Provisional Record

4B



102nd Session, Geneva, June 2013

Reports on credentials

First report of the Credentials Committee

1. The Credentials Committee of the 102nd Session of the Conference is composed of Mr Mothusi B.R. Palai, Government substitute delegate, Botswana, Chairperson; Mr Edward E. Potter, Employers' delegate, United States; and Mr Yves Veyrier, Workers' substitute delegate, France.

Composition of the Conference

- **2.** Since the signing of the brief report presented by the Chairperson of the Governing Body of the International Labour Office (*Provisional Record* No. 4A), the composition of the Conference has been modified as follows.
- **3.** Of the 185 member States of the International Labour Organization, 169 are represented at the Conference, that is, five more (Armenia, Haiti, Kazakhstan, Solomon Islands and Uganda) than were accredited at the time that the brief report was established.

Accredited delegates and advisers

- **4.** A total of 668 delegates, including 338 Government delegates, 164 Employers' delegates and 166 Workers' delegates, have been accredited.
- **5.** A total of 2,377 advisers, including 1,170 Government advisers, 501 Employers' advisers and 706 Workers' advisers, have been accredited.
- **6.** Therefore a total of 3,045 delegates and advisers have been accredited (see the attached table of accredited delegates and advisers established Saturday, 8 June 2013, at 2 p.m.).
- **7.** With regard to the proportion of women and men in delegations, the Committee will be providing a separate report on the subject.

Registered delegates and advisers

8. The following is the current status of the registration of delegates which is the basis for determining the quorum for voting (see the attached table of registered delegates and advisers established Saturday, 8 June 2013, at 2 p.m.).

- **9.** Currently, 537 delegates, including 310 Government delegates, 104 Employers' delegates and 123 Workers' delegates are registered.
- **10.** In addition, 1,893 advisers, including 1,081 Government advisers, 304 Employers' advisers and 508 Workers' advisers are registered.

Incomplete and non-accredited delegations

- 11. The Committee notes that to date 16 member States have not accredited a delegation (Antigua and Barbuda, Belize, Dominica, Equatorial Guinea, Grenada, Guinea-Bissau, Guyana, Marshall Islands, Palau, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Tajikistan and Vanuatu). It notes that this represents the same number as in 2012 and in 2011, at the time of signature of the first report.
- 12. The Committee notes that three member States (Kyrgyzstan, Solomon Islands and Tuvalu) have accredited delegations that are exclusively governmental and that two member States (Azerbaijan and Nicaragua) have nominated a Workers' delegate but no Employers' delegate. The Committee regrets that so many delegations are either incomplete or not accredited and urges governments to comply with the requirement of article 3 of the ILO Constitution to send a complete tripartite delegation to the Conference. The Committee recalls that, pursuant to a decision of the Governing Body, ¹ the Director-General should request the governments of all member States, which did not send a delegation or only sent an incomplete delegation to the Conference, to indicate the reasons for doing so, in order that this information may be communicated to the Governing Body. Noting that it has been done for the last time in 2006, the Committee encourages the Director-General to proceed with such inquiries.
- 13. The Committee also notes that there are fewer accredited Employers' advisers (501) than accredited Workers' advisers (706). In addition, the Committee observes that the composition of some delegations shows a serious imbalance between the number of Employers' and Workers' advisers when compared to the number of advisers appointed for the Government delegates. It urges governments with a serious imbalance in their delegation to make a genuine effort to reduce this imbalance when making nominations to the Conference, in light of article 3, paragraphs 1 and 2, of the Constitution.
- 14. The Committee further recalls the request contained in the resolution concerning the strengthening of tripartism in the overall activities of the International Labour Organization, adopted by the Conference at its 56th Session (1971), and expects governments to accord equal treatment to each of the groups when appointing advisers to their national delegations to the Conference. The Committee recalls in this connection the Members' obligation under article 13, paragraph 2(a), of the Constitution, to pay the travelling and subsistence expenses of their delegates and advisers and expects that this obligation will be respected for the entire duration of the Conference.

¹ See Annex VI, Compendium of rules applicable to the Governing Body of the International Labour Office (Geneva, Nov. 2010), p. 73.

Quorum

- **15.** Thirty-eight advisers, who are also substitutes to delegates who have not registered, have been taken into account in calculating the quorum of the Conference.
- **16.** Thirteen member States that have registered a delegation to the Conference (Burundi, Cape Verde, Comoros, Djibouti, Gambia, Kyrgyzstan, Malawi, Papua New Guinea, Paraguay, Sierra Leone, Solomon Islands, Somalia and Uzbekistan) are in arrears in their financial contributions to the Organization under the terms of article 13, paragraph 4, of the Constitution and therefore their delegates may not, at present, participate in the voting in the Conference or its committees. Consequently, 28 registered delegates have not been taken into account in fixing the quorum.
- **17.** At the present time the quorum required to give a vote validity is 274. This number represents 537 registered delegates (see paragraph 9 above), plus 38 substitute delegates (see paragraph 15 above) minus 28 registered delegates not entitled to vote, the total being divided by two.
- **18.** The Committee deeply regrets the fact that so many member States are still in arrears in their payments, thereby depriving their Employers' and Workers' delegates of their right to vote
- 19. The Committee strongly appeals to the delegates to the Conference to register in person upon their arrival and to ensure they give formal notice of their departure date, in order to ensure that the quorum is as accurate as possible and that they are not counted as present when they are in fact absent from the Conference.

Observers, organizations and liberation movement invited

- **20.** The Conference is also being attended by:
 - observers appointed by two States (Bhutan and the Holy See) invited to attend the Conference;
 - a delegation of a liberation movement (Palestine) invited in conformity with article 2, paragraph 3(k), of the Standing Orders of the Conference;
 - representatives of the United Nations and some of its bodies invited by virtue of article II, paragraph 1, concerning reciprocal representation, of the Agreement between the United Nations and the International Labour Organization, which came into effect on 14 December 1946;
 - representatives of specialized agencies and other official international organizations, invited in conformity with article 2, paragraph 3(b), of the Standing Orders of the Conference;
 - representatives of non-governmental international organizations with which consultative relations have been established, invited in conformity with article 2, paragraph 3(j), of the Standing Orders of the Conference; and
 - representatives of other non-governmental international organizations also invited in conformity with article 2, paragraph 3(j), of the Standing Orders of the Conference.

21. A list of these representatives is appended to the *Provisional list of delegations* published as a supplement to the *Provisional Record* of the Conference on Wednesday, 5 June 2013, and will be updated in the *Revised list of delegations* to be issued on Monday, 10 June 2013.

Objections, complaints and communications

22. To date, the Committee has before it several objections. It has forthwith commenced their examination. The Committee believes that its work is facilitated by the fact that a substantial number of credentials had reached the International Labour Office prior to the Conference. The Committee notes, however, that only 101 member States deposited their credentials with the Office by the deadline required by article 26 of the Standing Orders of the Conference (20 May 2013). The Committee expects member States to respect their obligations in this regard, since timely accreditation promotes transparency of the national nomination process and is essential for the employers' and workers' organizations concerned.

Deposit of credentials

- 23. Further, it is important that governments utilize, and complete in full, the credentials form enclosed with the letter of convocation to the Conference, which is sent to governments every year, or the *Online credentials* ³ application made available by the Office. These forms for credentials are important as they help in providing clear information on the role of each member of the delegation as well as on organizations consulted in the nomination process and on the payment of travel and subsistence expenses as required by paragraph 2(a) of article 13 of the Constitution. In order to comply with article 3, paragraph 5, of the Constitution, governments should provide accurate information on the employers' and workers' organizations consulted in nominating Employers' and Workers' delegates and advisers, as well as on the organizations that have agreed to such nominations. The Committee notes with concern that this year only 83.9 per cent of member States have used either the written or online form to submit their credentials (against 93.4 per cent last year). However, the Committee notes the increase – to 28.9 per cent – of member States using the online form this year, compared to only 26.2 per cent last year. The Committee strongly encourages more member States to use the online form for future sessions of the Conference, which has the advantages of: preventing transcription errors, permitting faster processing of credentials which facilitates obtaining entry visas into Switzerland, and allowing the Organization to use better the resources provided to the secretariat.
- **24.** The Committee notes that not all member States have clearly identified, in their credentials, the persons who are nominated as delegates and those who are nominated as advisers and it recalls the obligation of governments under article 3, paragraph 8, of the ILO Constitution to communicate to the Office the names of the delegates and their advisers. Several member States did so only after having received a note verbale from the Office requesting this information. It wishes to stress the importance of governments identifying clearly in the credentials the delegates and advisers nominated. Credentials that

² See para. 7 of *Provisional Record* 4A.

³ http://www.ilo.org/credentials/index.asp.

do not contain this information cannot be considered as credentials and may be rejected by the Office.

- 25. In order to enable the Committee to fulfil its mandate, all governments are required to indicate in their credentials the organizations to which each of the Employers' and Workers' delegates and advisers belong, as well as their functions within those organizations. The Committee notes with satisfaction the effort made by the Governments in this regard, as only 4.1 per cent did not provide or only partially provided this information on the credentials. It hopes that in future sessions of the Conference such information will continue to be provided in time for publication in the *Provisional list of delegations*, which, in accordance with article 26bis, paragraph 1(a), of the Conference Standing Orders, serves as the basis for the submission of objections to the Committee.
- **26.** The Credentials Committee submits the present report to the Conference so that it may take note of it.

Geneva, 8 June 2013

(Signed) Mothusi B.R. Palai Chairperson

Edward E. Potter

Yves Veyrier

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- 1) Government delegates
- 2) Employers' delegates
- 3) Workers' delegates
- 4) Government advisers
- 5) Employers' advisers
 - Workers' advisers

List of accredited delegates and advisers

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- 1) Government delegates
- 2) Employers' delegates
- 3) Workers' delegates
- 4) Government advisers
- 5) Employers' advisers
- 6) Workers' advisers

List of registered delegates and advisers

| | 1) | 2) | 3) | 4) | 5) (| 6) | | 1) | 2) | 3) | 4) . | 5) 6 |) | | I) | 2) | 3) 4 |) 5) | 6) | | 1) | 2) 3 |) 4) | 5) 6) |
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CONTENTS

| | Page |
|--|------|
| Report on credentials | |
| First report of the Credentials Committee | 1 |
| Composition of the Conference | 1 |
| Accredited delegates and advisers | 1 |
| Registered delegates and advisers | 1 |
| Incomplete and non-accredited delegations | 2 |
| Quorum | 3 |
| Observers, organizations and liberation movement invited | 3 |
| Objections, complaints and communications. | 4 |
| Deposit of credentials | 4 |

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