



**PACER-Plus Labour Mobility Analysis:**  
**Unbound promises and an annual meeting**

**Pacific Network on Globalisation**

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### Introduction

One of the critical demands of Forum Island Countries (FICs) in the negotiations on the Pacific Agreement on Closer Economic Relations Plus (PACER-Plus) was greater labour mobility for Pacific Island workers into Australia and New Zealand. Indeed labour mobility was seen as a “deal breaker” and any agreement that failed to include considerable outcomes on the issue would render PACER-Plus of “little value”.

The movement of people in relation to PACER-Plus is addressed mainly through the binding commitments in the “Movement on Natural Persons” Chapter as well as the related “Arrangement on Labour Mobility”.

In the end however PACER-Plus itself achieved little by way of actual improvements for Pacific Islander workers to access the labour markets of Australia and New Zealand. Rather all that was agreed in non-binding language was an annual meeting to discuss matters relating to labour mobility.

### Movement of Natural Persons (MNP)

The MNP chapter and the corresponding schedules from each Party outlines the rules that will apply to the movement of workers under PACER-Plus. These rules aim to make immigration-related applications more transparent and streamlined.

The common categories for classifying the commitments are:

- business visitors – Someone who enters as an investor, or aiming to negotiate the sale of goods or a service.
- intra-corporate transferees – Someone transferred to a branch/subsidiary of an enterprise;
- independent/corporate service suppliers – Someone suitably qualified who has been contracted to for servicing;
- installers/servicers - Someone where such installation or servicing is a condition of the purchase of the relevant machinery

The commitments in these sectors, particularly that of 'intra-corporate transferees' undermines the ability of FICs to maximise the benefits of investment by ensuring that local workers are mandated to take more senior positions. As has been mentioned in the previous analysis of Trade in Services/Investment, ensuring the use of local staff particularly in management and senior levels increases the wealth retained domestically and increases the skill sets and experience.

Throughout the negotiations, the FICs had pushed to have “Skilled and Semi-Skilled Workers” included in the commitments by parties. This it was hoped would allow FIC workers better opportunities in the labour markets of Australia and New Zealand, giving them better experience and allowing them access to better wages. Australia and New Zealand however did not offer any such commitments in this “unusual feature” as “this would be inconsistent with our normal mandate approach to such chapters in free trade negotiations”.<sup>1</sup>

### The Impact and Role of Temporary Labour Schemes

From the outset a binding commitment on Labour Mobility was singled out as a key demand for FICs to ensure that PACER-Plus was of benefit to them. As then Nauru Secretary of Foreign Affairs Robert Sisilo was reported in 2010:

“If there is one issue that could be a deal breaker for Nauru on the proposed PACER-Plus

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<sup>1</sup> New Zealand Ministry of Foreign Affairs and Trade, 2017, Pacific Agreement on Closer Economic Relations (PACER) Plus National Interest Assessment, <https://www.mfat.govt.nz/assets/FTA-Publications/PACER-Plus/PACER-Plus-National-Interest-Analysis.pdf>

economic and trade agreement with ANZ, it is labour mobility – allowing Nauru’s semi-skilled workers to go and work in Australia and New Zealand. Mr Sisilo, told Forum Trade Officials negotiating PACER-Plus early this week in Honiara.

Mr Sisilo pointed out that any outcomes from the PACER-Plus process that does not include binding commitments for access of semi-skilled and skilled workers from Nauru to the ANZ labour market will render PACER-Plus of little value to Nauru.”<sup>2</sup>

A binding commitment on labour mobility however was long resisted by Australia, New Zealand and later the Office of the Chief Trade Advisor (OCTA). The argument was largely based on the belief that if such an outcome was offered to the FICs, under Most-Favoured-Nation commitments in their other FTAs, Australia and New Zealand would be forced to extend the same commitments to other countries, rendering any preference under the existing schemes for the Pacific useless. There is some doubt about just how valid such an argument is and whether or not it was seriously considered by the Australian and New Zealand negotiators.

The seasonal labour schemes, and the remittances they provide, are of increasingly significant importance for the FICs. New Zealand's Recognised Seasonal Employer (RSE) sees workers remit up to NZD\$41million per year and this importance further highlighted by World Bank estimates that:

“in 2010 Tongan seasonal workers remitted \$5.3 million, equivalent to half of Tonga’s annual export earnings; and ni-Vanuatu seasonal workers remitted \$9.7m equivalent to a quarter of Vanuatu’s annual export earnings”<sup>3</sup>.

Remittances were the equivalent of 42-47% of New Zealand's bilateral aid to these countries<sup>4</sup>. The Australian Seasonal Worker Programme has also been of enormous financial significance. As reported “...[t]he A\$26.2 million earned in [financial year 2017] also represents more than the A\$12.4 million generated through exports in Tonga.”<sup>5</sup> However in 2019 Tonga's net earnings from the SWP (AUD\$36.5m) have now surpassed the combined total of Australian aid to Tonga (AUD\$28.9m) and Tongan exports to Australia (AUD\$2.3m)<sup>6</sup>.

During the negotiations of PACER-Plus both Australia and New Zealand increased the quotas of workers allowed on the schemes and expanded their scope of coverage. New Zealand raised its quota from 9,000 to 9,500 visas available under the RSE<sup>7</sup> as well as pilot schemes for 24 carpenters from Fiji, Tonga and Samoa to help with the Christchurch rebuild that was completed in 2017. A pilot programme was also launched for approximately 20 i-kiribati and Tuvaluan graduates from the Maritime colleges to participate in the fisheries industry in New Zealand<sup>8</sup>. Following the pilot programs New Zealand has established the Pacific Trades Partnership, that is separate to the RSE, to include both the carpentry and fisheries sectors as well as announcing a feasibility study that was

2 PACER-Plus: Labour Mobility a deal breaker for Nauru, 22 October 2010, Solomon Star, <http://pidcsec.org/news.asp?pageID=2145885662&RefID=2141740147>

3 New Zealand Ministry of Foreign Affairs and Trade, 2017, Pacific Agreement on Closer Economic Relations (PACER) Plus National Interest Assessment, <https://www.mfat.govt.nz/assets/FTA-Publications/PACER-Plus/PACER-Plus-National-Interest-Analysis.pdf>

4 New Zealand Ministry of Foreign Affairs and Trade, 2017, Pacific Agreement on Closer Economic Relations (PACER) Plus National Interest Assessment, <https://www.mfat.govt.nz/assets/FTA-Publications/PACER-Plus/PACER-Plus-National-Interest-Analysis.pdf>

5 Doyle, J. and Sharma, M. March 29, 2018, *Maximising the development impacts from Australia’s Seasonal Worker Programme*, accessed at <http://www.devpolicy.org/maximising-development-impacts-seasonal-worker-programme-20180329/>

6 Howes, S. and Orton, B. January 21 2020, *For Tonga, Australian labour mobility more important than aid and trade combined*, accessed at <https://devpolicy.org/for-tonga-australian-labour-mobility-more-important-than-aid-and-trade-combined-20200121/>

7 New Zealand Ministry of Immigration, 2015, “Recognised Seasonal Employer cap raise”, <https://www.immigration.govt.nz/about-us/media-centre/media-releases/recognised-seasonal-employer-cap-raise>

8 Radio New Zealand International, 7 July 2016, “NZ to include Fisheries in RSE Scheme for Tuvalu and Kiribati”, <http://www.radionz.co.nz/international/programmes/datelinepacific/audio/201807418/nz-to-include-fisheries-in-rse-scheme-for-tuvalu-and-kiribati>

to be undertaken in 2018<sup>9</sup>.

Australia's expansion of its Seasonal Worker Programme came through the release of its White Paper on the development of Northern Australia. From 1 July 2015 Australia removed the national cap on the programme and expanded the coverage to include “the broader agriculture industry and the accommodation sector on an ongoing basis, and invite northern Australia’s tourism industry to suggest proposals to trial the SWP in tourism sectors other than accommodation from 1 July 2015”.<sup>10</sup>

Further changes to the SWP included the removal of the minimum stay requirement of 14 weeks, provided workers receive a net financial benefit of at least \$1,000 during their stay. There was also a change in the cost-sharing arrangements by “combining the employer’s contribution to each seasonal worker’s international and domestic airfare to a total of \$500”.<sup>11</sup> The changes to the financial arrangements have resulted in more costs borne by the workers participating in the scheme.

In September 2018 Australia announced the “Pacific Labour Scheme” (which actually commenced on June 1 2018), a scheme that allows up to 2,000 low and semi-skilled workers from participating countries to work in rural and regional Australia for up to three years<sup>12</sup>. Initially the programme had been open to Kiribati, Nauru and Tuvalu but includes Solomon Islands, Vanuatu and Samoa<sup>13</sup> with expansion to other Pacific Island countries available. Like the Seasonal Worker Programme the scheme is employer driven.

In November 2018 further reforms were made in Australia that relate to the Seasonal Worker Programme. The SWP reforms aimed to make it more enticing to employers include reducing the contribution to worker plane fares from \$500 down to \$300 and increasing the maximum stay period from six to nine months<sup>14</sup>. The other reforms relate to changes to the working holiday visa, also known as the 'backpacker' visa, for those who enter Australia for a working holiday. The new changes provide the opportunity for backpackers to gain both a second and third year on their visa if they undertake sufficient work during the time periods allocated. Such reforms are argued have effectively created an 'agricultural visa' allowing workers from Asia to come to Australia with the explicit goal of working for three years in the agriculture and horticulture industries, creating an experienced labour force (one of the selling points of the SWP) without the pastoral care responsibilities of the SWP<sup>15</sup>. This unilateral change to the overseas labour market for the horticulture and agriculture industries in Australia epitomise the concerns FICs had regarding the need for binding legal commitments under PACER-Plus.

#### *Using Labour Mobility to Pressure FICs to Sign*

The final change to the scheme included the explicit tying of participation in the SWP to the conclusion of PACER-Plus. The White Paper states that “subject to the conclusion of the Pacific Agreement on Closer Economic Relations, the Government will also invite additional Pacific Island

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9 New Zealand Ministry of Foreign Affairs and Trade, 2018, “Labour Mobility”, <https://www.mfat.govt.nz/assets/FTAs-in-negotiations/PACER/labour-2018.pdf>

10 Commonwealth of Australian Government, 2015, “Our North, Our Future: White Paper on Developing Northern Australia”, <http://northernaustralia.gov.au/files/files/NAWP-FullReport.pdf>

11 Commonwealth of Australian Government, 2015, “Our North, Our Future: White Paper on Developing Northern Australia”, <http://northernaustralia.gov.au/files/files/NAWP-FullReport.pdf>

12 Government of Australia, 2018, “Pacific Labour Scheme”, available at <https://dfat.gov.au/geo/pacific/engagement/Documents/pacific-labour-scheme.pdf>

13 Government of Australia, 2018, “Pacific Labour Mobility”, available at <https://dfat.gov.au/geo/pacific/engagement/pacific-labour-mobility/Pages/default.aspx>

14 Howes, S., 27 November 2018, “Backpackers VS Seasonal Workers”, <http://www.devpolicy.org/backpackers-v-seasonal-workers-20181127/>

15 Howes, S., 27 November 2018, “Backpackers VS Seasonal Workers”, <http://www.devpolicy.org/backpackers-v-seasonal-workers-20181127/>

Forum countries to participate in the SWP, potentially adding the Cook Islands, Federated States of Micronesia, Niue, Palau and Republic of Marshall Islands”.<sup>16</sup> Whilst the Cook Islands is the country with most practical interest in SWP participation, the deliberate tying of SWP participation to PACER-Plus undermines the notion that PACER-Plus is about FIC development and rather put additional pressures upon the FICs to sign up.

In addition it appears that Vanuatu's ability to access the SWP was impacted by its decisions on PACER-Plus. Prior to the June 2017 Signing Ceremony of PACER-Plus, Vanuatu made a last-minute announcement that it would not be signing the agreement until further assessments of the impact had been done.<sup>17</sup> In September that year Vanuatu announced it had decided to sign PACER-Plus.<sup>18</sup> Following the signature, then-Prime Minister Salwai was reported in an interview:

The Vanuatu Prime Minister explained that [SWP and RSE participation] too can be affected if Vanuatu does not sign PACER Plus, in areas to be accessed such as Tasmania, which is taking a long time to materialize and it could be because the country did not sign PACER Plus when other countries signed in Tonga.

“At our meeting with the Prime Minister of Australia he assured me and the Minister of Foreign Affairs (Bruno Leingkone), that Australia will expand the scheme to allow for more ni-Vanuatu to work in Australia’s labour mobility.”<sup>19</sup>

These comments come after a May 2017 trip by two Vanuatu MPs assessing the status of a 2016 MOU between Vanuatu and the State of Tasmania reported “that bureaucrats in Australia had made sure that the MOU between Vanuatu and the Premier of Tasmania was delayed to a future date”.<sup>20</sup> Whilst there is currently no proof that Australia was withholding further access for ni-Van workers into Tasmania under the SWP as leverage on PACER-Plus, the assurances by the Australian Prime Minister after Vanuatu's signing of PACER-Plus are consistent with the history of real-politiking and pressure that has been a hallmark of Australia's (and New Zealand's) approach<sup>21</sup> to the Pacific with PACER-Plus.

Like the pressure being exerted around the SWP, the Pacific Labour Scheme was initially being used to pressure the FICs on PACER-Plus. Whilst the scheme was announced over a year after PACER-Plus was signed, for other FICs looking to join “access will be extended to other PICs based on need, impact and progress on the PACER Plus regional trade agreement”.<sup>22</sup> This requirement for progress has now been removed (with no references to such on the website) which is a welcome development. That it was initially a condition highlights the approach that is taken by Australia to the region and the lengths they are going to in order to make sure FICs ratify PACER-Plus. Further it highlights the nature of change that can impact any discussions around labour mobility in the region, standing in stark contrast to the binding commitments taken by the FICs in PACER-Plus.

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16 Commonwealth of Australian Government, 2015, “Our North, Our Future: White Paper on Developing Northern Australia”, <http://northernaustralia.gov.au/files/files/NAWP-FullReport.pdf>

17 Cullwick, J., 9 June 2017, “Vanuatu Will Not Sign PACER Plus”, Vanuatu Daily Post, accessed at [http://dailypost.vu/news/vanuatu-will-not-sign-pacer-plus/article\\_06ad664c-870d-5ea8-b79f-ddbee0929c80.html](http://dailypost.vu/news/vanuatu-will-not-sign-pacer-plus/article_06ad664c-870d-5ea8-b79f-ddbee0929c80.html)

18 Government of Vanuatu, “Vanuatu to Sign PACER Plus Agreement”, 1 September 2017, accessed at <https://www.gov.vu/en/public-information/306-vanuatu-to-sign-the-pacer-plus-agreement>

19 Cullwick, J., 13 September 2017, “PM to VCCI: Work With Me”, Vanuatu Daily Post, accessed at [http://dailypost.vu/news/pm-to-vcci-work-with-me/article\\_648e28e2-dde2-59de-9f33-782a7f865257.html](http://dailypost.vu/news/pm-to-vcci-work-with-me/article_648e28e2-dde2-59de-9f33-782a7f865257.html)

20 Garae, L., 31 May 2017, “Parliamentary Secretaries react to Tasmania MOU impasse”, Vanuatu Daily Post, accessed at [http://dailypost.vu/news/parliamentary-secretaries-react-to-tasmania-mou-impasse/article\\_b45202ed-010a-5401-b18c-435b9663dde6.html](http://dailypost.vu/news/parliamentary-secretaries-react-to-tasmania-mou-impasse/article_b45202ed-010a-5401-b18c-435b9663dde6.html)

21 See PANG's reports “Speaking Truth to Power” and “Big Brothers Behaving Badly” for the documentation of this history.

22 Initially the factsheet on the PLS included the reference to progress on PACER-Plus. Now that the policy has changed it is no longer contained in the factsheet available at <https://dfat.gov.au/geo/pacific/engagement/Documents/pacific-labour-scheme.pdf>

### *Worker Exploitation under Seasonal Labour Schemes*

The expansion of the SWP came amidst concerns about the exploitation of the workers on the schemes. In their submission to the Australian Parliamentary Inquiry into the Seasonal Worker Programme the Australian Council of Trade Unions (ACTU) stated that they had not been consulted regarding the White Paper's outcomes, particularly regarding the expansion of the schemes. The ACTU states that “appropriate safeguards and oversight must accompany any future expansion, and be in place before that expansion takes place”.<sup>23</sup>

Both the National Union of Workers and the Fair Work Ombudsman raised concerns about worker exploitation to the Parliamentary Inquiry:

The National Union of Workers states that these fears mean that there is “significant risk that problems experienced by workers participating in the scheme are underreported”, while the Fair Work Ombudsman acknowledges compliance challenges, including “the transient nature of visa holders; language barriers; visa holders’ limited understanding of workplace entitlements; and their concerns about their visa status.”<sup>24</sup>

Exploitation is already prevalent in existing labour mobility schemes with cases of workers being paid AUD\$1.21/hour when they were entitled to AUD\$21.61/hour.<sup>25</sup> A Labour-hire firm Maroochy Sunshine Pty Ltd is being prosecuted by the Fair Work Ombudsman for underpaying workers a total of \$77,000. Including failing to pay 13 Ni-Vanuatu workers brought to Queensland in 2014, and paying another nine workers between \$50 and \$300 for up to seven weeks’ labour on Queensland fruit and vegetable farms.<sup>26</sup>

These cases and others support the ACTU's recommendation to the Parliamentary Inquiry that “relevant unions in both the home and host countries should have access to the workers and input into the briefings at each stage of the process, consistent with recommendations of the World Bank”.<sup>27</sup>

The ongoing exploitation of workers on the SWP however pales in comparison to the fact that 14 workers have died whilst in Australia under the SWP.<sup>28</sup>

### *The Arrangement on Labour Mobility*

The final outcome of PACER-Plus reflected the wishes of Australia and New Zealand by securing a non-binding outcome and instead agreeing to the “Arrangement on Labour Mobility”<sup>29</sup>. According

23 The Australian Council of Trade Unions, 2015, “ACTU Submission to Parliamentary Inquiry into the Seasonal Worker Program”, <http://www.aph.gov.au/DocumentStore.ashx?id=e17d70cc-11b7-4714-8f1c-ce4807e134e2&subId=354047>

24 Maclellan, N., 2017, “Where are the unions in seasonal work programs?”, <http://devpolicy.org/unions-seasonal-work-programs-20170815/>

25 Emma Field and Alex Sampson: “Shocking conditions exposed in Federal Government’s Seasonal Worker Program”, *Weekly Times*, 16 December 2016. <http://www.weeklytimesnow.com.au/news/national/shocking-conditions-exposed-in-federal-governments-seasonal-worker-program/news-story/46a5db6adb9611b8db30a2a41689cc25>

26 Emma Field, “Fair Work Ombudsman Takes Labour-Hire Firm to Court for Allegedly Underpaying Vanuatu Workers | WeeklyTimesNow,” *The Weekly Times*, January 13, 2016, <http://www.weeklytimesnow.com.au/agribusiness/fair-work-ombudsman-takes-labourhire-firm-to-court-for-allegedly-underpaying-vanuatu-workers/news-story/d8e42103d960d0b17ff4ec6348ad3a0c>.

27 The Australian Council of Trade Unions, 2015, “ACTU Submission to Parliamentary Inquiry into the Seasonal Worker Program”, <http://www.aph.gov.au/DocumentStore.ashx?id=e17d70cc-11b7-4714-8f1c-ce4807e134e2&subId=354047>

28 Australian Broadcasting Corporation, Pacific Beat, January 12 2018, *Death of seasonal worker sparks questions about program*, accessed at <http://www.abc.net.au/news/programs/pacific-beat/2018-01-12/death-of-seasonal-worker-sparks-questions-about/9324114>

29 The “Arrangement” only includes the following countries: The Governments of Australia, the Cook Islands, the Federated States of Micronesia, the Independent and Sovereign Republic of Kiribati, Republic of Nauru, New

to New Zealand the arrangement holds “less-than-treaty status and is therefore not legally binding” however it does “represent an important political commitment” to the FICs<sup>30</sup>.

The key outcome from the Arrangement is the establishment of the “Pacific Labour Mobility Annual Meeting” (PLMAM) (Paragraph 4). The meetings are to be held annually and a consensus report with any recommendations will be conveyed to Ministers at the annual Pacific Islands Forum Trade Ministers Meeting (Para 4.1 and Para 4.2).

Paragraph 4.4 details that the PLMAM will be responsible for reviewing the progress against the key objectives of the Arrangement that will address where appropriate:

- (a) enhancement of existing labour mobility schemes and facilitation of other forms of temporary labour mobility (paragraph 5);
- (b) support for institutions (paragraph 6);
- (c) facilitation of circulation (paragraph 7);
- (d) TVET and other tertiary education (paragraph 8);
- (e) facilitation of recognition of qualifications and registration of occupations (paragraph 9); and
- (f) any other matter which relates to the objectives of this Arrangement.

The meeting will be funded by Australia and New Zealand and hosting is rotated between Australia, New Zealand and a Forum Island Country (Para 4.6).

At the most recent PLMAM held in October 2019 concerns were also registered “that workers’ take home incomes were decreasing due to rising costs, deductions and lack of progression in remuneration”<sup>31</sup>. Further, a number of issues were raised “relating to contract arrangements and the roles and responsibilities in ensuring that workers’ welfare and working conditions, including remuneration, were adequately safeguarded and understood” with a list requiring priority consideration given to Australia and New Zealand<sup>32</sup>.

Coming out of the PLMAM is the proposal for a “Labour Mobility Secretariat” however this is under further consideration as “any Labour Mobility Secretariat are not within the scope of the AU\$25.5million PACER Plus Development Cooperation Commitment allocation, and specific labour mobility resourcing would need to be new and additional, or reprioritised and repurposed”<sup>33</sup>. It is insightful to see that even within the framework of the PLMAM, any initiative that might help progress and be of real institutional support for the FICs has to come from somewhere else in the existing aid budgets of Australia and New Zealand.

The PLMAM meeting in and of itself is not an unwelcome initiative as greater ongoing conversations are needed when dealing with the movement of people around the region for labour projects. The PLMAM is problematic however for a number of reasons.

First and foremost it is the indicator of the imbalance in PACER-Plus. Forum Island Countries are

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Zealand, Niue, the Republic of Palau, the Republic of the Marshall Islands, the Independent State of Samoa, Solomon Islands, the Kingdom of Tonga, Tuvalu, the Republic of Vanuatu

30 New Zealand Ministry of Foreign Affairs and Trade, 2017, Pacific Agreement on Closer Economic Relations (PACER) Plus National Interest Assessment, <https://www.mfat.govt.nz/assets/FTA-Publications/PACER-Plus/PACER-Plus-National-Interest-Analysis.pdf>

31 Pacific Labour mobility Annual Meeting Outcomes Statement 2019, [https://www.mfat.govt.nz/assets/PACER-Plus/PLMAM-2019-Outcome-Statement\\_-Public.pdf](https://www.mfat.govt.nz/assets/PACER-Plus/PLMAM-2019-Outcome-Statement_-Public.pdf)

32 Pacific Labour mobility Annual Meeting Outcomes Statement 2019, [https://www.mfat.govt.nz/assets/PACER-Plus/PLMAM-2019-Outcome-Statement\\_-Public.pdf](https://www.mfat.govt.nz/assets/PACER-Plus/PLMAM-2019-Outcome-Statement_-Public.pdf)

33 Pacific Labour mobility Annual Meeting Outcomes Statement 2019, [https://www.mfat.govt.nz/assets/PACER-Plus/PLMAM-2019-Outcome-Statement\\_-Public.pdf](https://www.mfat.govt.nz/assets/PACER-Plus/PLMAM-2019-Outcome-Statement_-Public.pdf)

undertaking binding commitments on the areas of interest to Australia and New Zealand yet on the key interest to the FICs, Australia and New Zealand have promised to fund an annual meeting of officials.

Secondly, there is no mandated union voice at the meeting. The recent and ongoing stories of exploitation of workers under seasonal employment schemes indicated the very important need to ensure that seasonal workers know their rights and have a voice. The failure to ensure that the PLMAM was a tripartite meeting will ensure that the voice of workers is excluded from the decisions made on the workings of the schemes.

Thirdly, the mandating of a “consensus report” effectively provides Australia and New Zealand with a veto of any recommendations. Whilst this continues the current arrangements within PIFS meetings, FICs know very well the power that the region's main aid donors have and the way they can use it to ensure their interests.

Fourthly, the requirement to have the PLMAM report to the Pacific Islands Forum Trade Ministers means that Ministers who may have little understanding of the complex implications of these schemes will be making decisions regarding them. Furthermore, the history of the Forum Trade Ministers Meeting has seen Australia and New Zealand wield their political power in that environment to great effect<sup>34</sup>, undermining the ability of FICs to ensure that their concerns about the issues are going to be addressed.

Finally, the PLMAM amounts to no new commitments from Australia and New Zealand. As New Zealand has stated, the “financial implications are minimal and can be met from within existing Official Development Assistance (ODA) programmes”<sup>35</sup>. The fact that the PLMAM, and any proposed “Labour Mobility Secretariat” will see money diverted away from other ODA programmes means that it is not a net gain for FICs.

### Conclusion

There is no doubt of the importance that temporary labour mobility has for many Forum Island Countries, which is why it was a centrepiece of their interest in PACER-Plus negotiations. While there have been a number of welcome developments regarding this over the course of the PACER-Plus negotiations the bitter truth is that the outcome of those talks resulted in no binding benefits from the regions big brothers Australia and NZ in exchange for the disproportionate commitments being undertaken by the FICs. Instead labour mobility is now indicative of the failure of PACER-Plus to deliver in the interests of FIC development and instead embodies the traditional approach that Australia and New Zealand have to the region, one of pursuing their interests first and foremost.

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34 See PANG's publications “Speaking Truth to Power” and “Big Brothers Behaving Badly” for accounts of some FTMMs.

35 New Zealand Ministry of Foreign Affairs and Trade, 2017, Pacific Agreement on Closer Economic Relations (PACER) Plus National Interest Assessment, <https://www.mfat.govt.nz/assets/FTA-Publications/PACER-Plus/PACER-Plus-National-Interest-Analysis.pdf>