for protection of overseas workers, particularly those in vulnerable occupations such as fisheries, care work and construction.

Support services

Another important consideration for the Government of Tuvalu is to make sure workers receive necessary pre-departure and reintegration training in Tuvalu, and that while abroad they receive decent wages and other basic services, and are safe in their working environments. For workers based in other countries, such as seasonal workers, their rights are covered by national employment laws in the destination country. Seasonal workers to New Zealand and Australia are required to be paid no less than the minimum wage, and workers sign standardised employment contracts that address a range of conditions relating to the work environment, worker rights, wage rates and discipline provisions. The Tuvalu High Commissioner in New Zealand may provide assistance with the resolution of disputes and the Government is also exploring the possibility of employing an additional RSE Liaison Officer to strengthen current on-site services. Funding permitting, a similar role will be created in Australia. Ensuring these protections (including support through liaison and consular staff, as well as use of standard contracts) is a priority for other countries and sectors in which Tuvaluan workers may be engaged in future.

One sector where rights protection will be particularly relevant is in the regional fisheries sector⁴⁴ (see section 4.2 below). As this sector is not currently regulated under the Merchant Shipping (Maritime Labour Convention 2006) Regulations, nor is there oversight by a specific workers' organisation or oversight body, it is imperative that mechanisms are in place to safeguard workers' rights.

44 The Parties to the Nauru Agreement make provision for recruitment of local workers. The PNA controls the world's largest sustainable tuna purse seine fishery. PNA members are: Federated States of Micronesia (FSM), Kiribati, Nauru, Palau, Papua New Guinea (PNG), Republic of the Marshall Islands (RMI), Solomon Islands and Tuvalu (<http://www.pnatuna.com/About-Us> accessed 3 September 2014).

4.2 Promoting Opportunities for Decent Foreign Employment

The Government supports continued access to a range of migration options, both temporary and permanent, to enable Tuvaluan citizens to expand their skills and expertise offshore, and recognises the potential benefits of labour migration for individuals, families and communities. Migration is, however, one option to improve livelihoods, and should always be viewed as a choice for those wishing to pursue opportunities overseas.

Tuvalu faces a number of challenges when trying to expand opportunities for offshore labour migration and encourage recruitment of Tuvaluans by overseas employers. These include: a small pool of labour, compared with most other Pacific nations, from which to build a competitive workforce for overseas employment; a small private sector with limited capacity and few resources to train workers and provide work experience; and limited inter-island and international transport infrastructure to enable transport of migrant workers. There are limited opportunities for women, with most labour migration by male seafarers.

The Government notes a number of Actions identified in the Tuvalu National Strategic Action Plan for Climate Change and Disaster Risk Management 2012-2016 relating to migration which are relevant to this Policy including:

- conducting investigations and providing recommendations for opportunities under the Pacific Access Category (PAC);
- exploring access to other migration schemes (and expansion of existing migration schemes);
- establishing professional training programmes in key identified occupations in Tuvalu; and
- conducting awareness on requirements of PAC and other migration schemes.

The Policy addresses these, and other considerations, relating to migration and development below.

Institutional Framework for identifying migration opportunities

As noted in the institutional framework on labour migration (Table 2.3 above), a number of government departments as well as non-governmental organisations have been working to identify labour migration opportunities for Tuvaluan workers. Thus far, this process has been decentralised and often ad-hoc. In order to ensure that there is coordination between these various efforts, the Government of Tuvalu commits to enabling MFATTEL to undertake the lead role in employment promotion including by:

- Adopting a strategy of conducting market research on opportunities in foreign labour markets as a major policy action.
- Appointing an individual with responsibility for:
 - Coordinating the search for new markets for Tuvaluan workers with other government and non-government agencies, including all Tuvaluan embassies and missions abroad;
 - Preparation of market research studies on foreign labour markets, which outline the potential of a particular labour market and how Tuvaluan workers are placed to participate in this market;
 - Briefing diplomatic missions on labour mobility discussions;
 - Gathering data establishing a database of skilled Tuvaluans with recognised qualifications; and
 - Maintaining records of all overseas workers including seafarers, seasonal workers and temporary skilled workers.

Revitalising demand in the Tuvaluan seafaring industry

Tuvalu currently holds IMO 'White List' status and became the first country to pass amendments to accommodate changes in 2010 to the Standards of Training, Certification and Watchkeeping (STCW) Convention regarding the safety of workers while on-board foreign vessels. The Ministry of Communications and Transport (Marine Department) is responsible for ensuring compliance with the MLC 2006 and any amendments to the STCW Convention. The Government acknowledges that retaining 'White List' status is essential if Tuvalu is to remain a supplier of trained seamen to overseas markets. The Tuvalu Maritime Training Institute will be audited in 2016 and work is underway by the Ministry of Education, Youth and Sports (MEYS), to ensure the systems in place at TMTI will meet the audit requirements. The Government recognises the importance of development assistance in ensuring that facilities can meet the requirements of the audit.

The decline in demand for Tuvaluan seafarers has placed pressure on Tuvalu's economy, especially the households reliant on seafarer income. This decline may have resulted from a number of challenges faced by Tuvalu:

- Impact of the GFC on Tuvalu's key partners in merchant shipping (German shipping companies) and the changing ownership in the industry;
- The changing nationality of captains and officers from OECD nationalities towards Asian and East European nationalities which have fewer historical connections to Tuvalu and the TMTI;
- Problems in getting regular air transport for seafarers, making the manning process unreliable and complicated, as well as the cost of airfares which is borne by employers;
- Periodic problems with reliability of required medical tests in Tuvalu (although efforts are being made to ensure tests can be carried out in Funafuti); and
- The need to strengthen the capacity of TOSU to support seafarers.

Efforts to revitalise the country's flagging seafaring sector and encourage recruitment by overseas employers are a government priority. To respond to the downturn in seafaring employment, a Cabinet Sub-Committee was formed,⁴⁵ late in 2013, to consider issues within the sector, explore actions to revitalise the industry, and make recommendations to Government. The Sub-Committee has made a number of recommendations to Cabinet including:

- Sending a marketing team to explore the European seafaring market (although specific countries and shipping companies have not yet been identified);
- Improving standards of training at the TMTI; and
- Providing officers' training at the TMTI (potentially as a franchise agreement with the FNU).

The Sub-Committee is also making progress in a number of areas, including:

- Exploring options for improving air services from Tuvalu, including reserving seats for seafarers on Fiji Airways flights,⁴⁶ and through an upgrade of the international airport's safety infrastructure with support from the World Bank;
- Improving current shipping services within Tuvalu and between Funafuti and Suva, with a new passenger-freight vessel to replace the current vessel (Nivaga II);⁴⁷
- Exploring having a consul stationed at the Singapore Shipping Registry to promote the employment of Tuvaluan workers, as well as a joint arrangement with Singapore for a requirement that ships employ a certain percentage of Tuvaluan workers; and
- Exploring whether a cost-sharing arrangement that requires the Government to subsidise the travel costs currently borne by seafarer employers may be compatible with ITF regulations.⁴⁸

The Government also acknowledges that there is a need for increased coordination between government ministries and the private sector around finding new markets for Tuvaluans.

Expanding into the regional fisheries sector

The Government is prioritising securing employment opportunities for Tuvaluans to work as fishermen on purse seiners operating in the Exclusive Economic Zones (EEZs) of countries that are signatories to the Parties to the Nauru Agreement (PNA). There are approximately 300 fishing vessels operating in the Pacific region, of which around 80 percent are from Japan, Korea and Taiwan.⁴⁹ Each vessel employs a crew of 20-30 fishermen. A provision of the PNA is that 10 percent of crew for vessels should be hired from within the region. This is of particular relevance for Tuvalu as one of the main suppliers of internationally accredited seafarers among the PNA.

⁴⁵ The Sub-Committee is made up of Ministers and Permanent Secretaries from the Ministry of Education, Youth and Sports, MFATTEL and the Ministry of Communications and Transport (Marine Department).

⁴⁶ The Sub-Committee had some success in reserving seats for seafarers on Fiji Airways flights in 2014 (3 seats per flight) but an MOU with Fiji Airways is not yet in place.

⁴⁷ The new vessel is under construction and due for commission in September 2015

⁴⁸ At present the employer covers the transport costs to Fiji, accommodation in Fiji, the cost of the visa application and medical test, and the onward flight to the worker's place of employment. The employer also covers the cost of the worker's return journey to Tuvalu. One important issue to be resolved is the agreement of the International Transport Workers' Federation (ITF) to the arrangement, as under ITF policy, employers should bear all travel costs.

⁴⁹ The Government of Tuvalu currently has one joint venture purse seiner with Taiwan, of which Tuvalu owns a 51 percent share. At present the purse seiner does not employ any Tuvaluan crew; its contribution to Tuvalu is via the share of profits it generates. The current contractual arrangement expires at the beginning of 2016, and the Department of Fisheries will look to renegotiate the contract to provide employment for Tuvaluans. A second joint venture boat with Taiwan is under construction, and negotiations are also underway between the Department of Fisheries and Trimarine International, a Korean fishing company.

Fisheries training is to be offered from end of July 2015 as an additional six-week training programme delivered at the end of the 18-month course for seafarers. Graduates that complete both courses will qualify with two certificates: one as deck rating qualified seafarers; and the second as fishermen qualified to work on purse seiners. The Ministry of Natural Resources (Department of Fisheries), with support from New Zealand's Ministry of Foreign Affairs and Trade (MFAT), is assisting TMTI to secure the necessary equipment for fisheries training, and to integrate the fisheries programme into the current seafarer training framework in consultation with the Ministry of Education, Youth and Sports, which oversees TMTI.

Although no agreements have been reached under the PNA for the recruitment of Tuvaluans on purse seiners, the Government is committed to ensuring there is a market for fishermen when they have completed their training at TMTI, and a firm commitment from at least one of the companies operating in the PNA EEZs to employ some Tuvalu-trained fishermen will be sought by end of 2015 when the first group of TMTI trainees with both qualifications will have graduated.

Work on fishing vessels is reputed to be hard and the living conditions difficult. For Tuvaluans these challenging conditions will be compounded by the lack of English spoken on the boats. The employment safety and welfare implications for Tuvaluans require careful consideration. The Government, in collaboration with TOSU, will work to ensure that there are mechanisms in place to protect workers while on-board foreign vessels, and to deal with any employment-related disputes that may arise.

Consideration will also be given to the provision of basic language training in Mandarin, Korean and/or Japanese as part of the fisheries programme to ensure Tuvaluan workers are able to communicate and follow instructions on-board purse seiners.

Seasonal work opportunities

The Government welcomes employment opportunities offered by New Zealand and Australia under their seasonal work programmes, and is committed to maintaining relationships with New Zealand's Ministry of Business, Innovation and Employment (MBIE) and Australia's Department of Employment (DoE) to ensure continued participation in both programmes.

- There are a number of challenges to the effective participation of Tuvaluans in seasonal work. These include:
- Significant upfront costs for workers participating in both schemes. Although both the Australian and New Zealand government permit Tuvaluan workers to remain for up to 9 months, there are still concerns that workers may not recoup significant benefits following deduction of a portion of the airfare costs from their salary;
- A small Department of Labour which manages marketing activities, as well as management of the scheme, and maintaining other duties; and
- Lack of familiarity of employers with Tuvaluan workers.

As significant resources have been invested in developing marketing strategies to promote Tuvalu as a source of labour, with limited success in increasing the numbers, the Government may commission a cost-benefit analysis of the schemes which will enable government ministers to make informed decisions about the benefits of participation. This may also include consideration of whether private recruitment agents may be an efficient way of generating interest from New Zealand and Australian employers.

Strengthening links between education and overseas employment

Linking education and training programmes offered to Tuvaluans with occupations in demand both in the domestic economy and overseas is essential if the Government wishes to expand into new markets longer-term and build sustainable employment outcomes for its citizens. The National Population Policy, the National Youth Policy and the Education Strategic Plan II all place considerable emphasis on skills training to improve outcomes for Tuvaluan youth.

- In particular, the Government agrees on the need for a whole-of-government approach, particularly collaboration between MFATTEL and Ministry of Youth Education and Sport to increase opportunities for internationally recognised education in sectors with projected foreign labour shortages, including aged care,

hospitality and catering, trades and construction, including through:

- Review of the availability of facilities in Funafuti such as TMTI;
- Review of potential opportunities of mutual recognition of Tuvalu-based courses by overseas educational providers;
- Review of the availability of facilities outside of Tuvalu such as the APTC; and
- Review of the accessibility of vocational courses, particularly for women.
-

As noted above under 'Institutional Framework for identifying migration opportunities' the Government will facilitate the development of market research undertaken by MFATTEL, which will be periodically presented to the Development Coordination Committee (DCC) to systematically examine labour market demand and supply in different skill areas, with the intention of identifying domestic and overseas employment opportunities and matching training to areas of skill shortage.

The foreign labour market studies conducted by MFATTEL (with support from other Ministries, embassies as required) will include information such as:

- Data on the qualifications, skills and other requirements which are sought by employers in that particular market (or in the case of a government-run migration scheme, the requirements for eligibility to that scheme);
- The situation of workers' rights and protections in that particular market (including the overall labour protection situation in the country, access to worker representation);
- The benefits that workers will get from migrating to that market (based on current wages, possibility of skills acquisition), relative to the costs (transport, language training); and
- Any impacts that migration to the particular market will have on the domestic situation (for example, in terms of loss of skilled workers).

The DCC will also explore ways of expanding access to technical and vocational education and training (TVET) which has regional or international recognition. TVET training identified as particularly relevant for both the domestic and foreign markets includes: carpentry, metal work/welding, hospitality, computing and horticulture. The Ministry of Education, Youth and Sports has prioritised training in the tourism and hospitality industries and aged care sector in anticipation of future overseas demand for labour with appropriate skills. These sectors offer employment opportunities for women, a priority for the Women's Affairs office within the Ministry. The Ministry is also seeking a national competency certificate for skills training in several areas that will be accredited by the Pacific Register of Qualifications and Standards (maintained under the SPC's Education and Quality Assessment Programme), however also of relevance are the standards in the Asia Pacific Regional Convention on the Recognition of Qualifications in Higher Education.

The Government recognises the importance of making efficient use of the facilities available at TMTI. The decline in demand for Tuvaluan seafarers and the lack of employment opportunities, particularly for new recruits, is calling into question the long-term viability of using the facilities solely for seafarer training. The Ministry of Education, Youth and Sports is reviewing the use of TMTI facilities to assess whether other TVET programmes, in trades occupations and hospitality, could be offered. This includes negotiating an agreement with the Auckland Institute of Studies for a franchise agreement to run hospitality and catering courses at the TMTI.⁵⁰ The provision of new areas of training at TMTI will need careful consideration to ensure the integrity of the seafarer training and facilities is maintained in the interests of retaining White List status.

The Government acknowledges the important role played by regional training institutions such as the University of the South Pacific (USP), the Fiji National University (FNU) and the Australia-Pacific Technical College (APTC) that offer academic and TVET qualifications for Tuvaluan citizens,⁵¹ and recognises the need to provide continued access and financial support to Tuvaluans seeking an education through these institutions. The Government is assessing the feasibility of introducing a one-year horticulture programme, designed by the FNU and delivered by qualified Tuvaluan instructors under a franchise agreement, to build stronger links between horticulture training, temporary seasonal

⁵⁰ Agreement from the TMTI for use of the facilities is still pending.

⁵¹ FNU provides one-year certified courses in computing, fabrication and welding, carpentry and joinery that are recognised by TAFE in Australia. The APTC has training centres in Fiji, Samoa, Vanuatu and PNG and offers training in hospitality and tourism, automotive, construction, manufacturing and electrical services, and health and community services.

employment in New Zealand/Australia, and the potential for permanent migration under programmes such as the Pacific Access Category (PAC). Furthermore, the Tuvaluan government also recognises opportunities for technical cooperation development partners, such as Australia and New Zealand, to help to facilitate the transfer of skills and recognition of qualifications. This could be achieved through the creation of work and attachment opportunities for Tuvaluan workers.

The Government also acknowledges the assistance provided by the Republic of China (Taiwan) through their scholarship programme and is committed to retaining this programme in the future. There are approximately 20 Tuvaluans presently in Taiwan completing various training programmes ranging from a few months to several years' duration. Short courses are offered in a range of technical trades, horticulture, nutrition, hospitality and tourism, natural disaster management and public health. Medical training programmes are also available.

Market access and development

Establishing a skilled workforce with the qualifications that meet the needs of foreign labour markets is only one part of foreign employment promotion. A significant amount of work is still required by government to facilitate access to a foreign labour market, and then to monitor and evaluate whether to continue to work on expanding opportunities in that sector, or to focus on another sector or country.

The Development Coordination Committee (or a similar inter-agency committee) will be responsible for reviewing opportunities for suitable foreign markets for Tuvaluan workers and submitting a recommendation to Cabinet for any formal negotiations into potential new foreign markets. This should be based on a foreign labour market study as well as an analysis of how (and how many) Tuvaluan workers meet the skills required in the particular market.

Where Cabinet endorses the recommendation to explore access, negotiations will be undertaken by the Department of Foreign Affairs or the Department of Trade with technical support from other Departments or stakeholders (for example, TOSU in the case of seafaring). All negotiations should be informed by the research undertaken in the foreign labour market study. Once access to the labour market is achieved, the DCC will provide comprehensive advice on developing a pilot programme – ensuring appropriate pre-departure training for workers participating in the pilot, protection while abroad, reintegration, and comprehensive evaluation.

Some opportunities in foreign labour markets have already been identified and informally explored. The Government is committed to exploring opportunities in the following sectors:

- Employment opportunities for Tuvaluans in hospitality and care roles in countries including Australia, New Zealand and the Cook Islands;
- Opportunities for skilled and semi-skilled migration under the Pacific Island Countries Trade Agreement (PICTA) Temporary Movement of Natural Persons (TMNP) Scheme and the Pacific Agreement on Closer Economic Relations (PACER) Plus trade negotiations,⁵² (though the slow pace of progress may not generate new labour migration opportunities for Tuvaluans in the near future); and
- Taiwan's guest worker market (while there is currently no bilateral labour agreement, given the strength of Tuvalu's diplomatic relations with Taiwan there is an avenue for exploring this option. The Tuvalu Government will consider conducting an assessment of Taiwan's labour market to identify sectors that would be suitable for Tuvaluans and where a demand for labour exists).

Other opportunities may also exist in New Zealand and Australia through their respective temporary labour shortage migration schemes. New Zealand's Long Term and Immediate Skill Shortage Lists contain several trades-based occupations requiring TVET qualifications,⁵³ as does Australia's Consolidated Sponsored Occupation List.⁵⁴

⁵² The PICTA TMNP promotes intra-Pacific labour migration to meet national skill shortages and stimulate skills development. The Forum Island Countries (FICs) are engaged in two major trade negotiations with developed countries: the European Partnership Agreement (EPA) negotiations with the EU, and the PACER Plus negotiations with Australia and New Zealand which commenced in 2009. Regional labour mobility is a core component of discussions surrounding the free trade negotiations

⁵³ Ministry of Business, Innovation and Employment (2014), 'Long Term Skill Shortage List', effective 24 March 2014, accessed 26 September 2014, <http://skillshortages.immigration.govt.nz/assets/uploads/long-term-skill-shortage-list-2014-08-06-.pdf>; Ministry of Business, Innovation and Employment (2014), 'Immediate Skill Shortage List', effective 24 March 2014, accessed 26 September 2014, <http://www.immigration.govt.nz/NR/rdonlyres/89185A40-27D3-41F4-84BE-30129920411D/0/ImmediateSkillShortageList.pdf>

⁵⁴ Department of Immigration and Border Protection (2014) 'Consolidated Sponsored Occupations List', July 2014, accessed 24 February 2015, <http://www.immi.gov.au/work/pages/skilled-occupations-lists/csol.aspx>

4.3 Improving Administration of Labour Migration

Increasing the potential of remittances and linkage with the diaspora

Remittances have long been an important component of household incomes for many households in Tuvalu. A challenge for Tuvalu in the future will be to find ways to harness remittances for productive development at home, as well as ensuring that the costs of sending remittances are minimised. One of the key constraints presently facing Tuvaluan workers and their families is the limited range of options for sending money home. A formal system exists for seafarers who remit a proportion of their base wage directly back to Tuvalu and also make a mandatory financial contribution to the National Provident Fund (NPF).⁵⁵ No formal system for remittance transfers or NPF contributions exists for other workers, including seasonal workers.

Increasing the financial literacy of individual migrants and their family members to enable them to make informed decisions regarding use of income, budgeting and saving is a significant aspect of enhancing the benefits of labour migration. At present training on remittance investment is not offered to seafarers or seasonal workers upon their return to Tuvalu. The Tuvalu Business Centre, located within the MFED, does however offer specialised training courses to assist with business development.⁵⁶ The MFED is also examining the possibility of introducing a revolving fund for loans of up to \$1,000 that could be accessed by returning workers planning to set up a small business.

The Government acknowledges the large Tuvaluan diaspora in New Zealand and the potential for this diaspora to assist island-based Tuvaluans to find employment, as well as generating possible small business and investment opportunities. The New Zealand-based Tuvaluan population may be an important asset for Tuvalu. New Zealand-resident kin are important sources of remittances in money and goods, as well as providing financial support and accommodation when their island-based kin visit New Zealand, although it should be noted that Tuvaluans living abroad might face financial difficulties in their country of destination. The diaspora is also a crucial source of information about opportunities for work, for education and training, and for new ideas and material goods that are not accessed easily in the islands. Other Pacific countries (especially Tonga and Samoa) have made extensive use of their New Zealand and Australia-based diaspora to serve the interests of their island communities, including finding work opportunities for kin overseas.

Improving data management

Improving systems for data collection and management is essential if the Government is to make informed decisions about the benefits and costs of labour migration to the Tuvalu economy. While some data on wages, savings and remittances of offshore workers are collected, this information is not stored via a centrally managed system to monitor the financial returns of labour migration for individual households and for the wider economy. Data on citizens departing to work overseas, both temporarily or permanently, could also be collected to monitor the transfer of skills overseas and potential loss of capability in the domestic labour market, as well as helping to identify work opportunities that exist offshore.⁵⁷ The Government will seek technical support from international agencies to assist with capacity building in information management systems.

⁵⁵ The NPF provides contributors with access to funds for children's education, medical expenses and some retirement provision.

⁵⁶ http://www.icde.org/projects/regulatory_frameworks_for_distance_education/country_profiles/tuvalu/education_system/ (accessed 24 February 2015).

⁵⁷ Curtain and Powell (2011).

5. INCEPTION OF THE NLMP, FOLLOW UP, MONITORING AND EVALUATION

The Government of Tuvalu recognises that the National Labour Migration Policy and Action Plan provides the overall principles and guidelines for the protection of migrant workers, the governance of labour migration and for enhancing the development benefits of migration while minimising any negative impacts. As such the Government assumes full responsibility to carry forward the NLMP. The Government recognises that the Policy's success will depend on the roles and responsibilities placed on key stakeholders and actors involved in labour migration, and counts on their cooperation in the promotion of safe, well-managed migration opportunities for Tuvaluan men and women.

Following the adoption of the NLMP, the Government, with technical support from the ILO and UNESCAP through the EU-financed Pacific Climate Change and Migration project, will set in place mechanisms for monitoring the implementation of the Policy. Reporting on implementation progress and periodic evaluation of the process will form part of this. Timeframes for monitoring and evaluation will also be determined.

The MFATTEL will be primarily responsible for monitoring and evaluation of the NLMP, with support from the other line ministries identified in the Action Plan. The Development Coordination Committee (or a similar inter-agency committee) could also be mandated with monitoring the Policy's implementation, in the interests of continued inter-agency collaboration.

Under the MFATTEL's leadership, a process will be initiated to operationalize key components of the Action Plan, through identifying responsible entities, estimating budgetary requirements and strategies to mobilise resources, and timeframes for implementation. The support of international agencies, including the ILO, will be sought for the initial phase of operationalizing the Policy.

PROTECTION OF MIGRANT WORKERS S = short-term (2016). M = medium-term (2017 onwards).					
Strategic Area	Policy	Action Plan	S	M	Lead Agency(s)
Legislative/ regulatory framework	Review current legislation relating to labour laws and ensure appropriate mechanisms in place to protect national workers and outgoing migrants.	<ul style="list-style-type: none"> Technical Drafting Committee under the Labour Law Advisory Committee to develop draft of revised Employment Act, including regulation of recruitment. 	<input type="checkbox"/>		MFATTEL and AG Department
	Review regulatory frameworks for seafaring and fisheries sector, in particular to protect the rights and welfare of fishers employed on foreign-owned fishing vessels.	<ul style="list-style-type: none"> Review the use of formal bilateral agreements to govern overseas employment of fishermen. 		<input type="checkbox"/>	MFATTEL and MNR
		<ul style="list-style-type: none"> Coordinate with TOSU to determine whether union will provide support to fishers, and include them in TOSU membership. 	<input type="checkbox"/>		MFATTEL
Recruitment for seasonal work	Review the effectiveness of seasonal recruitment, including potential of a dual model of recruitment and selection.	<ul style="list-style-type: none"> Review benefits and challenges of private recruitment for seasonal work and establish terms under which private sector agents may operate. 	<input type="checkbox"/>		MFATTEL
On-site services in New Zealand, Australia and other relevant labour markets	Strengthen consular and liaison services to support seasonal workers and provide assistance with resolving employment disputes as well as finding additional employment opportunities.	<ul style="list-style-type: none"> Review current management of pastoral care issues raised by seasonal workers and resolution of employment disputes. 	<input type="checkbox"/>		MFATTEL
		<ul style="list-style-type: none"> Assess feasibility of appointing a seasonal work Liaison Officer in Australia (as well as, in future to other potential markets where there is a significant number of Tuvaluan workers). 	<input type="checkbox"/>		MFATTEL

FOREIGN EMPLOYMENT PROMOTION S = short-term (2016). M = medium-term (2017 onwards).					
Strategic Area	Policy	Action Plan	S	M	Lead Agency(s)
Seafaring industry	Revitalise overseas demand for Tuvaluan seafarers with aim of securing 150 employment contracts in 2015, 250 in 2016, and over 300 contracts per annum from 2017 onwards.	<ul style="list-style-type: none"> Assess the need for an international expert to manage the search for new markets for TMTI graduates. 	<input type="checkbox"/>		MFATTEL, MCT (Marine Dept.)
		<ul style="list-style-type: none"> Work through the Cabinet Sub-Committee on seafaring industry to continue to assess options for increasing employer demand for seafarers. 	<input type="checkbox"/>	<input type="checkbox"/>	MEYS, MFATTEL, MCT (Marine Dept.)
		<ul style="list-style-type: none"> Re-establish supply chains between foreign owned shipping companies and TMTI. 		<input type="checkbox"/>	MEYS, MFATTEL, MCT (Marine Dept.)
	Ensure TMTI training and facilities meet 2015 STC audit requirements.	<ul style="list-style-type: none"> Review of TMTI seafarer training programme and quality assurance systems to meet audit requirements completed. 	<input type="checkbox"/>		MEYS, MCT (Marine Dept.)
	Improve air and boat services between Funafuti and Suva.	<ul style="list-style-type: none"> Review possibilities for lowering the cost of airfares between Fiji and Tuvalu. 	<input type="checkbox"/>		MCT
		<ul style="list-style-type: none"> Complete construction of new passenger-freight ship. 	<input type="checkbox"/>		MCT
Fisheries	Secure employment opportunities for Tuvaluan on fishing boats operating in the EEZs of PNA signatory countries.	<ul style="list-style-type: none"> Commence fisheries training at TMTI. 	<input type="checkbox"/>		MEYS, MNR (Fisheries Dept.)
		<ul style="list-style-type: none"> Finalise arrangements for managing recruitment and selection of fishers. 	<input type="checkbox"/>		MFATTEL
		<ul style="list-style-type: none"> Complete negotiations with at least one company operating in the PNA EEZs to employ fishermen. 	<input type="checkbox"/>	<input type="checkbox"/>	MFATTEL
		<ul style="list-style-type: none"> Review potential collaboration with other PNA countries on allocation of 10% quota and monitoring conditions on boats (including employment of Tuvaluan observers). 	<input type="checkbox"/>	<input type="checkbox"/>	MFATTEL, MNR (Fisheries Dept.)
Employment opportunities in tourism and hospitality	Explore employment opportunities for Tuvaluan workers in catering and hospitality, including on international cruise liners.	<ul style="list-style-type: none"> Review employment prospects and devise appropriate marketing strategies for workers in this sector. 	<input type="checkbox"/>	<input type="checkbox"/>	MFATTEL
		<ul style="list-style-type: none"> Review TMTI facilities for hospitality and catering training, and devise appropriate training programmes. 	<input type="checkbox"/>	<input type="checkbox"/>	MEYS (including Women's Affairs)

Strategic Area	Policy	Action Plan	S	M	Lead Agency(s)
Seasonal work opportunities	Review costs of participation in RSE scheme.	<ul style="list-style-type: none"> Commission a cost-benefit analysis of participation in RSE and SWP scheme for Tuvaluan workers. 		<input type="checkbox"/>	MFATTEL
	Increase recruitment of seasonal workers to Australia and New Zealand and explore opportunities to enter other seasonal employment schemes.	<ul style="list-style-type: none"> Review employer feedback on worker selection 	<input type="checkbox"/>		MFATTEL
		<ul style="list-style-type: none"> Finalise arrangements for one-year horticulture programme to be designed by FNU and delivered under a franchise agreement. 	<input type="checkbox"/>		MEYS
		<ul style="list-style-type: none"> Review potential to engage a Tuvaluan with horticultural expertise based in Australia or New Zealand, to promote Tuvaluan workers and secure linkages with employers. 	<input type="checkbox"/>		MFATTEL
Strengthening links between education and overseas employment	Assess labour market demand and supply in different skill areas to identify domestic and overseas employment opportunities and match training to areas of skill shortage.	<ul style="list-style-type: none"> Mandate the Development Coordination Committee to assess labour market demand and supply on labour migration. 	<input type="checkbox"/>	<input type="checkbox"/>	MEYS, MFATTEL, MFED
		<ul style="list-style-type: none"> Develop first foreign labour market study by end of 2015, and subsequent studies the following years. 	<input type="checkbox"/>	<input type="checkbox"/>	MEYS, MFATTEL, MFED
	Expand opportunities for technical and vocational education and training (TVET).	<ul style="list-style-type: none"> Identify and prioritise areas of training most relevant to domestic and foreign markets. 	<input type="checkbox"/>		MEYS, MFATTEL
		<ul style="list-style-type: none"> Identify areas of training particularly relevant for women. 	<input type="checkbox"/>		MEYS, MFATTEL
		<ul style="list-style-type: none"> Finalise national competency certificate for skills training for accreditation by SPBEA (areas might include: carpentry, metal fabrication/welding, plumbing, computing, horticulture) and review alignment of regional accreditation with accreditation in Australia and New Zealand. 	<input type="checkbox"/>		MEYS
	Ensure continued access and financial support to Tuvaluans seeking an education through regional institutions.	<ul style="list-style-type: none"> Review the scholarships programme and assess the potential of greater emphasis on vocational education, particularly in relation to occupations in demand in Tuvalu and/or abroad. 	<input type="checkbox"/>	<input type="checkbox"/>	MEYS

Strategic Area	Policy	Action Plan	S	M	Lead Agency(s)
Additional prospects in foreign labour markets	Continue to pursue employment opportunities in regional labour markets, and with countries that have close diplomatic relations with Tuvalu.	<ul style="list-style-type: none"> Continue negotiations with the Government of Cook Islands regarding employment opportunities in hospitality and care roles in the Cook Islands. 	<input type="checkbox"/>		Office of PM, MFATTEL
		<ul style="list-style-type: none"> Explore options for skilled and semi-skilled migration under PICTA TMNP and PACER Plus. 		<input type="checkbox"/>	MFATTEL
		<ul style="list-style-type: none"> Review opportunities in Taiwanese labour market and examine potential links between Taiwanese scholarship programme and future employment. 	<input type="checkbox"/>	<input type="checkbox"/>	MFATTEL, MEYS
		<ul style="list-style-type: none"> Review opportunities for Tuvaluans in other relevant labour markets, through foreign labour market studies. 		<input type="checkbox"/>	MFATTEL
		<ul style="list-style-type: none"> Assess the prospects of formal engagement with Tuvalu diaspora to identify new employment opportunities. 	<input type="checkbox"/>	<input type="checkbox"/>	MFATTEL

ADMINISTRATION OF LABOUR MIGRATION					
S = short-term (2016). M = medium-term (2017 onwards).					
Strategic Area	Policy	Action Plan	S	M	Lead Agency(s)
Mainstream migration in national development strategies	Mainstream labour migration in 10-year National Strategy for Sustainable Development (2016-2026) and national policies on population planning, youth, women and education.	<ul style="list-style-type: none"> Work with relevant ministries (including Office of the PM, MEYS, MFED, MCT and MNR) to link labour migration and foreign employment promotion with national policies. 	<input type="checkbox"/>	<input type="checkbox"/>	MFATTEL
		<ul style="list-style-type: none"> Ensure that this policy is linked with future government policies, particularly in terms of education, and employment. 	<input type="checkbox"/>	<input type="checkbox"/>	MEYS, MFATTEL, MFED
Facilitating remittance flows and improving financial education of migrant workers and families	Explore options for improving bank transfer processes and reducing costs of financial transactions for migrant workers.	<ul style="list-style-type: none"> Explore options for bulk transfer of RSE/SWP worker remittances and other ways to reduce transaction costs for individuals. 	<input type="checkbox"/>		MFATTEL, MFED, National Bank of Tuvalu; Development Bank of Tuvalu
	Improve financial literacy of migrant workers and their families.	<ul style="list-style-type: none"> Examine options for the provision of remittance investment training for returning seafarers and seasonal workers, in association with the Tuvalu National Bank, TNPSO and the Tuvalu Business Centre in the MFED. 	<input type="checkbox"/>		MFED, National Bank of Tuvalu, TNPSO
Enhancing diaspora engagement	Examine opportunities for greater engagement with the Tuvaluan diaspora in New Zealand.	<ul style="list-style-type: none"> Commission a review of participation, by industry sector and occupation, of Tuvaluans resident in New Zealand, to provide information on employment. 	<input type="checkbox"/>		MFATTEL
		<ul style="list-style-type: none"> Identify key contacts in diaspora communities in New Zealand, Fiji and Australia with the aim of identifying opportunities for employment and business investment by island-based Tuvaluans and arrange regular opportunities for liaison, including through reunions, newsletters and other sharing of information. 		<input type="checkbox"/>	MFATTEL

Strategic Area	Policy	Action Plan	S	M	Lead Agency(s)
	Seek greater synergies between the RSE and PAC schemes for future employment.	<ul style="list-style-type: none"> Examine, together with New Zealand MBIE and Tuvaluans resident in New Zealand, possible opportunities for RSE workers with horticultural skills to gain full-time horticultural employment in New Zealand 		<input type="checkbox"/>	MFATTEL
Marketing Tuvaluan workers overseas		<ul style="list-style-type: none"> Appoint senior official in MFATTEL to co-ordinate search for new markets for workers. 	<input type="checkbox"/>		MFATTEL
	Ensure marketing strategies for NZ/Australian seasonal work are appropriate to new job opportunities.	<ul style="list-style-type: none"> Review existing marketing strategies for Australia/New Zealand, taking into account domestic employment conditions and marketing efforts of competing Pacific countries. 	<input type="checkbox"/>		MFATTEL
Information management systems	Improve data collection and management systems for monitoring labour migration (data on departing and returning citizens).	<ul style="list-style-type: none"> Seek technical support from international agencies to build a comprehensive, centrally managed database system to monitor labour migration (including data on wages, savings and remittances of offshore workers). 	<input type="checkbox"/>		MFATTEL, MFED
		<ul style="list-style-type: none"> Explore options for the collection of data on citizens departing long-term or permanently to monitor skill transfers overseas and potential loss of capability in domestic labour market, as well as helping identify potential work opportunities offshore. 	<input type="checkbox"/>	<input type="checkbox"/>	MFATTEL
Remittances	Improve data gathering on remittances	<ul style="list-style-type: none"> Explore opportunities for retaining information on remittances including volume of remittances from temporary workers, as opposed to Tuvaluans permanently residing abroad. 	<input type="checkbox"/>		MFED (Statistics) and NBT

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