

Civil Society Engagement towards Social Development Needs Policy Scoping Report



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Executive Summary

The Ministry of Internal Affairs of the government of the Cook Islands has identified engagement with Civil Society stakeholders as an area for support to ensure delivery of its business plan (13/14) and social development priorities.

Social Service delivery to the country's communities is a key action to improving the lives of Cook Islanders. The Ministry of Internal Affairs recognises the importance and value of our country's civil society organisations and the role they have to play in ensuring these services are delivered and that necessary improvements take place. In order to ensure quality delivery of its programmes and services, MOIA seeks to formalize its working partnerships with key Civil Society Organisations.

This report examines the key policy drivers, concepts and understandings of key stakeholders in proposing a policy position that will assist the Ministry of Internal Affairs facilitate its engagement of Civil Society organisations in the delivery of services which can be applied across government.

Divided into two phases, phase one through stakeholder consultations and a document review (including National planning documents, regional and international conventions and treaties) proposes a definition of Civil Society, and identified other policies that could address government relations with CSO's.

In determining the way forward for a suitable policy option, a set of guiding principles was proposed. These serve to guide stakeholders engaged in the implementation of ministry led social policies. The agreed principles following consultation are as follows.

Overarching Principle of Partnership - The relationship between MOIA and civil society partners should be founded on appreciation of the constraints under which all sides operate, mutual respect, reciprocated trust, authentic consultation, genuine negotiation and a shared recognition of common purpose.

Supporting Principles

- Recognition of the distinctive and diverse, but often complementary, roles of CSOs
- Recognition of the independence of CSO's irrespective of any funding relationship that might exist
- Recognition that the participation of Civil Society is a key element in national and international development initiatives
- Commitment to open and ongoing dialogue on policy and practice
- Commitment to simplification of processes and requirements in meeting transparency and accountability obligations
- CSO empowerment is critical for achieving the social and economic development goal of the country.

Taking into account the discussion presented in the report, three options are outlined.

Option one proposes maintaining the status quo and relying on existing policies and those for review and updating to give direction to CS engagement.

Option Two seeks to take a holistic and integrated approach for MOIA social policies and extending the existing policy framework of the ministry.

Option Three is more narrowly focused to support the administration of the Social Impact fund and the service delivery objectives of this mechanism.

Overall, Option two is considered the most favourable option in its ability to be integrative and enabling within the MIOA and across other agencies and the social sector giving greater impact and efficiencies in supporting the outcomes of MOIA social policies and mandates. Upon approval of Option two, preparation and consultation of the Civil Society Partnership policy was carried and is submitted for final approval and adoption by MOIA.

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Credits

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Disclaimer and Statement regarding Conflict of Interests

The findings and recommendations expressed in this Report are those of the independent consultants and do not necessarily reflect the views of the Cook Islands Government. Akairo Consulting has not previously been engaged by Ministry of Internal Affairs to undertake assignments.

List of Acronyms

ADB	Asian Development Bank
CI Gov	Cook Islands Government
CIRC	Cook Islands Red Cross
CPPO	Central Policy and Planning Office
CS	Civil Society
CSO	Civil Society Organisation
HOM	Head of Ministry
MDGs	Millennium Development Goals
MOE	Ministry of Education
MOH	Ministry of Health
MOIA	Ministry of Internal Affairs
MTBF	Medium Term Budget Framework
NGO	Non-Government Organisation
NGOs	Non Government Organisations
NSDC	National Sustainable Development Commission
NSDP	National Sustainable Development Plan
OPM	Office of the Prime Minister
MOC	Ministry of Culture
OPSC	Office of the Public Service Commissioner

1. Introduction

The Ministry of Internal Affairs (MOIA) under instruction of the Government of the Cook Islands has directed engagement with Civil Society (CS) stakeholders as an area for support to ensure delivery of its business plan (13/14) and social development priorities. While there has been political support and a long history of government and CS working together¹, MOIA consider that current expectations by government and CS are unclear about how and when they engage and for what purpose. MOIA seek an appropriate policy instrument that will guide and provide clarity and improve this current situation.

The MOIA is responsible for the delivery of key outputs in the social policy areas including: welfare payments, child and family services, the elderly and disability, gender and development and youth and sports programmes across the Cook Islands and working with a broad range of stakeholders to meet the social development needs of the country's most vulnerable communities.

Background

Social Service delivery to the country's communities is a key action to improving the lives of Cook Islanders. The MOIA recognises the importance and value of our country's civil society organisations and the role they have to play in ensuring these services are delivered and that necessary improvements take place. In order to ensure quality delivery of its programmes and services, MOIA seeks to clarify its working partnerships with key Civil Society Organisations (CSO).

Objectives

The objective of this policy scoping exercise is to assist MOIA to prepare a policy position that facilitates the engagement of Civil Society organisations in the delivery of services which can be applied across government.

1.1. Scope and Methodology

In fulfilling the terms of reference for this assignment, the parameters of the policy scoping exercise, its methodological considerations and key concepts are outlined below.

The scope of work includes:

1. Identification and analysis of issues affecting social service delivery and Civil Society engagement in the Cook Islands context;
2. Provide clarity and guidelines for government relations with civil society organisations
3. Preparation of policy options and drafting a policy position;
4. Consultation on issues and policy options
5. Formulation of a policy document for adoption.

Phase One: Issue Identification and Analysis

- A definition of Civil Society
- Identify other policies that could address government relations with CSO's, such as the Cook Islands Official Development Assistance Policy
- Identify government ministries, CSO's and Development Partners (DP) to confirm the need for this policy and agreement to participate or support it
- Consider the need for a reference group/committee, identify relevant members and sector level representation. The reference group provides advice and guidance to the consultant and the ministry, these will be unpaid positions and a TOR will progress once relevance is established
- Conduct a literature review of existing national and donor CSO policies

¹ Refer to page 12, Cook Islands Party, 2010. Cook Islands Manifesto and Chapter 17, Tauturu in Akono'anga Maori Cook Islands Culture, (2003). R. Crocombe and Crocombe, M.T. (editors). USP. Fiji.

- Explore alignment to National Sustainable Development Plan (NSDP), Millennium Development Goals (MDG's) Convention for the Elimination of Discrimination Against Women (CEDAW) and Convention on the Rights of the Child (CRC) and other relevant policies (e.g. youth, disabilities and the elderly). Consult with other government partners, CSO's and DP's on the level of engagement they expect from the partnerships
- Submit a list of options from the above Identification Stage to start the policy development

Phase Two: Policy Development

- Prepare policy based on approval of preferred options above
- Develop/prepare a policy statement
- Policy on Govt/CSO relations may include but not limited to the following:-
 - Identify opportunities for cooperation and collaboration and ways this could be enhanced
 - Acknowledge the different legitimate roles and responsibilities of Govt's and CSO's
 - Seek ways to build constructive relationships between the CSO's even when there are disagreements
 - Identify ways to address conflicts and disagreements
 - Recognise the value of having a strong civil society and informed public
 - Recognise the knowledge, skills and experiences held in the community and in CSO's
 - Provide a mechanism for communication and debate
 - Identify ways the Govt can provide financial support to CSO's
- Consultations with stakeholders to include Pa Enua and Vaka stakeholders.

1.2. Methodology

As a policy development exercise, the following activities have been undertaken:

Document Review

A review of a range of documents was undertaken. Refer to Appendix 1. This included a total of 27 policies, plans and documents from government, development partners and regional agencies sources. The review involved a cursory analysis of the scope and coverage of policies, nature and purpose of relationships between government agencies and stakeholders including Civil Society organisations and groups. An in-depth analysis of Ministry of Internal Affairs business plan and strategic level policies was also undertaken. A summary of Cook Islands government policy products related to social development context is attached as Appendix 3.

Consultations

Consultations were carried out with a range of stakeholders. Overall, 120 people participated and included representatives from Atiu, Mangaia, Aitutaki and Rarotonga. 73 women were consulted as part of this assignment. A total of 57 organisations were represented. This includes 36 different CS organisations and groups. In the first round of consultations this included representatives from key social sector agencies and peak civil society organisations. Further consultations were carried out with a wider network of stakeholders following confirmation of the policy direction from the draft scoping report. A list of participants consulted is attached in Appendix 2.

Analysis and Policy Option Formulation

Content analysis of information from the consultations and document reviews has been undertaken using partnership analysis tool to determine the nature and purpose of relationships between government agencies and civil society stakeholders. Analysis of stakeholder interests and expectations was also undertaken. Collectively this helped to inform potential policy options

available to address identified issues relating to the engagement of civil society in addressing social development needs and particularly those within the mandate of the MOIA. A draft policy was prepared following deliberation and approval by MOIA as commissioners of this assignment.

2. THE COOK ISLANDS AND SOCIAL DEVELOPMENT

2.1. Geography

The Cook Islands comprise 15 small islands scattered over 1.8 million square kilometres of the South Pacific Ocean. With a total land area of 240 square kilometres, the islands are divided geographically, into a Northern group and a Southern group. The Northern group of islands is described primarily as low coral atolls (Palmerston, Suvarrow, Nassau, Pukapuka, Rakahanga, Manihiki and Penrhyn), while the Southern group comprises eight islands (Aitutaki, Manuae, Takutea, Atiu, Mitiaro, Mauke, Mangaia and Rarotonga) which are primarily volcanic islands.

2.2. The Economy

The Cook Islands is a Pacific microstate in free association with New Zealand. It is a medium income country and has one of the highest GDP per capita² at NZ\$13,410 in the region. The country's economy is highly dependent on tourism revenues (70% of the GDP), leaving it particularly vulnerable to economic shocks stemming from the New Zealand, Australia and the United States, from where most tourists originate. Government's response to key vulnerabilities (e.g. extreme geographic isolation, lack of economies of scale, tiny domestic market) includes growing the revenue base from other sources including financial services, marine resources and agriculture. Improvements to public sector management, transportation, physical infrastructure have also been undertaken.

Overall the country shows good progress in achieving its Millennium Development goals with all goals completed or are on track for 2015.³

2.3. The People

The total resident population is now at 14,794 compared to 15,324 in 2006. While total resident population appears relatively stable, the indigenous population continues to decline and be replaced by foreign labour. Trends show the continued migration from the outer islands to Rarotonga and subsequent migration overseas. The Pa Enua (islands excluding Rarotonga) are experiencing a particularly marked decline with around 65% of the population now living on the main island of Rarotonga.

The unemployment rate is estimated at 8%. Young people make up one third of all unemployed. While the average income has progressed over the years, reaching \$15,028⁴ in 2011, a household survey in 2006 showed that up to 28% of the population was not able to meet basic needs for a decent standard of living⁵. Disparity exists in income earning opportunities between the outer islands and Rarotonga, the main island, as well as between men and women throughout the islands.

² P19. Government of the Cook Islands. (2012). Cook Islands Census 2011.

³ Government of the Cook Islands, (2010). Cook Islands Millenium Development Goals Report.

⁴ P19. Government of the Cook Islands. (2012) Cook Islands Census 2011.

⁵ P.36. Government of the Cook Islands. (2008). Cook Islands Analysis of 2005-06 Household Expenditure Survey Report.

In relation to the population, and a declining workforce due to migration, the MOIA reports⁶ on the number of individual and families requiring assistance in the Table 1 below. This shows that at least a third of the resident population require direct assistance from the MOIA welfare division and more than half the resident population are potentially in need of assistance provided through MOIAs social policy mandates.

Table 1 MOIA Clients at Risk

Total Resident Population	14,794
People aged 60 years and above	1700
Children aged from 0 to 12	3600
People with a disability or are destitute and unable to support themselves	244
Caregivers that provide care to elderly and disabled families members	163
15 – 34 Years	3600

From a health perspective, Table 1 below shows the incidence of non-communicable disease that requires attention and place demands health services and requires MOIA engagement to assistance along with other social sector ministries.

2.4. Social Support Services

A range of support services are provided to people of the Cook Islands through government, non government and traditional family, tribal, village and island structures. In addressing the needs of individuals, families and communities at risk and most vulnerable the MOIA coordinates and delivers a range of services through its annual business outputs as follows:

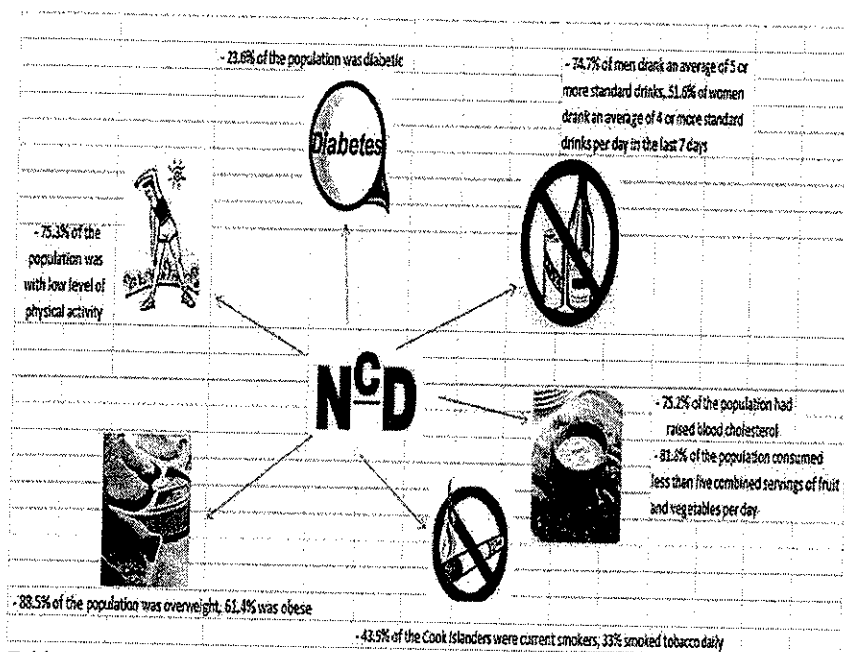


Table 2: NCD related Health Issues

Children and Families

This output supports and promotes safe and healthy home environments for children and families through delivery of care and protection services targeting unsafe or at risk children in the Cook Islands to prevent any form of harm, neglect and abuse through family counselling, home visits and assessments, family group conferencing processes while ensuring that all children are

provided with appropriate proactive care and protection, and positive outcomes.

Young people

The output promotes the engagement of young people to fully participate in Cook Islands' society while providing positive contributions to the social, economic and cultural life of our communities and nation.

⁶ MOIA business plan, p. 22 & Cook Islands Statistic Offices, 2011 Census Report.

People with Disabilities

This output supports social protection and wide recognition on the rights and dignity of people with disabilities in order to improve the quality of their lives by ensuring there are opportunities for people with disabilities to participate fully and prosper in the social, economic and cultural life of the nation.

Women

This output promotes gender equality for opportunities and development for women and girls to enable increased female participation in national, local and regional decision-making positions and improving accessibility to education, improved health and well-being, and economic opportunities. Ensuring that women and girls are protected from all forms of discrimination and violence is vital to achieving this goal and that of fully participating and prospering in the social, economic and cultural life of communities and the nation.

Elderly

While there is no specific output for the Elderly initiatives in this area include the Committee for Action on Ageing of which the MOIA is a member and the preparation of the soon to be adopted policy on Ageing (Rau Ti Para). The MOIA plans to establish a position to oversee and coordinate this policy.

3. Policy Conceptual Framework

In response to Phase One tasks, a number of key concepts frame the parameters of government's engagement with a full range of its stakeholders, including Civil Society.

It is generally considered that since the time of self-governing, progress has been substantial in building the resilience of communities to address the ongoing economic, social and the environmental challenges which are commonly faced by small islands states. The country has moved from a state led to private sector led economy. In addition, it is generally recognised that the country's Civil Society is a key sector contributing to the development of the country.

Historical and Political Importance of CS in the Cook Islands.

The political importance of the relationship between government and CS is demonstrated in the current government's party manifesto which refers to 'partnerships to empowerment' whereby:

'Partnerships with our people are key and core to dealing with the challenges and addressing those challenges with innovation (little steps). After all, they know what is best for them. Our Goal is;

- To achieve a buy in from the three areas of society to any proposed changes*
- CIP will continue to facilitate and strengthen its partnerships between community and government*
- The private sector will be also encouraged to commit to this approach*
- CIP will consult and dialogue with our donor communities to develop a framework that enables them to work more directly with stakeholders at all levels instead of dealing with government only."*⁷

While the Democratic Party 2010 Manifesto makes no specific reference to working in partnership with CS to be able to guarantee bi-partisan support, it is generally accepted that government acknowledges the importance of Civil Society organisations.

The notion of service and volunteering is well entrenched in Cook Islands culture based on a traditional group approach to carrying out tasks as part of everyday tribal and village living. These

⁷ Refer to p.12. Cook Islands Party, (2010). Cook Islands Party Manifesto.

traditional groups were 'based on principles of kinship, locality, seniority and gender. Today they are much more diverse in kind, exist over a much wider areas, operate on a much large scale and are based more on common interests.'⁸ Noting the evolution of non-government organisations traditional leadership and helping groups, CS can be considered a 'dynamic part of Cook Islands culture.'⁹

Defining Civil Society

Consultations and the review of the literature show there is no nationally set definition of Civil Society. However stakeholders considered Cook Islands Civil Society is separate from the government, public sector and the private sector. It is made up of associations, organisations and groups that operate to advance common interests and advance collective action. These groups may be considered non-profit organisation, non-government and community based. While the prerogative to define concepts for national application, rests with others such as the Office of the Prime Minister and Office of the Public Service Commissioner, for MOIA purposes, the term Civil Society can be usefully conceptualises as:

*'that part of society that is separate from the state and the private sector, e.g. associations and groups that operate within society to advance common interests and facilitate collective action. The term civil society can be used to refer to the public arena for debate on societal issues, as well as the values and institutions that enable citizens to participate in political and social decision making.'*¹⁰

Taking this as a reference point, Cook Islands Civil Society constitutes a wide range of formal and informal groups and organisations focusing on a broad range of issues, concerns and interests across all aspects of Cook Islands life and geographically spread across the country's Pa Enua. These include non-government organisations, community based groups, women or youth groups, professional organisations, industry organisations, recreation and cultural groups, rights organisations, activist groups, environment organisations, faith-based/religious groups and organisations, media, sports and voluntary organisations. They may include enterprise, small income-generating groups. Volunteerism is a feature noting too some employ staff to fulfil the mandates of their organisation or group.

Interest	Number
Socials Services	34
Sports	35
Religion	12
Arts & Culture	10
Political/Governance	4
Fisheries	17
Business	11
Gender	8
Growers	11
Beautification	6
Marine/Environment	2
Uniform Organisation	2

Figure 1 Range and Number of Registered Incorporated Societies

In addition, attention must also be given to what constitutes civil society where our national setting and history and the varied configurations of collaboration and contention exist.¹¹ This is particularly so in the pa enua, where community and state efforts are viewed as one.

As at 13 July 2013, the Ministry of Justice records show there are currently 149 registered incorporated societies with the majority representing sports, religious and social service organisations. Refer to Figure 1. The number of community groups which are not required to be incorporated is undetermined. However, as an indication, during the initial funding rounds of the Social Impact Fund, 49 groups and organisations submitted grant applications. A number of groups and organisations are affiliated to national peak

(umbrella) organisations. It is likely that the total number of groups exceeds those that are formally registered.

⁸ P.211 Akono'anga Maori Cook Islands Culture, (2003). R. Crocombe and Crocombe, M.T. (editors).
⁹ Ibid. p220.

¹⁰ P.5, NZAID (2010), Guideline: Working with Civil Society Organisations
¹¹ P.1 UNDP, Policy of Engagement with Civil Society.

Role of Civil Society

Along with the government of the day, CS has a role to play in ensuring the economic, social and environmental development of the country. Civil Society organisations and groups fulfil a wide range of real and potential roles in our country's development. This includes advocating for those without power in the community, engaging with those who government can't reach, providing rapid humanitarian response in areas of greatest need, working to address hardship at the community and village level, providing information and services to the community, mobilizing community resources to address local needs and issues, promoting community participation in sustainable economic development, providing alternative views to those of government and scrutinizing the impact and effort of institutions and systems in the community.

Many of these roles are not exclusive to government or CS. However the ability of CSOs to provide an alternative view to government without the constraint of legislative or administrative structures is distinctive and underpins the advocacy and service provision functions of CSOs.

In recognition of the role of CSO's in contributing to the country's development needs and addressing social issues and concerns, government policy consistently values Civil Society and seeks to engage with Civil Society for a range of purposes and through a range of mechanisms.

Sustaining Civil Society

In the Cook Islands, volunteerism as a source of civic action along with the efforts of kinship, village and island networks are fundamental to advancing common interests and collective action. Ensuring that the rights of those most vulnerable are maintained and ensuring that assistance is provided at the level where people work and reside is acknowledged as important enabling people to remain in their village and island context. Understanding the basis and nature of CSO relationships with each other and the individuals and families they serve will inform how and where MOIA can support CS efforts at the village and island level.

In addition to volunteering, support to Civil Society comes mainly through in the form of cash grants and service contracts as well as through technical assistance and advice from a range of sources. Government is the primary provider of social services in education, health, justice and welfare through annual budget appropriations. In recognising the limitations of government resources, funding is also made available through a range of development partners, International Civil Society Organisations and Trusts as well as multilateral agencies administering global funds. New Zealand, Japan, India, Germany, United Nations and international philanthropic organisations provide a range of small grant options to a range of Civil Society organisations addressing a range of issues. Criteria, eligibility, application and decision making processes vary as do funding levels. However, the sustainability of civil society and its organisations requires more than just funding alone. Avenues for dialogue along with avenues of redress are also required.

4. Support for Civil Society Engagement Policy

Initial consultations with key stakeholders agree that there is a need to better articulate government's engagement with its civil society stakeholders. Government ministries consulted included line Ministries of Health, Education, Culture, Justice and Internal Affairs. Central Agencies consulted included: Office of the Prime Minister (OPM), Office of the Public Service Commissioner (OPSC) and Ministry of Finance and Economic Managements (MFEM) Development Coordination Division. While one ministry saw little need for a policy, a review of its business plan clearly identified a need and value in engaging with communities as part of meeting its mandated functions. In general, government agencies supported the use of a policy particularly if it increased resource opportunities to NGOs for the delivery of services on behalf of government. The Ministry of Education values the role of civil society and has developed a strategic policy – Communities, Partnerships and Communication to support the implementation of its 20 year Education Master Plan. For example, the MOE prepares and publishes an annual report to stakeholders. This includes

hosting public forum for dissemination and debate. Ministries identified that while there aren't policies formally setting out the engagement with Civil Society organisations, practices were in place that facilitated working relationships with organisations such as Memorandums of Understanding. There was interest in reviewing the policy as it provides an opportunity to inform a ministries own operations and engagement with its CS stakeholders. However, ministries also identified that internal capacity both in terms of human and system capability were key constraints to undertaking policy development work. The absence of government wide guidance to policy development in terms of access to advice, tools and structures was also a constraint highlighted in the second round of consultations.

MOIA and Civil Society Engagement

The MOIA considers such a policy is of value in being able to seek and provide advice, advocacy and services to and on behalf of communities. It also has the potential to encourage efficiencies within sectors such as the GEWE policy which places 'partnerships' and 'inter-agency cooperation' as fundamentals to its design and implementation. A policy would also serve as a basis from which to build trust, respect and share limited resources around common issues.

Development Partners Engagement with Cook Islands Civil Society

Development Partners (DP's) presence in the Cook Islands includes engagement with Civil Society that

	NZ	ADB	UNDP
Civil Society engagement Policy in Place?	Yes, 2010 Guidelines for working with Civil Society	Yes Public communications policy	Yes UNDP and Civil Organisations: A Policy of Engagement
Key principles Identified?	Yes	Fundamentals are identified	Yes
Nature of engagement determined?	Yes	yes	Yes
Alignment with CI Aid policy?	Yes	Not mentioned	yes

Table 3 Development Partner Civil Society Policies

National 2012 Aid Policy offering a level of policy alignment that enables a harmonised approach and potential for a more coordinated effort towards social outcomes using domestic and international resources.

Civil Society Organisations

Consultations were held in Rarotonga, Mangaia, Aitutaki and Atiu with a number of CSO including umbrella organisations. A common view of CS stakeholders was that something needed to be in place. This was based on weakness and limitations of the current engagement arrangements. This included: poor flows of information, accessing information to be able to make a case in relation to advocacy role of CSOs, limited understanding of the role of government in addressing not just social issues also understanding the lines of communication between CSOs, a ministry and its minister.

Another weakness was the limited community development capacity (skills, knowledge and resources) to build and operate their organisations so that the needs of their communities and the individuals and families that seek help are met. This also includes being able to identify duplication and synergies to ensure efficiencies and effectiveness in the delivery of advice and services.

In fulfilling its advocacy functions, CSOs require access to information collected and produced by government as official data. Consultations identified that this function is restricted when information isn't easily available through timely published reports or where protocols to access information aren't formalised. Rather access to information is reliant on the strength of relationships with individual officials.

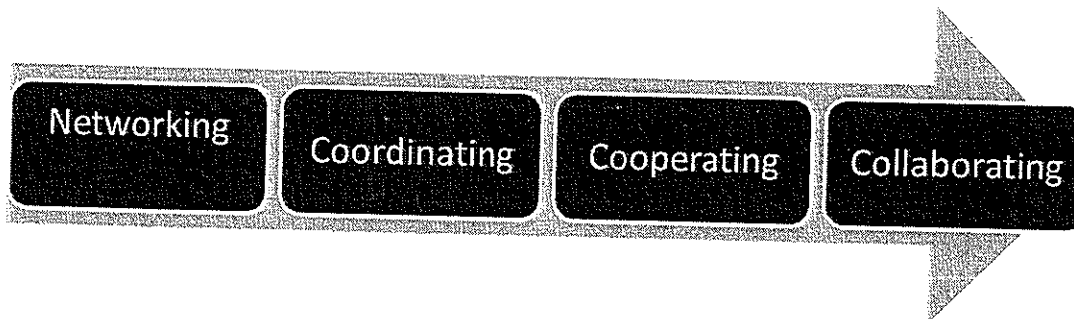
Another issue related to the accountability of CSOs to their members, umbrella organisations and funding agencies. While CSOs maintain annual registration to the Ministry of Justice Incorporated Societies register and funding agencies expect certain requirements to be met as recipients of funding or providers of services, stakeholders identified that through affiliated membership to umbrella organisations, greater monitoring to ensure they operate according to their mandates and standards was needed.

Overall, consultations show that there is an appetite amongst stakeholders despite differing rationales for such policy instruments to guide government's engagement with CS. Support for a shared policy at a national and or sectoral level is less certain with varied levels of understanding and motivations and potential benefits of an integrated policy approach.

5. Purpose and Nature of Engagement

Continuum of Partnerships

McLeod (2008) identified that a distinction can be made between the purposes and nature of partnerships. In broad terms, partnerships can usefully be seen to range on a continuum from networking through to collaboration.



Networking involves the exchange of information for mutual benefit. This requires little time and trust between partners. For example, youth related services within the social ministries may meet monthly to provide an update on their work and discuss issues that affect young people.

Coordinating involves exchanging information and altering activities for a common purpose. For example, elderly service providers may meet and plan a coordinated campaign to lobby a ministry for more elderly-specific services.

Cooperating involves exchanging information, altering activities and sharing resources. It requires a significant amount of time, high level of trust between partners and sharing the turf between agencies. For example, a group of schools may pool some resources with a youth organisation to run a 'Resilience and Awareness Week' as a way of combating violence and bullying.

Collaborating In addition to the other activities described, collaboration includes enhancing the capacity of the other partner for mutual benefit and a common purpose. Collaborating requires the partner to give up a part of their turf to another agency to create a better or more seamless service system. For example, a group of agencies may fund a youth agency to establish a full-time position to coordinate an awareness week, provide professional development for workers and train student peer mediators in conflict resolution.¹²

The continuum shows that 'not all partnerships will or should move to collaboration. In some cases, networking is the appropriate response. The nature of the partnership will depend on the need, purpose and willingness of participating agencies to engage in the partnership. As a partnership moves towards collaboration, the more embedded it will need to become in the core work of the agencies involved (McLeod, 2008).

This can be seen with the design of the Social Impact Fund which seeks to establish longer term strategic partnerships with key CSOs through its programme funding component. In addition, there are resource and structural implications. For example, 'Collaborative partnerships require the support and involvement of senior agency personnel, since project workers may be relatively junior or on short-term contracts. This can affect their capacity to mobilize the agency resources required for collaboration'.

Consultations identified that partners have varying expectations and understandings of their working relationships.

In relation to CSOs as service providers, Shergold, (2013) pointed out that, partnerships require greater understanding and trust. While at a personal level individual staff have good working relationships, partners seek to be respected and engaged in effective relationships rather than be managed as a service contract or excluded from any engagement at all. For example, changes in the community funding regime saw CSOs lose funding streams through contestable processes with the net effect of limiting the type of engagement with their communities of interest and public partners.

Stakeholders also consider that processes that clearly set out avenues of redress where dissatisfaction or conflict arises. For example: a CSO is declined for funding through a contestable or criteria based process. There are instances where funding decision may provide for decision to be reviewed and instances where there are no provisions for decision to be reconsidered. There are also formal avenues where complaints and disputes can be pursued. In the first instance, the Head of Ministry attempts to manage issues on case by case basis thorough open discussions that are informed by current policy positions. Other avenues include the Public Service Act 2009 Schedule 9 Public Service Code of Conduct where it sets out the values to which all public servants conduct themselves. So CSO complaints about the conduct of staff can be pursued on this basis. In addition, complaints can be channeled through the Office of the Ombudsman to seek redress under the Ombudsman Act 1984 and the Official Information Act 2008. Overall, a systematic approach that guides the MOIA with appropriate levels of response to match the issue or complaint would also assist in managing the expectations of CSOs. Keeping CSOs informed about what these avenues of redress are would also assist in maintaining relationships between stakeholders.

to There is also a need to give recognition to the constraints partners work under from their respective domain as government agents (dealing with budget constraints, accountability and transparency for public funds) or CSO employers or volunteers (whose service are judged as ineffective or inefficient and operate without sustainable revenue streams).

¹² Refer to A partnership tool developed for health promotion, McLeod, Vichealth, and adapted from: Himmelman A 2001, 'on coalitions and the transformation of power relations: Collaborative betterment and collaborative empowerment', *American Journal of Community Psychology*, vol. 29, no. 2.

In this regard, stakeholders agree with the need for greater collaboration and coordination both between CSOs as service providers and government agencies as well as across different agencies in the sector. This includes better collaboration between government agencies, improved performance monitoring and accountability and new mechanisms to drive joint service delivery, as well as providing a shared definition of vulnerability.



Figure 2 CS Engagement Policy Drivers

6. Policy Framework

Policy Alignments

This section examines the alignment of a Civil Society engagement mandate to national and international commitments such as the National Sustainable Development Plan (NSDP), Millennium Development Goals (MDG's) Convention for the Elimination of Discrimination Against

Women (CEDAW) and Convention on the Rights of the Child (CRC) and other relevant policies (e.g.: youth, disabilities and the elderly).

The diagram below (refer figure 2) below summaries the range of government policy instruments that inform governments relations with CS including CSOs.

International & Regional Level

At the international level, the policy context for Social development needs and civil society engagement is shaped by existing international conventions and frameworks that are related to the country's human and social development needs and the millennium development goals.

The Cook Islands commitment to International treaties and conventions such as the Millennium Development Goals (MDGs) and human rights conventions¹³ also provide guidance and strengthens the engagement of Civil Society organisations. This is done through measures of accountability, transparency, protection and inclusion of marginalised and at risk groups and communities. A summary of related treaties and conventions is provided in Appendix 4.

National Level

At the national level, the Civil Society engagement mandate to meet development outcomes is framed by a set of key legislation, policies and plans. This includes the National Sustainable Development Plan (NSDP) and the Medium Term Budgeting Framework (MTBF).

¹³ CEDAW, Convention Rights of the Child, CR People with Disabilities and Paris Declaration 2005

In relation to the NSDP, Goal 4 Social Development articulates that investment in social development is needed to promote opportunities for all to ensure social inclusion and will result in a healthier, better educated, employable and productive population.

Strategies of this goal make reference to civil society and communities. E.g.: strategy 10 states that 'Meeting the needs of our children, youth, persons with disabilities and the elderly requires **coordinated inter-agency support** and a **strong partnership** between government, civil society and communities.'¹⁴ The strategy determines that government will commit to develop and implement robust policy interventions to address the needs and capacities of those groups and legislation that will protect and ensure their human rights and wellbeing. In addition, 'policy interventions will focus on **inclusiveness**, **value the contribution** that these groups make to a cohesive society and it's sustainable development, mainstreamed into the national policy environments and fulfil regional and international obligations.

Strategy 11- Stronger Families and Communities states that government, the private sector, civil society organisations, communities, families and individuals **working together will be fundamental** in building stronger families and communities.

There is also an understanding that government will **work in collaboration** with other key stakeholders and our communities **to develop and implement policy** as shown in Strategy 12 – Access to Leisure, recreation and sport.

At a national level, the purpose and nature of engagement between government and civil society partners in meeting social developments needs is able to provide sufficient guidance in developing further policy tools to frame a policy response at a sector and ministry level.

The linkages between policies and resources are consolidated through the annual budget process of government led by the MFEM where priorities are identified in the annual Budget Policy Statement (BPS) and forecast out over a three yearly cycle. Through this process, financial implications for policy implementation are contested by government agencies business plans and budgets. The 2013/14 BPS includes a social development priorities relevant to the MOIAs mandate.

*Strengthen the link between our social development and economic growth - promote positive social behaviour by increasing social inclusion of at risk groups, encouraging participation in society and the economy and reducing propensity of injury from violence, accidents and other undesirable behaviours.*¹⁵

We note that implementation of any policy instruments needs to take account of fiscal considerations and consider the costs to implementation. For the purposes of this exercise, it may be possible to pitch the policy at a level where the financial implications are minimal and can be absorbed through the implementation of other resourced MOIA plans. This is discussed further in the policy options later in the report.

Sector and Sub-Sector Level

Based on the NSDP, the social sector includes Ministries of Health, Education, and Justice, Internal Affairs and Culture and their related mandates. The existing policy instruments allow for degrees of integration and collaboration at governance and implementation levels. The basis on which these

¹⁴ P31, NSDP

¹⁵ P.12, 2013/14 Budget Policy Statement.

agencies collaborate as government agencies and with non government agencies is mainly determined by the overarching goals of the NSDP and relevant policies. In order to sustain holistic and joined up approaches, a set of guiding principles as the sector level may serve to enhance current policies and practices.

Ministry level of Alignment

The table below shows that the role and nature of engagement of CS and CSOs for the key social policies of MOIA are similar and cover a range of functions that speaks to a key involvement in the development and delivery of each policy. In the case of the SIF as a funding mechanism, it is focused primarily on the delivery of services for social outcomes.

Policy Instrument	CS/CSO Role?	Relevant Principles identified?	Nature of Involvement identified?	Comment
GEWE Policy	Advocate & representative Coordinator of implementation amongst CS	Partnership but not defined. CS defined	Yes Implementation calls for the active involvement and contribution of the Government, non-government, civil society organizations and communities.	High level of Integration of CS/CSOs as a strategic partner in policy governance, implementation and monitoring
Rau Ti Para, Policy on Aging 2012 - 2015 (pending cabinet approval Dec 2013)	Advocacy & representation Policy implementation Support rehabilitation health services	Yes principles specified	Yes Implementation calls for the active involvement of a new NGO and contribution of the Government, non-government, civil society organizations and communities	New policy overarching principles require High level of participation with govt and CS/CSOs in policy governance, implementation and monitoring
Youth Policy 2007 - 2010 Youth Policy 2012-2017 (in draft)	Advocate representative, coordinator	multi sectoral approach, Collaboration and partnerships Youth centered services	Policy implementation coordination, monitoring implementation, reporting	Out of date with draft to be completed 2013
Disability policy (due review)	Advocate, service providers, information sharer	Not specified	Inter-agency coordination mechanism, Social service provision by NGOs	Policy revision and updating needed
Social Impact Fund 2012	Service providers	Use of Aid effectiveness principles	Governance Implementation and reporting	

Table 4: Alignment of MOIA Policies

7. Institutional Arrangements

Currently the MOIA serves as the key focal point for CSE in relation to its mandated policies and business plan functions. At the sector level it is not clear what are the mechanisms and arrangement that give effect to an inter and intra sector approach. Further examination of the 2011 Public Service functional review recommendations for a Ministry of health and social services may illicit how the sector could function. However, at this stage, the existing institutional arrangements support the mandate of MOIA to work in partnership with CSOs to meet the outcomes of its policies. While it can be argued that this narrow focus has the potential to devalue the role of CSOs operating in the broader social sector if they do not have a relationship with MOIA. Having a policy that is explicit about the nature of those relationships will benefit the sector and strengthen approaches that require 'joined up' working arrangements between sector ministries to wrap services around individuals and families.

8. Policy Principles

Determining the way forward for a suitable policy option, will be aided by the formulation of a set of guiding principles. Drawing from a range of principles within current policies and the mandates of the NSDP, a set of principles were proposed to guide stakeholders engaged in the implementation of MOIA led policies. Consultations consequently confirmed the following:

Overarching Principle of Partnership

- The relationship between MOIA and civil society partners should be founded on appreciation of the constraints under which all sides operate, mutual respect, reciprocated trust, authentic consultation, genuine negotiation and a shared recognition of common purpose.

Supporting Principles

- Recognition of the distinctive and diverse, but often complementary, roles of CSOs
- Recognition of the independence of CSO's irrespective of any funding relationship that might exist
- Recognition that the participation of Civil Society is a key element in national and international development initiatives
- Commitment to open and ongoing dialogue on policy and practice
- Commitment to simplification of processes and requirements in meeting transparency and accountability obligations
- CSO empowerment is critical for achieving the social and economic development goal of the country.

Understanding Policy

Consultations showed that amongst stakeholders there are varied understanding of how government policy is developed and managed. This includes understanding how policy instruments are structured and fit together to create policy frameworks as well as understanding the purpose, application and differences between instruments such as a policy, plan, strategy and frameworks. We note there is some guidance available through public service directives on the components of policy instruments or

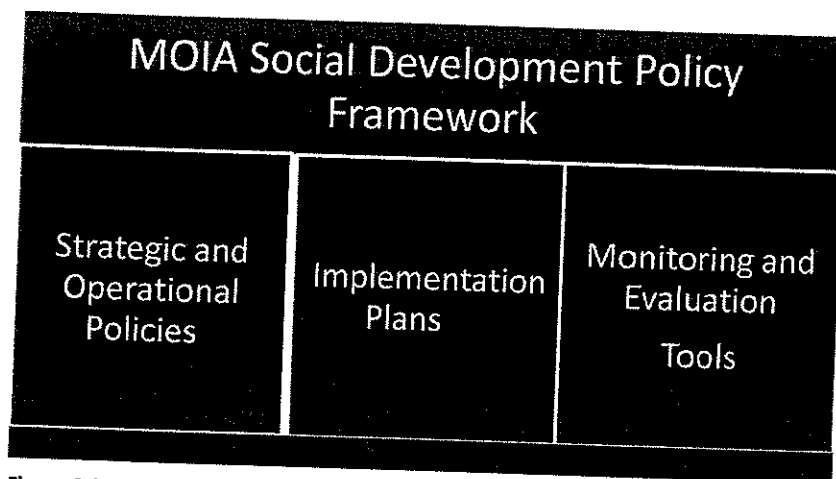


Figure 3 Social Development Policy Framework

policy development process. For the purposes of this policy exercise, the precedents set by other ministries are applied to ensure a degree of consistency with other social sector ministries. This policy is primarily intended as a set of guidelines that informs the MOIA social policy/plans and supported by a ministry level monitoring, evaluation

and reporting system. As such the policy doesn't require a set of results and targets as would a plan e.g.: the disability action plan. In the absence of an overarching long term policy document governing social development, there is potential from the range of existing MOIA social policies and plans to establish a strategic social development policy framework. Such a framework would serve to integrate the mandate and functions of MOIA and other related agencies within a shared framework as illustrated in the diagram above.

9. Policy Options

Taking into account the discussion presented in this report, the following policy options have been identified. As summarised in Table 5 below:

Option One proposes maintaining the status quo and relying on existing policies and those for review and updating to be give direction to CS engagement. Despite there being no likely cost impacts for government, feedback suggest that this option would not address the issues and concerns raised by CSOs and dissatisfaction with current arrangements.

Option Two assists in building a holistic and integrated approach of MOIA social policies as a single policy framework of the ministry. While there is currently no cohesive overarching policy framework in place, option two as a ministry level strategic set of guidelines is able to assist the implementation of its current social policies by providing direction in relation to the purpose and use of partnerships with CSO's. It is possible that costs related to improving the capacity of MOIA and CSOs. However there are existing funding mechanisms which may be applicable such as MOE managed training opportunities available through the Tertiary Training Institute and the Cook Islands Technical Assistance Fund (CITAF) administered by the OPSC. This option will enable greater transparency and purposeful engagement with CSO's and directly fulfils NSDP obligations as well as ministry level mandates.

Option Three is more narrowly focused to support the administration of the Social Impact fund and the service delivery objectives of this mechanism. Similarly to option two, some costs associated with building capacity are possible along with increased transparency in the delivery of the scheme and its funding parameters related to service delivery only.

Description of Options	Cost Impact on government	Implementation considerations	Legal/policy considerations	Receptiveness of Stakeholders
Option 1 – Status Quo	No new costs incurred	n/a	Inconsistent with social mandates	Increased dissatisfaction of CSOs
Option 2 - Ministry level strategic principles	Potentially increased costs for capacity building	Improved transparency performance and engagement of CSOs	Fulfills mandate and NSDP intentions	Increased and improved participation of CSOs
Option 3 - Ministry level support policy for the Social Impact Fund	Potentially increased costs for capacity building	Increased transparency and services delivery performance	Fulfills business plan mandate	Increased awareness of funding parameters

Table 5: Summary of Policy Options

Overall, Option two is considered the most favourable option in its ability to be integrative and enabling within the MIOA and across other agencies and the social sector giving greater impact and efficiencies in supporting the outcomes of MOIA social policies and mandates as well as national level goals of the NSDP.

10. Preparing for Phase Two

On completion of Phase one it was recommended that:

1. MOIA review and approve principles to guide government engagement with civil society organisations and groups for its mandated policy purposes and inclusion in a policy instrument.
2. MOIA approve the preparation of Option Two as a strategic as a means to consolidate it's an approach and build a common understanding amongst the ministry staff and its stakeholders of its engagement with civil society in meeting social development needs.
3. MOIA approve the use of an expert panel of subject matter experts well versed in addressing social needs, policy development, machinery of government and civil society engagement. In considering this option versus a monitoring reference group/committee as part of preparing this policy instrument, an alternative is proposed. The panel will be constituted for the duration of the policy drafting phase. Priority should be given to selecting subject matter experts able to critically engage in the assumptions and rationale of the scoping report and draft policy as it is prepared.

Subsequently, MOIA approved the three recommendations and preparation and consultation of a draft policy was undertaken. Refer separate document Civil Society Partnership Policy.

11.Recommendations

On acceptance of the Civil Society Partnership policy by MOIA, it is recommended that:

1. MOIA prepare the Civil Society Partnership Policy for approval and adoption.

APPENDICES

1. Reference List

- Akono'anga Maori Cook Islands Culture, (2003).
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- United Nations Convention on the Rights of the Child
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TO: Bredina Drollett
Ministry of Internal Affairs
Avarua, Rarotonga

INVOICE NO. 3
DATE 16 December 2013
Vendor ID 011
Project Name CS Policy Development

RMD no: 33485

Contact Person	ASSIGNMENT	PAYMENT TERMS	DUE DATE
Tina Newport Ph +682 54221	Civil Society Policy Development	COD	Within 3 Days

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	As per contract - Milestone 3 40% of contract Fees	\$8,600	\$8,600.00
	Bank Account Details are:		
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	P.O. Box 3205 Avarua Rarotonga, Cook Islands		

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SUBTOTAL	
VAT TAX	\$1,075.00
TOTAL	NZD8,600.00

2. List of Participants

<i>Name</i>	<i>Position</i>	<i>Organisation</i>
Initial Consultations		
Atiu		
Ada Rongo Ma Tane	Ariki	Atiu Aronga Mana
Vaine Paretoa	Deputy Mayor	Atiu Island Council
Te Ura Kea	Head of Electrical	Atiu Island Council
Teremoana Windy	Mapu mai Council member	Atiu Island Council
Teariki Tangatapoto		Atiu Island Council
Kore Samuel		Atiu Island Council
Maara Tairi	Parua Ariki	Atiu Aronga Mana
Moetaua Boaza		Atiu Aronga Mana
Ngamaru Ariki		Atiu Aronga Mana
Teariki Maurangi	Executive Officer	Atiu Island Council
Taoro George Brown	Mayor	Atiu Island Council
Tapuni William	IC Clerk	Atiu Island Council
Tangata William	Intaff/ IC	Atiu Island Council
Anna- Marie Takaiti	Climate Change Focal Point	Atiu Island Council
Jacqui Tanoa	Resort worker	Atiu Villas
Cathy Tanga	Financial Assistant	Atiu Island Council
Tangi Vainepoto	Vainetini	Enuamanu Konitara Vaine Tini CICC Uniform
Tutai Toru	Chairman	Atiu Growers and livestock Association
Tini Tivini	Secretary	Tepori Onuku Vaine Au Vaine Turamarama
Akipati Kaianeia	Secretary	Enuamanu Konitara Vaine Tini CICC Girl Guides
Rangi Tutaka Tatuava	President	Kura Rangers Atiu Red Cross
Rima Bob	President	Au Vaine Turamarama
Mama Mataio	Secretary	CICC Youth
Jude Isaia	Coordinator Project Manager	Atiu Island Disability Centre ADB meals on Wheels
Frank Williams	Minister	CICC
Anna Williams	CICC	CICC
Tangata Vaine Poto	President	ENGO Atiu
Ruta Ngaumaru	CICC	CICC
Dr Rodger Malcolm	Private Sector	Atiu Villas
Rarotonga		
Edward Browne	Child/Family Officer	MOIA
Ana Newbigging	Child/Family Officer	MOIA
Ngatuaine Maui	Director of Social Welfare	MOIA
Vania Kenning	Director of Youth and Sports	MOIA
Charlene Hoff	Youth Officer	MOIA
Angeline Tuara	Manager SIF	MOIA
Ms Bredina Drollet	Secretary	MOIA
Mrs Elizabeth Iro	HOM	MOH
Mrs Elizabeth Ponga	Policy officer	Ministry of Culture
Ms Mahariki Tangaroa	Event	Ministry of Culture
Charlie Numanga	Disaster manager	CIRC
Mr Sean Mackesy- Buckley	Senior Development Officer	NZ Aid Programme

Ms Kairangi Samuel	Manager	PTI
Ms Ruth Pokura	Director Gender Development Division	MOIA
Mrs Nooroa Numanga	Director Disabilities Division	MOIA
Ms Elizabeth Wright	CEO	OPM
Mr Petero Okotai	Policy officer	OPM
Mrs Daphne Ringi	CEO	PSC
Ms Gail Townsend	Line Manager	MOE
Mr Tingika Elikana	HOM	MOJ
Ms Pat Farr	Disability Officer	National Disability Council
Ms Ngara Katuke	President	CICSO
Lydia Sijp	General Secretary	CICSO
Tepaeru Kokaua Hagai	Treasurer	CICSO
Ms Nukutau Pokura	President	CINYC
Vaine Maui		Child Welfare Asstn
Heather Webb-Aitu		Te Vaerua
Kairangi Samuel		PTI
Hillary Gorman		DCD
Danny Vakapora	Chairman	SIF Board
Patricia Tuara	Director	MOIA
Debbie Ave		MOIA
Taruku Tei		CI Child Welfare Asstn.
Alexis Wolfram	President	PPSEAWA
George Turia		EU Programme Manager
Vannessa Jenner		ADB Liaison Officer
Mangaia		
Mr Tere Atariki	Mayor	Mangaia Island Government
Mrs Tangi Matapo	Member Of Parliament	
Mr Poroa Arokapiti	SWO	MOIA
Mr Taoi Nooroa	Community officer	Mangaia Island Government
Mr Peni Leavai	SPREP	SPREP
Mr Paul Maoate	Engineer	MOIP
Mrs D Tangatakino		Child Welfare
Mrs Porohu Koroa		Child Welfare
Pastor N Papatua		Religious Council
Mrs Mata Matamaki		Health
Mr Tuara Tuara		AOG Youth
Mrs Helen Henry		Private Sector
Mr Toa Pole		CICC Youth
Mrs K Matangariki		Disability
Mrs Leanne Peraua		Private Sector
Mrs Tako Ruatoe		Tavaenga Village
Ms Janet Ruatoe		Red Cross
Ms Ne Tara		Elderly
Mrs Annie Ruatoe		Managaia Women's Council
Mrs Nga Matapo		Managaia Women's Council
Mr Arenga Matapo		Police
Mrs Tuaine Parima		Tamarua Village
Mrs Isamaela Paio		Keia Vainetini
Mrs Ngariki Adams		Keia Vainetini
Mr Tuaiva Mautairi		Mangaia Aronga Mana
Mrs Barbara Harry		Mangaia Aronga Mana
Mr Ngametua Toko		Ivirua Village
Mr Richard Lucre		Private Sector
Mangaia Council		
Mr Ngametua College	Executive Officer	Mangaia Island Government
Mr Ngatamazine Ivaiti	Keia	Mangaia Island Government
Mr Pa Epi	Ivirua Representative	Mangaia Island Government
Mr Metu Ruatoe	Tavaenga	Mangaia Island Government
Mr Makiiti Makiiti	Veitetei	Mangaia Island Government
Mr Aerenga Matapo	Tamarua Rep	Mangaia Island Government
Pastor Ngametua	Religious Advisory Council Rep	Mangaia Island Government

Papatua		
Mr Daddy Mauriati	Aronga Mana	Mangaia Island Government
Mrs Tuaine Tuara	Sif Board Member	Private Sector
<i>Aitutaki</i>		
Ms. Matangaro Isamaela	President	Aitutaki Vainetini
Mr. Charlie Taamo	Youth and Pathfinders	Amuri SDA
Mrs. Tearuru Marsters	Pensioner	
Mrs. Amiria Davey	Disability	
Ms. Tapaeru Cameron		Aitutaki Island Admin
Mrs. Mii Makimare	Branch Supervisor	Bank of the Cook Islands
Mrs. Mii Daniela Makikiriti	Retired	
Mrs. Joanna Patterson	Asst. Coordinator, Disability	Aitutaki Internal Affairs
Mrs. Kaleena Davey	Internal Affairs Officer	MOIA
Mr. Camp Henry		Free Church
Mrs. Mimou Tom		Cottage Industries
Mr. Akatena Ioane		Tautu Sports
Mr. Enuake Tare		Vaipae Christian Youth
Mr. Taua Elisa	Sailing Development Officer,	Aitutaki Sailing Club
Mrs. Koi Bishop	Womens Officer,	MOIP
Mrs. Tapita Teoutu	Manager, Women's Craft Shop	
Mrs. Tapita Solomona-Tikiteina	LEC Service,	MOIA

3. Analysis of MOIA & Government Social Development Goals and Policies

A review of Social sector agencies shows that each maintains a focus on the **social strategic objectives** of the NSDP 2011 -2015 Goal 4: Social Development which is to promote and protect the rights of all people in the Cook Islands to fully participate in society, economically, socially and politically.

Ministry of Internal Affairs

MOIA has a wide-ranging brief with responsibility for social services, - welfare payments, empowerment of women and people with disabilities, labour, consumer and competition, youth and sports, juvenile supervision, film censorship. The ministry does not have a unifying legislative mandate; instead, the ministry has a number of disparate legislation to administer.

For the MOIA this encompasses continuing to work towards achieving existing policy directions to protect and promote the rights of women, people with disabilities, children, young people and families. Its mandates are set out below.

Core Mandates by Legislation	<ol style="list-style-type: none"> 1 Welfare Act 1989 2 Disability Act 2008 3 Employment Relations Act 2012 <ul style="list-style-type: none"> - Paid Maternity Leave Regulations 2012 4 Workers' Compensation Ordinance 1964 <ul style="list-style-type: none"> - Employers Liability Insurance Regulations 1965 5 Dangerous Goods Act 1984 <ul style="list-style-type: none"> - Dangerous Goods Regulations 1985 6 Fair Trading Act 2008 7 Consumer Guarantees Act 2008 8 Control of Prices Act 1966 (and relevant amendments) 9 NZ Film & Censorship Act 1985, Films and Censorship Amendment Act 2008 <p><i>Partial implementation</i></p> <p>Prevention of Juvenile Crimes Act 1968, Amendment Act 2000, Amendment Act 2007</p>
Government Policies & Treaties	<p><i>Treaties</i></p> <ol style="list-style-type: none"> 1 United Nations Convention on the Elimination of all forms of Discrimination Against Women 2 United Nations Convention on the Rights of the Child 3 United Nations Convention of the Rights of People with Disability 4 United Nations Convention on Anti Doping in Sports <p><i>Policies</i></p> <ol style="list-style-type: none"> 1 National Sustainable Development Plan 2011-2015

	2	Cook Islands National Policy on Gender Equality and Women's Empowerment 2011-2016
	3	Cook Islands National Policy on Disability 2008-2012
	4	Cook Islands National Youth Policy (in draft)
	5	Cook Islands National Children's Policy (in draft)
	6	Rau Ti Para Policy on Aging (2012-2017)

Rau Ti Para Policy

The Rau Ti Para Policy was written in 2012. Two of its key objectives were to ensure the participation of older persons in monitoring the implementation of this Policy and decision-making at all levels. It also protects the rights of older persons in the Cook Islands. In its overarching principles it highlights the contribution of older people to social, cultural, economic and political development. All of the nine priority areas identified in the policy require varied levels of support, consultation, and inclusion in decision making with either or all of the following groups ; Government, NGO's and Civil Society, the private sector and a formed Committee that would look after the needs of all elderly. The government departments would include MoIA, the MoE, OPM, and the MoH.

Increases to Old Age Pension

In November 2010, the Government committed to a phased increase in the old age pension to support to the very elderly (aged 70 and over) to double the rate to \$800 a month by the end of its first term. The Ministry implemented the first monthly increase of \$50 in July 2012 at an annual cost of \$400,000. Further increases are expected in the 2013-14 Budget and the two subsequent budgets in order to meet this commitment. This creates greater disparity with other pension type payments such as the infirmed payment and the destitute payment.

Feasibility Study for Elderly Care Home

In 2012, traditional leader, Pa Ariki approached Government to support the needs of elderly that require care and will provide land in Ngatangia for this purpose as a contribution to an elderly care home. Some preliminary discussion between the Office of the Prime Minister, the Ministry of Health and Internal Affairs has commenced on addressing the issue of care of elderly people, those that require palliative care, and those that are abandoned at the Hospital or in their homes. Funding has been sourced through the Cook Islands Technical Assistance fund to conduct the study.

National Youth Policy

In 2007, a National Youth Policy was developed after significant consultation. A review of the policy has been carried out and a new policy is being drafted. The next five year National Youth Policy is expected to be completed in 2013.

Prevention of youth suicide

This will be an area of priority in the next National Youth Policy. Prevention of youth suicide was prioritised by the Prime Minister in January 2012 following a series of youth suicide cases in the months leading up to that time. With the support of government departments, interested private parties and NGO representatives, the Ministry has led a steering committee to raise awareness, establish a hotline and review how stakeholders can incorporate long-term strategies to aid the prevention of youth suicide. There is a need to ensure that services are available on an ongoing basis to address youth suicide and other members of the community at risk. The role of social counsellors

and their ability to support and prevent suicide is undervalued and needs to be looked at critically for increased capacity and professional training for those working in this area.

Social Protection Project

In September 2010, the Asian Development Bank approved a grant of US\$900,000 financed by the Japan Fund for Poverty Reduction (JFPR) for the Government of Cook Islands on 13 September 2010. Three social protection pilot projects for home care and nursing services for the elderly and people with disabilities were established on 17 August 2012 on Rarotonga, Atiu and Mangaia funded through the Asian Development Bank by the Japan Fund for Poverty Reduction following a tender process that had commenced in March 2012. Awarding of successful projects was made by a multi-stakeholder committee led by Internal Affairs and comprising the ministries of Finance and Economic Management, Education, Health and the Crown Law office and the Office of the Prime Minister. The project's current closing date is 13 September 2013.

Social Impact Fund

A new results-based funding regime for civil society groups seeking support for core social services and one-off projects commenced in 2012. This approach shifts to assisting community groups by targeting fewer partners jointly between New Zealand and the Cook Islands by merging of funding schemes and ensuring that those community groups are assisted for longer periods of certainty. Efficiencies in administration and consolidation of the sector are the major outcomes expected in order to deliver better social impacts to those that require assistance.

5. Summary of Regional and International Conventions and Treaties

The MOIA is responsible for ensuring the progressive implementation of three key international conventions in which the Government has become a party to relating to women, children and people with disabilities. It also contributes to regional and international obligations as set out below.¹⁶

Millennium Development Goals (MDG)

In September 2000, building upon a decade of major United Nations conferences and summits, world leaders came together at United Nations Headquarters in New York to adopt the United Nations Millennium Declaration committing their nations to a new global partnership to reduce extreme poverty and setting out a series of time-bound targets - with a deadline of 2015 - that have become known as the Millennium Development Goals – of which there are eight.

Pacific Plan (PP)

In 2004, Pacific Leaders, through the Auckland Declaration, noted that the serious challenges facing the countries of the Pacific called for the development of a 'Pacific Plan' to strengthen regional cooperation and integration as the main instrument for realizing their Pacific Vision. The Pacific Plan established four priority goals: economic growth, sustainable development, good governance and security.

Convention on the Rights of the Child (CRC)

The Convention on the Rights of the Child is the first legally binding international instrument to incorporate the full range of human rights—civil, cultural, economic, political and social rights. In

¹⁶ Summarised from MOIA 2013/14 Business Plan & GEWE Policy .

1989, world leaders decided that children needed a special convention just for them because people under 18 years old often need special care and protection that adults do not. The leaders also wanted to make sure that the world recognized that children have human rights too.

The Convention sets out these rights in 54 articles and two Optional Protocols. It spells out the basic human rights that children everywhere have: the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life. The four core principles of the Convention are non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child. Every right spelled out in the Convention is inherent to the human dignity and harmonious development of every child. The Convention protects children's rights by setting standards in health care; education; and legal, civil and social services.

In September 2010, the Ministry of Internal Affairs submitted its initial report on the Convention of the Rights of the Child which had been outstanding since 1997 when it was due. In January 2012, a Cook Islands Government delegation including civil society representation presented the report to the UN Committee. The Concluding remarks from the Committee issued in February 2012 highlighted a number of recommendations to strengthen the rights of children and young people through appropriate national coordinating mechanisms and encouraged the enactment of the proposed Family Law Bill. Capacity constraints and competing ministry priorities have delayed the progress of creating a coordinated and collaborative approach with all relevant stakeholders but this remains a priority on the Ministry agenda. Established the National Committee on Children comprising relevant stakeholders following support from UNICEF and a policy tool kit that has been developed by that organisation. A shadow report to the country was prepared and submitted by Civil Society.

Convention on the Rights of People with Disabilities (CRPWD)

The Convention on the Rights of the Persons with Disabilities and its Optional Protocol was adopted on 13 December 2006 at the United Nations Headquarters in New York, and was opened for signature on 30 March 2007. There were 82 signatories to the Convention, 44 signatories to the Optional Protocol, and 1 ratification of the Convention. This is the highest number of signatories in history to a UN Convention on its opening day. It is the first comprehensive human rights treaty of the 21st century and is the first human rights convention to be open for signature by regional integration organizations. The Convention entered into force on 3 May 2008.

On the 8th of May 2009, The Cook Islands ratified the Convention and also the Protocol and became one of the first Pacific Islands Governments to ratify the convention. A new commitment was made to assist people with disabilities through the development of a national policy in 2008 which requires review in 2013. Greater resources are required to develop implement the policy objectives and raise public awareness. The first Disability Audit of Public Buildings was published in November 2012.

Convention on the Elimination of All Forms of Discrimination Against Women

The Convention is commonly regarded as the international bill of rights for women and was adopted in 1979 by members of the United Nations following decades of national, regional and international efforts to promote and protect the rights of the world's women. An Optional Protocol was developed in 2000. The Cook Islands became a party to CEDAW in 1985, when New Zealand ratified the Convention. On the 11th of August 2006, the country acceded to CEDAW in its own right and on the 3rd of August 2007 at the 808th meeting of the Committee overseeing the implementation of CEDAW at the United Nations, Government presented its initial report. Ratification and accession commits

the Cook Islands Government to reviewing a host of domestic legislation in accordance with the articles adopted under CEDAW.

A shadow country report prepared by Cook Islands non-government organizations preceded the presentation of the initial report to the UN in January 2007. This report supplements the Government report by highlighting NGO perspectives on the nature of the Government's commitments to implement the Convention through legislation, policies and resource allocation.

In 2007, the Cook Islands submitted its first periodic report to the Committee on the Convention on the Elimination of all Forms of Discrimination Against Women. The Concluding comments from the Committee have resulted in a programme of legislative review and policy strengthening across the Public Service. Significant steps made include: a review of the 1995 National Women's Policy, the new National Policy on Gender Equity and Women's Empowerment in 2011, a national gender stock take undertaken in 2009, a family health survey that will provide evidence on the prevalence of violence in the home, the initial drafting of the Family Law Bill and several gender mainstreaming training sessions. The second periodic report was due in 2012. Consideration is currently being given to submitting a combined second and third periodical report by November 2014 to take into account administrative constraints in completing the reporting obligations.

Beijing Platform for Action (BPA)

Pacific Islands member states, including the Cook Islands Government, participating at the Beijing Fourth World Conference on Women in Beijing in September 1995, approved the Beijing Platform for Action (BPA) aimed at establishing priority actions at the threshold of the new millennium. Of the 12 critical areas of concern in the BPA, one of which is *Women in Power and Decision Making*, governments agreed to take measures to ensure women's equal access to and full participation in power structures and decision making setting specific targets and implementing measures to substantially increase the number of women with a view to achieving equal representation of women and men, if necessary through positive action. This can be viewed at the UN Website, Division of the Advancement of Women, Department of Economic and Social Affairs,

Pacific Platform for Action (PPA)

The 22 Pacific Island governments and territories, including the Cook Islands Government, through the Sixth regional Conference of Pacific Women and the Ministerial Conference on Women and Sustainable Development, both held in Noumea in May 1994, which unanimously approved the Pacific Platform for Action (PPA) and agreed that women's development should become a top priority for all Pacific Island governments and administrations. The PPA identified 13 critical areas of concern, one of which was *Shared Decision Making*, where governments agreed to take action to promote women in elected political offices and appointed decision-making positions, attaining the 30% target set by the UN Economic and Social Council (ECOSOC).

The Commonwealth Plan of Action

The Commonwealth Plan of Action 2005-2015 was agreed to at the 7th Commonwealth Ministers Responsible for Women's/Gender Affairs Meeting (7WAMM) held in Fiji in May 2004. The Plan established a target of at least 30% of women in decision-making in the political, public and private sectors.

UN SC R1325 on Women, Peace and Security

Adopted by the UN Security Council at its 4213th meeting, on 31 October 2000

The resolution calls for increase in the number of women at decision-making levels in national, regional and international institutions involved in preventing, managing, and resolving conflicts, increased participation of women at decision-making levels in conflict resolution and peace processes, ensure that a gender component is included in field peacekeeping operations, provide training guidelines and materials on (1) the protection, rights, and needs of women, the importance of involving women in peacekeeping and peace-building measures, adopt a gender perspective when negotiating & implementing peace agreements in areas like:

- Special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction.
- Support local women's peace initiatives and indigenous processes for conflict resolution and involve women in all of the peace agreement implementation mechanisms.
- Ensure the protection of and respect for human rights of women and girls, particularly relating to the constitution, electoral system, the police and judiciary.