



Report of the Credentials Committee

1. The Credentials Committee, which was appointed by the Sixteenth American Regional Meeting at its first sitting, met on 3 and 4 May 2006 to examine the credentials of the delegates and advisers accredited to the Meeting, in conformity with article 9 of the Rules for Regional Meetings. Likewise, after determining receivability, one objection to credentials and two complaints were considered. It also took note of one communication. The Committee was composed as follows:

Chairperson: Ms. Verónica López Benítez (Government delegate, Paraguay);

Vice-Chairpersons: Mr. Juan Mailhos (Employers' delegate, Uruguay) and Mr. Jerry Zellhoefer (Workers' delegate, United States)

2. Credentials in the form of official instruments, official letters or official facsimiles have been received in respect of the members of the delegations shown in the tables annexed to this report. The Committee draws the attention of the governments to the importance of respecting article 9, paragraph 1, of the abovementioned Rules, according to which credentials must be deposited at least 15 days before the opening of the Meeting.

Composition of the Meeting

3. At the time of the adoption of this report, of the 35 member States invited to attend the Meeting, 22 Members had sent credentials. In addition, of the three member States responsible for the external relations of non-metropolitan territories located in the region, one had sent credentials. The total number of nominated delegates and advisers was 177: comprised of 42 Government delegates, 22 Employers' delegates and 22 Workers' delegates, i.e. 86 delegates in all. In addition, a total of 91 advisers were nominated: 37 Government advisers, 31 Employers' advisers and 23 Workers' advisers. Persons appointed as both substitute delegates and advisers have been included among the advisers.
4. With respect to the delegates and the advisers registered, there were 39 Government delegates, 15 Employers' delegates and 16 Workers' delegates, that is to say, a total of 70 delegates. The total number of advisers was 72, of whom 33 were Government advisers, 18 were Employer advisers, and 21 were Worker advisers. The tables annexed to this report contain more detailed information on the number of accredited and registered delegates to the Meeting.
5. The Committee observed that France has a Workers' delegate but no Employers' delegate and Paraguay has an Employers' delegate but no Workers' delegate.
6. The Committee wishes to indicate that 17 ministers and vice-ministers have been accredited to the Meeting, the same number as was accredited at the Fifteenth American Regional Meeting (Lima, December 2002).

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7. In addition, the Committee noted that 18.6 per cent of the delegates accredited and 24.7 per cent of the advisers accredited were women, as compared to 18.8 per cent and 16.5 per cent respectively at the last American Regional Meeting. The Committee regrets that the percentage of women delegates did not increase. The Committee recalled that in June 2004 the Director-General called on the constituents to strive to meet a target of 30 per cent representation of women in delegations to the International Labour Conference. Governments, employers and workers were urged to increase their efforts to include more women in their delegations to the Sixteenth American Regional Meeting, as well as to all ILO meetings.
 8. The same number of Members were absent from this Meeting, 13, as were absent from the most recent Regional Meeting. Out of this total, the following member States absent from the last Regional Meeting were also absent from this Regional Meeting: Antigua and Barbuda, Bahamas, Dominica, Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines.

Representatives of member States from a different region

9. In accordance with article 1, paragraph 5, of the Rules for Regional Meetings, the Governing Body decided to invite the following member States from a different region to be represented by an observer delegation at the Regional Meeting:
 - Portugal;
 - Spain.

Representatives of official international organizations

10. Of the official international organizations invited to attend the Meeting, in accordance with the relevant agreements or decisions of the Governing Body, the following were represented:
 - Economic Commission for Latin America and the Caribbean;
 - Food and Agriculture Organization of the United Nations;
 - United Nations Development Programme;
 - Andean Development Corporation;
 - Organization of American States.

Representatives of non-governmental international organizations

11. The non-governmental international organizations invited to participate in the Meeting in conformity with article 1, paragraph 7, of the Rules, that were represented were:
 - International Confederation of Free Trade Unions;
 - International Organization of Employers;

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- Permanent Congress of Trade Union Unity of Latin American Workers;
 - World Confederation of Labour;
 - World Federation of Trade Unions;
 - Inter-American Center for Social Security Studies.

Objection

12. The Committee received one objection.

Objection regarding the nomination of the Workers' delegation of Mexico

13. On 3 May 2006, the Committee received an objection from the Revolutionary Federation of Workers and Peasants (CROC), signed by Mr. Jose del Valle, Secretary of International Affairs, which included a letter of 1 May 2006 from the CROC's Secretary-General, Mr. Isaías González Cuevas, in relation to the inclusion of advisers within the Workers' delegation of Mexico. According to the objection, the Government ignored a written request made on 10 February 2006 to the Secretary of Labour to include two representatives of the CROC as advisers in the delegation to this Meeting. CROC states that it is the second most representative workers' organization in the country.
14. The CROC claimed that this decision disturbs the balance of representation in the Workers' delegation, and violates the requirement that member States must designate delegations in agreement with the most representative workers' organizations. It is further argued that the Government cannot evade its obligations by means of an agreement with the Congress of Labour, which cannot speak for trade union central organizations that are not subordinate to it. They also claim that the Government is favouring the nomination of advisers who either do not attend meetings or depart before completion of the proceedings.
15. In an oral statement to the Committee in reply to its invitation, Ms. G. Lara Morones, Deputy Coordinator, International Labour Policy, Ministry of Labour and Social Welfare, Government delegate, confirmed that the Government had taken note of the letter of 10 February. She indicated that upon receipt of the ILO invitation to this Meeting, the Government had written to the President of the Congress of Labour on 31 March 2006 to invite it to name one delegate and two advisers; copies of this letter were sent to the CROC and to the Confederation of Mexican Workers (CTM). Receipt of a copy by the CROC was confirmed by written documentation subsequently provided to the Committee. In addition, the Government provided a copy of the letter from the President of the Congress of Labour in which he had named the delegate and the two advisers who were later accredited to the Meeting and who attended on behalf of the Congress of Labour. No representative of the CROC was included in the delegation.
16. The Government representative recalled that beginning in 2001, invitations to nominate worker delegates and advisers were sent not only to the CMT, but as well as to the CROC and 38 other organizations. From 2001 to 2005, the CROC was included in tripartite delegations to various ILO meetings, including the Fifteenth American Regional Meeting (Lima, December 2002) and International Labour Conferences. The criteria used by the Government in relation to the designation of the representatives of organizations for purposes of such meetings included principally the number of members and the interest expressed by these organizations in international affairs. She indicated that the CROC

formed part of the Congress of Labour, which designated the persons who would be nominated as the Workers' delegation to this Meeting.

17. In view of time constraints and the absence of more information, the Committee was not in a position to clarify the relationship between the various organizations. In light of the recent participation by the CROC in delegations to the International Labour Conference and the interest the workers' organization had expressed to participate in this Meeting, which meets one of the criteria stated by the Government, the Committee is of the view that the Government should have given closer consideration to the inclusion of the CROC within the Workers' delegation and should do so in the future.

Complaints

18. The Committee received the following two complaints.

Complaint concerning the non-payment of the travel and subsistence expenses of the Employers' delegation of Guatemala

19. On 3 May 2006, the Committee received a complaint from the Employers' group of the Meeting that the Government had refused to assume its responsibility for the travel and subsistence of Mr. Guido Doménico Ricci Muadi, who had been nominated as the Employers' delegate to the Regional Meeting in accordance with article 1, paragraph 1, of the Rules for Regional Meetings. Consequently, Mr. Ricci Muadi was prevented from participating in the Meeting although he had been included in the tripartite delegation nominated to the Meeting. The complaint asks the Credentials Committee to draw this to the attention of the Governing Body.
20. In a written communication sent through the Ambassador to Brazil, the Deputy Minister of Labour and Social Welfare (Mr. Sequen Monroy) indicated that when the Government informed the most representative organizations of employers and workers of the invitation to the Regional Meeting, it had stated that the Ministry did not have the resources to pay the expenses of a tripartite delegation.
21. The Committee observes that although the Government of Guatemala had accredited a tripartite delegation to the Meeting, only its Ambassador had registered. The Committee takes note of the explanations provided by the Government, but recalls the obligation of a government to assume responsibility for the travel and subsistence expenses of its tripartite delegation once it accepts an invitation. It regrets that this situation affected not only a delegate, but one who is also a Governing Body member. The Committee wishes to recall that Regional Meetings are of importance in achieving the objectives of the Organization regarding the region on the basis of tripartite dialogue and decisions.
22. The Committee also expresses the hope that information regarding Regional Meetings can be brought to the attention of the governments in a timely fashion.

Complaint concerning the non-payment of the travel and subsistence expenses of the Employers' delegation of Venezuela

23. On 3 May 2006, the Committee received a complaint from the Employers' group of the Meeting that one of the Employers' advisers, Mr. Bingen de Arbeloa (FEDECAMARAS), who is also a Governing Body member, had not received travel and subsistence expenses.

The complaint also included information that another Employer adviser, Ms. Albis Muñoz (former President, FEDECAMARAS), had not been permitted to leave her country; the Employers' group stated that it intended to transmit this information to the ILO Committee on Freedom of Association. Finally, the Employers' group rejected the participation of three other Employers advisers from FEDEINDUSTRIA, CONFAGAN and EMPREVEN within its Group, as they are neither the most representative employers' organizations nor are they freely selected without external influence, as has been considered by prior Credentials Committees of the International Labour Conference.

24. In an oral statement to the Committee in response to its invitation, a representative (Mr. Molina, Director of the Office of International Relations and Liaison with the ILO) indicated that his Government was covering the travel and subsistence expenses of five Employer delegates (only three of whom were present at the Meeting). At a meeting convened by the Government on 21 April 2006, the signed minutes of which were provided to the Committee, it had pledged to pay the travel and subsistence for the Employers' delegate from FEDECAMARAS to this Regional Meeting and one Employers' adviser from each of the four employers' organizations present. The minutes had noted that additional advisers could participate at the expense of their organizations. On 24 April 2006, FEDECAMARAS submitted a list (provided to the Committee) that included a substitute delegate and eight advisers, including Mr. Bingen De Arbeloa.
25. With regard to the non-payment of travel and subsistence expenses, the Committee considered that the Government's attention should be called to the obligation to pay the travel and subsistence expenses of its country's delegation, in accordance with article 13, paragraph 2(a), of the ILO Constitution, as well as article 1, paragraph 1, of the Rules for Regional Meetings.
26. As to Ms. Muñoz, the Government representative stated that she was not permitted to leave the country due to legal proceedings that are under way and thus she needed a court authorization communicated to the emigration authorities so that she could leave the country. Documentation provided to the Committee by the Government showed that this authorization was requested in a timely fashion, was granted on 26 April 2006 and was communicated the same day to the Ministry of Interior and Justice. The Credentials Committee is concerned about the serious nature of the allegations that may compromise the exercise of fundamental rights.
27. In relation to additional allegations made concerning the representativeness of organizations referred to in the complaint, the Government considered them groundless and discriminatory and recalled its statements before the Credentials Committee of recent International Labour Conferences. In this regard, the Committee takes note of the International Labour Conference's Credentials Committee conclusions regarding the representativeness of employers' organizations (Credentials Committee, Third Report, *Provisional Record* No. 4D, 2005).
28. The Committee expects that the Government will comply with its obligations under both the ILO Constitution and the Rules for Regional Meetings and take the necessary measures to facilitate the participation and payment of travel and subsistence expenses for both Employers' and Workers' delegates and advisers at future meetings of the ILO.

Communication

29. The Committee received the following communication.
30. On 3 May 2006, the Committee received a communication from the International Confederation of Free Trade Unions (ICFTU), stating that several governments had not

sent tripartite delegations because the Meeting was in close proximity to the International Labour Conference that takes place each year in Geneva. While sympathetic to the situation of the labour ministries which have limited resources, the ICFTU considers that it should be recalled that it is the duty of governments to foresee sufficient resources to comply with the yearly presence in Geneva, as well as the Regional Meetings that take place each year in one of the four regions (i.e., normally every four years for each region). It was also submitted that several workers' organizations were advised that they would have to choose between participating in this Regional Meeting or the annual Conference in Geneva. The ICFTU considers that this is unacceptable and hopes that these issues will be seriously addressed for future meetings.

- 31.** The Committee observed that as this communication did not challenge the credentials of any delegate or adviser, it did not call for any action on its part. The Committee therefore limited itself to taking note of it and expressed concern over the scheduling of a Regional Meeting so close to an annual Conference. Consideration should be given to providing governments earlier notification of a Regional Meeting, in order to reserve adequate resources that would permit them the expenses of tripartite delegations to be covered.
- 32.** In conformity with article 9, paragraph 5, of the Rules, the Committee unanimously requests that the Meeting include its report amongst the documents that the Office is to bring to the attention of the Governing Body.

Brasilia, 4 May 2006.

(Signed) Ms. Verónica López Benítez,
Chairperson.

Mr. Juan Mailhos.

Mr. Jerry Zellhoefer.

Accredited delegates and advisers*(Updated as of 5pm on 4.05.2006)*

	Government Delegates	Government Advisers	Employers' Delegates	Employers' Advisers	Workers' Delegates	Workers' Advisers
Antigua and Barbuda	-	-	-	-	-	-
Argentina	2	4	1	3	1	4
Bahamas	-	-	-	-	-	-
Barbados	-	-	-	-	-	-
Belize	-	-	-	-	-	-
Bolivia	1	-	1	1	1	-
Brazil	2	10	1	11	1	7
Canada	2	1	1	-	1	-
Chile	2	-	1	-	1	-
Colombia	2	-	1	1	1	2
Costa Rica	2	-	1	-	1	1
Cuba	2	1	1	-	1	-
Dominica	-	-	-	-	-	-
Dominican Republic	2	-	1	-	1	-
Ecuador	2	3	1	-	1	3
El Salvador	-	-	-	-	-	-
France	2	1	-	-	1	-
Grenada	-	-	-	-	-	-
Guatemala	1	-	1	-	1	-
Guyana	2	-	1	-	1	-
Haiti	-	-	-	-	-	-
Honduras	1	-	1	1	1	-
Jamaica	-	-	-	-	-	-
Mexico	2	5	1	2	1	2
Netherlands	-	-	-	-	-	-
Nicaragua	-	-	-	-	-	-
Panama	2	1	1	-	1	-
Paraguay	2	-	1	-	-	-
Peru	1	-	1	-	1	-
Saint Kitts and Nevis	-	-	-	-	-	-
Saint Lucia	-	-	-	-	-	-
Saint Vincent and the Grenadines	-	-	-	-	-	-
Suriname	2	-	1	-	1	-
Trinidad and Tobago	2	-	1	-	1	-
United Kingdom	-	-	-	-	-	-
United States	2	7	1	-	1	-
Uruguay	2	1	1	1	1	-
Venezuela	2	3	1	11	1	4
<u>Total</u>	42	37	22	31	22	23

Registered delegates and advisers*(Updated as of 5pm on 4.05.2006)*

	Government Delegates	Government Advisers	Employers' Delegates	Employers' Advisers	Workers' Delegates	Workers' Advisers
Antigua and Barbuda	-	-	-	-	-	-
Argentina	2	4	-	2	1	4
Bahamas	-	-	-	-	-	-
Barbados	-	-	-	-	-	-
Belize	-	-	-	-	-	-
Bolivia	1	-	1	1	1	-
Brazil	2	10	1	7	1	7
Canada	2	-	1	-	1	-
Chile	2	-	1	-	1	-
Colombia	2	-	1	1	1	1
Costa Rica	2	-	1	-	1	-
Cuba	2	1	1	-	1	-
Dominica	-	-	-	-	-	-
Dominican Republic	-	-	-	-	-	-
Ecuador	2	1	1	-	1	3
El Salvador	-	-	-	-	-	-
France	2	1	-	-	1	-
Grenada	-	-	-	-	-	-
Guatemala	1	-	-	-	-	-
Guyana	1	-	-	-	-	-
Haiti	-	-	-	-	-	-
Honduras	1	-	1	1	-	-
Jamaica	-	-	-	-	-	-
Mexico	2	5	-	2	1	2
Netherlands	-	-	-	-	-	-
Nicaragua	-	-	-	-	-	-
Panama	2	1	1	-	-	-
Paraguay	2	-	1	-	-	-
Peru	1	-	1	-	1	-
Saint Kitts and Nevis	-	-	-	-	-	-
Saint Lucia	-	-	-	-	-	-
Saint Vincent and the Grenadines	-	-	-	-	-	-
Suriname	2	-	-	-	1	-
Trinidad and Tobago	2	-	-	-	-	-
United Kingdom	-	-	-	-	-	-
United States	2	6	1	-	1	-
Uruguay	2	1	1	1	1	-
Venezuela	2	3	1	3	1	4
<u>Total</u>	39	33	15	18	16	21