

Provisional Record

108th Session, Geneva, June 2019



Date: Wednesday 10 July 2019

Plenary sitting

Reports on credentials

Contents

	<i>Page</i>
Submission and noting of the first report of the Credentials Committee.....	1
Submission and noting of the second report of the Credentials Committee and approval of the Committee's proposals.....	2

Thursday, 13 June 2019, 10 a.m.

President: Mr Elmiger

Submission and noting of the first report of the Credentials Committee

The President
(Original French)

It is my great pleasure to declare open this seventh plenary sitting of the 108th Session of the International Labour Conference.

I would like to draw your attention to the first report of the Credentials Committee, which is contained in *Provisional Record No. 3B*.

This report includes the calculation of the quorum required to validate votes held in plenary, as well as detailed information on the composition of the Conference and the various delegations, for example the percentages of women and men present. In this regard, I would like to draw your attention to the fact that there is a slight improvement as compared to last year, with women representing 35 per cent of the total number of members of delegations. However, we still remain far from achieving the objective of gender parity.

The Conference is called on to take note of this report.

(The Conference takes note of the report.)

(The Conference continued its discussion of the Reports of the Chairperson of the Governing Body and of the Director-General.)

Friday, 21 June 2019, 2.45 p.m.

President: Mr Elmiger

Submission and noting of the second report of the Credentials Committee and approval of the Committee's proposals

The President
(Original French)

I declare open the 20th plenary sitting of the 108th Session of the International Labour Conference.

We begin this afternoon's proceedings with the second report of the Credentials Committee, which can be found in *Provisional Record No. 3C*.

I invite the Committee Officers to come to the podium: the Chairperson, Mr Kirigua; the Employer Vice-Chairperson, Mr Yllanes Martínez; and the Worker Vice-Chairperson, Ms Brown.

The Chairperson of the Credentials Committee, Mr Kirigua, will present the Committee's second report.

Mr Kirigua
Chairperson of the Credentials Committee

I am pleased to present to the Conference the second report of the Credentials Committee which you will find in *Provisional Record No. 3C*. The Credentials Committee, which I have had the honour to preside over these last two weeks, is a discrete committee composed of three delegates: one Government; one Employers'; and one Workers' delegate. Allow me, therefore, while I report on the work of this year, to say a few words on its role and mandate on the occasion of the Organization's Centenary.

The Credentials Committee was created as a standing committee under the first Standing Orders adopted at the International Labour Conference of 1919. A Credentials Committee is a regular feature of an international conference. However, the Credentials Committee of the International Labour Conference is special because the International Labour Conference itself is special in that it is tripartite. The Credentials Committee was conceived as the custodian of this tripartite structure of the Conference. Its mandate, which has remained true since its beginning in 1919, is to examine any objections alleging that a delegate or an adviser has not been nominated in agreement with the most representative organizations of employers or workers in the country concerned, as required under article 3, paragraph 5 of the ILO Constitution.

In 1919, the Credentials Committee examined five objections which, at the time, were called protests. At the current session, the Committee has examined 12 such objections, of which two were received late. In examining these cases, the Committee applies principles that have been developed over the years: in other words case law. Up until the present day, the Committee regularly refers to the first advisory opinion delivered in 1922 by the Permanent Court of International Justice, the predecessor of the International Court of Justice, and it has given an authoritative interpretation of that provision of the Constitution.

In 1997, the Credentials Committee was mandated to ensure the respect of another constitutional obligation of member States, which is a precondition for functioning tripartism: the obligation of Members to pay the travelling and subsistence expenses of the members of their delegations, including the Employers' and Workers' delegates and advisers, in accordance with article 13, paragraph 2(a) of the Constitution.

For the last 21 years, the Committee has thus been competent to examine complaints in cases where it is alleged that a government has not paid the expenses of a tripartite delegation composed of at least two Government delegates, an Employers' delegate and a Workers' delegate, or where there exists a serious and manifest imbalance between the number of Employers' or Workers' advisers whose expenses have been covered and the number of advisers appointed for the Government.

The Committee has examined five such complaints this year. It has also reviewed information that governments are requested to provide when depositing the credentials of their delegations regarding their commitment to cover the expenses of their delegations. It is gravely concerned that some governments have not met their obligations in this regard. A functioning tripartite conference not only requires that Employers' and Workers' delegates and advisers are nominated in agreement with the most representative employers' and workers' organizations respectively, but also that they are afforded the financial means to attend.

In 2004, the mandate of the Committee was again extended to include objections alleging failure to nominate an Employers' or Workers' delegate, which results in what we call an incomplete delegation. Only one such case was brought before the Committee this year, although there were two other incomplete delegations attending the Conference.

In the same year, the Committee was entrusted with the mandates to propose the monitoring of situations brought to it or brought before it by way of an objection or complaint. When such a proposal is adopted by the Conference, the Government has the obligation to provide a progress report to the Committee at the following Conference when submitting its credentials.

This year, the Committee examined the cases of three Members: Djibouti, Mauritania and the Bolivarian Republic of Venezuela, which all concerned the nomination of their respective Workers' delegations. In all three cases the Committee considered it necessary to propose to the Conference the renewal of the monitoring.

Now to its mandate to examine credentials, the Committee has a unique overview of the composition of the Conference and has traditionally made comments in this regard. You may not be surprised to hear that the Centenary session of the Conference is the best attended ever. Never before have there been 178 member States attending the Conference and more than 7,600 accredited participants of which more than 6,300 have been registered present over the last two weeks. In the past, the Committee has drawn attention to the challenges that the increasing number of participants in recent years has posed to the functioning of the Conference but assumes that the record attendance of this year is due to the Centenary celebrations and that it will remain an exception.

For more than 30 years, the Committee has been reporting on the number of women participating in the Conference. The Committee regrets that, at the Centenary of the International Labour Organization (ILO), the participation at the Conference remains primarily that of men, with only 35 per cent of women among accredited delegates and advisers. This, despite four Conference resolutions since 1975 that call for improvement on the matter as well as the United Nations Economic and Social Council Resolution, 1990/15 calling for equal representation between women and men by the year 2000.

Taken together with the percentage of women in leadership positions, only 30.4 per cent are titular delegates. It is evident that greater commitment is required from governments and also from employers and workers. Looking at the statistics for constituent groups, the Committee observes that the proportion of women delegates and advisers in Government, Employers' and Workers' delegations are as follows: for governments this has been 40.4 per cent, for employers this has been 28.8 per cent and for workers 30.4 per cent.

It is worth noting, however, that not all member States have met the agenda representation targets, as the figures for individual member States and constituents show in the annexes to the report. In this connection, the Committee urges the constituents of all member States to reach at least the 30 per cent minimum of women's participation in their delegations, particularly for women leadership positions towards the goal of gender parity. The Committee's appeal in this regard is based on the fact that it is universally recognized that equality for women and men in the world of work is a core value of the ILO.

In closing, let me express my sincere appreciation to Employer Vice-Chairperson, Mr Yllanis Martínez from Mexico and to Worker Vice-Chairperson, Ms Brown from the United Kingdom. We truly worked very well as a tripartite team on this task and this report is our unanimous view.

I now have the honour and privilege to commend the report to you and take this opportunity to wish you all a successful conclusion of the Conference and a safe return home.

The President
(Original French)

The Credentials Committee has unanimously adopted its report and requests the Conference to take note of its content and to approve the proposals put forward in paragraphs 10, 16 and 20 of *Provisional Record* No. 3C relating to Djibouti, Mauritania and the Bolivarian Republic of Venezuela, respectively.

In accordance with article 26 bis, paragraph 7, and article 26 qtr of the Standing Orders of the Conference, the proposals shall be decided without discussion.

If there is no objection, may I take it that the Conference takes note of the report and approves the three proposals?

(The Conference takes note of the report and approves the three proposals.)

That concludes our discussion of the second report of the Credentials Committee. I would like to take this opportunity to thank the Officers and all other members of the Committee for their excellent work.

(The Conference continued its work in plenary.)