



International
Labour
Office
Geneva

SUBMISSION OF CREDENTIALS TO THE INTERNATIONAL LABOUR CONFERENCE

99th Session (2–18 June 2010)

Explanatory note for national delegations

1. Form of credentials

Credentials are the instrument used by a State to designate persons entitled to represent it and to act on its behalf at an international conference. They must be issued by and bear the signature of an authority with power to bind the State, such as the Head of State, the Minister of Foreign Affairs (or the head of the competent diplomatic mission), or the Minister responsible for the questions discussed by the Conference. They must clearly indicate the identity and functions of the persons nominated.

Given the specific nature of certain rules and practices governing participation in the International Labour Conference, the Office has developed the ***attached form***, which lists the various categories of possible participants and the information required in their respect.

An electronic credentials form will also be available. Access codes will be sent to permanent missions of member States in Geneva in early 2010. The codes allow the form to be downloaded from the Organization's web site and returned electronically to the ILO after completion.

2. Purpose of credentials

All information obtained from the credentials deposited by member States is centralized in the Conference integrated management system. This system performs the following operations:

- it establishes the provisional, revised and final lists of delegations, published as appendices to the *Provisional Records* of the Conference;
- it produces the personal identification badge given to each accredited delegate. These badges indicate the name of the State represented, the holder's group (Government, Employer or Worker), surname and first name. They allow access to the Conference premises, to group meetings, and to plenary and committee sittings. They are necessary for preparing participation in votes during the Conference;
- it draws up the voting list for plenary and establishes its quorum;
- it draws up the list of speakers for the plenary discussion of the reports of the Chairperson of the Governing Body and of the Director-General;
- it establishes the composition, voting lists and quorum of the various committees set up by the Conference.

Credentials are examined by the Credentials Committee of the Conference, to ensure that they are in conformity with the provisions of article 3 of the Constitution. Under article 5, paragraph 2, of the Standing Orders of the Conference, this Committee also checks whether member States are fulfilling their obligation to pay the travel and subsistence expenses of their tripartite delegations. **For the Committee to be able to carry out these duties, the following information must be contained in the credentials:**

- the name of the employers' or workers' organization to which each member of the Employers' and Workers' delegations belongs, and his or her function within that organization;
- the names of the employers' and workers' organizations that were consulted for the purpose of selecting representatives to the Conference; and

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- the travel and subsistence expenses of the members of the delegations paid by the State concerned.

3. Composition of delegations

See section 10 of the *Conference guide*.

Each national delegation to the Conference must include representatives of the Government, Employers and Workers, able to act in full independence of each other. Failure to comply with article 3, paragraph 1, of the Constitution, which stipulates that the minimum composition of delegations is two Government delegates, one Employers' and one Workers' delegate, is dealt with under article 4, paragraph 2, of the Constitution. This provision states that where one of the two non-governmental delegates is not nominated, the other non-governmental delegate loses his or her voting rights. Each delegate may be accompanied by a certain number of advisers, provided a balanced number of advisers is appointed to each of the three groups of a national delegation (see below, section 6(d)).

The Office follows up with member States that fail to send, or send incomplete delegations, and the Director-General submits periodic reports to the Governing Body on the reasons given by the States for their inability to send full delegations.

4. Time limits for the presentation of credentials

See section 10 of the *Conference guide*.

Under article 26, paragraph 1, of the Conference Standing Orders, credentials must arrive at the Office of the Legal Adviser of the International Labour Office (address given below) **at least 15 days before** the opening of the Conference. For the 97th Session, this means **a deadline of Tuesday, 18 May 2010**.

Only persons designated by name in credentials received and processed by the Office before the Friday preceding the opening of the Conference, will be able to register and withdraw their personalized badge. It is therefore in the interest of delegations that their credentials reach the Office by 18 May 2010.

5. Entry visas for Switzerland and France

See section 12 of the *Conference guide*.

6. Rights and functions of members of delegations and other participants

Within national delegations Ministers or Secretaries of State, along with the delegates and advisers of each of the three groups (Government, Employers, Workers), are the main actors of the Conference. However, the Standing Orders and practice of the Conference provide for the admission and, if necessary, the participation of other persons.

To help explain the roles and functions of the various categories of persons able to participate at the Conference, a short summary and a table listing the provisions governing their participation is given below.

(a) Ministers attending the Conference

The Standing Orders stipulate that Ministers or Secretaries of State, the delegates and their advisers, are the only categories of participants with rights beyond simple admission to meetings. Article 12, paragraph 3, of the Standing Orders of the Conference states that in addition to one of the Government delegates, a Minister or Secretary of State has the right to address plenary. **However, Ministers or Secretaries of State do not have the right to vote or to participate in the work of the committees, unless they are designated as a Government delegate on the credentials form.**

(b) Persons accompanying the Minister(s) attending the Conference

Although there is no provision for their admission to the Conference in the Standing Orders, in practice persons accompanying a Minister or Secretary of State (such as the members of their cabinet, their personal secretaries or assistants or the Permanent Representative of the State to the ILO) may be mentioned in the credentials of the delegations. Their names will consequently appear in the official list of delegations published by the Office and they will be issued with a personal badge giving access to meeting rooms. However, they will not be entitled to speak or vote in plenary or in a committee.

(c) Delegates

The designation of a person as a delegate implies that he/she is entitled to exercise all rights provided for in the ILO Constitution and the Standing Orders of the Conference, namely, the right to vote, to speak in plenary, to present resolutions, amendments or other motions, to file a complaint in accordance with article 26 of the Constitution, to participate in committees, etc.

(d) Advisers and substitute delegates

Under article 3, paragraph 2, of the Constitution, each delegate to the Conference may be accompanied by up to two advisers for each technical item on the agenda of the Conference. As the agenda of the 99th Session of the Conference contains five technical items, this year Government delegations will be able to bring a maximum of 20 advisers, and the Employers' and Workers' delegations a maximum of ten advisers each.

Certain advisers may be designated as substitute delegates. The permanent or temporary assignment of a delegate's rights to one of his or her accompanying advisers can be done through the **form for credentials**, simply by designating one or more advisers as substitute delegates; or, at any moment during the Conference, by filling out the form specially provided for this purpose, available from the Credentials Committee secretariat. It is not necessary to designate more substitute delegates than those required for the vote in plenary.

Advisers, whether or not they are substitutes for the delegate, may participate in the Conference as titular members of a committee and exercise all the rights provided for in section H of the Standing Orders of the Conference: voting rights, right to speak, right to present resolutions, amendments, motions, etc.

(e) Additional advisers representing non-metropolitan territories

Article 3, paragraph 3, of the Constitution allows member States responsible for the international relations of non-metropolitan territories which have not requested the participation in the Conference of these territories by a separate tripartite delegation, to designate representatives of the governments, and of the employers' and workers' organizations from these territories, as additional advisers to accompany each delegate of the three groups.

(f) Persons designated in accordance with article 2, paragraph 3(i), of the Standing Orders of the Conference

Article 2, paragraph 3(i), of the Standing Orders of the Conference allows member States to nominate other persons to occupy advisers' posts that may fall vacant in their delegations. The individuals thus designated may follow the work of the Conference and its committees, but may only take part in it if they actually replace an absent adviser, provided the Credentials Committee has been duly notified of the replacement.

A 1996 decision of the Credentials Committee (*Provisional Record* No. 5, International Labour Conference, 83rd Session) rules that the number of persons designated to replace advisers may not exceed half of the number of advisers. Consequently, for the 99th Session of the Conference, the maximum number will be ten for Government delegations and five each for Employers' and Workers' delegations.

(g) Representatives of a state or a province forming part of a federal State

Under article 2, paragraph 3(d), of the Standing Orders of the Conference, the representatives of a state or province of a federal State are admitted to the meetings of the Conference and its committees, with neither the right to speak nor to vote. Their names and functions appear in the list of the delegations under a separate heading at the end of their Government delegation.

(h) Other persons attending the Conference

Representatives of the legislature or judiciary or other persons interested in the work of the Conference (members of the Economic and Social Council, social security services, etc.) may be included in a reasonable number in the credentials of a State, and may be attached to one of the three groups of a national delegation (Government, Employers or Workers). Their names appear in the list of delegations at the end of the delegation they are accompanying. The Office cannot intervene with Swiss diplomatic representation regarding the visa for these persons.

(i) Support staff for the delegations

In accordance with article 2, paragraph 3(g), of the Standing Orders of the Conference, each group of a national delegation is entitled to be accompanied by a secretary or interpreter, or by other persons whose functions require access to the Conference rooms (for example, the messengers or the drivers of the delegations or permanent missions). The names of these persons should appear in the credentials, so that

they can be issued a personal identification badge indicating the group to which they are attached, giving them access to the meeting rooms. These names are not published in the list of delegations. The Office cannot intervene with Swiss diplomatic representation regarding the visa for these persons.

Visitors

Members of delegations frequently bring members of their family with them. To allow these persons access to the Conference premises and halls, and to follow the debates from the public galleries, visitors' badges are available. These can be withdrawn by duly accredited members of the delegations on presentation of the visitor's passport. With the exception of persons who have specific functions under protocol (for example, the wife or husband of a Minister attending the Conference), the names of visitors must not appear in the credentials. The Office cannot intervene with Swiss diplomatic representation regarding the visa for these persons.

The Office of the Legal Adviser of the ILO (4 route des Morillons, 1211 Geneva 22, Tel.: +41 22 799 65 69; facsimile: +41 22 799 84 70; email: credentials@ilo.org) is at your disposal for any further information regarding the submission of credentials.

Category	Right of admission	Right to address		Right to vote (subject to articles 4(2) and 13(4) of the Constitution)	
	Plenary and committees	Plenary	Committees	Plenary	Committees
Government delegation					
Minister attending the Conference Article 2(3)(a), Standing Orders	Yes	Yes Articles 12(3) and 14(8), Standing Orders	No	No, unless appointed as delegate	No, unless appointed as delegate
Persons accompanying the Minister According to practice	Yes	No	No	No	No
Titular delegates Article 3(1), Constitution 2 Government titular delegates	Yes	Yes, only 1 Article 12(3), Standing Orders	Yes	Yes	Yes, if member of the committee
Advisers and substitute delegates Article 3(2) and (7), Constitution Article 1(2) and (3), Standing Orders Maximum of 20, except when additional advisers from non-metropolitan territories are appointed (article 3(3), Constitution)	Yes	Only if substitute delegate acting on behalf of delegate	Yes, if member of the committee or designated by delegate Article 56(6), Standing Orders	Only if substitute delegate acting on behalf of delegate	Yes, if member of the committee
Persons appointed under article 2(3)(i), Standing Orders Persons appointed to occupy an adviser's post which may fall vacant, maximum of 10	Yes	No	No	No	No
Other persons According to practice	Yes	No	No	No	No
Representative of a State or province Article 2(3)(d), Standing Orders	Yes	No	No	No	No
Support staff Article 2(3)(g), Standing Orders	Yes	No	No	No	No

Employers' delegation

Titular delegate Article 3(1), Constitution 1 Employers' titular delegate	Yes	Yes Article 12(3), Standing Orders	Yes	Yes	Yes, if member of the committee
Advisers and substitute delegates Article 3(2) and (7), Constitution Article 1(2) and (3), Standing Orders Maximum of 10, except when additional advisers from non-metropolitan territories are appointed (article 3(3), Constitution)	Yes	Only if substitute delegate acting on behalf of delegate	Yes, if member of the committee or designated by delegate Article 56(6), Standing Orders	Only if substitute delegate acting on behalf of delegate	Yes, if member of the committee
Persons appointed under article 2(3)(i), Standing Orders Persons appointed to occupy an adviser's post which may fall vacant, maximum of 5	Yes	No	No	No	No
Other persons According to practice	Yes	No	No	No	No
Support staff Article 2(3)(g), Standing Orders	Yes	No	No	No	No

Workers' delegation

Titular delegate Article 3(1), Constitution 1 Workers' titular delegate	Yes	Yes Article 12(3), Standing Orders	Yes	Yes	Yes, if member of the committee
Advisers and substitute delegates Article 3(2) and (7), Constitution Article 1(2) and (3), Standing Orders Maximum of 10, except when additional advisers from non-metropolitan territories are appointed (article 3(3), Constitution)	Yes	Only if substitute delegate acting on behalf of delegate	Yes, if member of the committee or designated by delegate Article 56(6), Standing Orders	Only if substitute delegate acting on behalf of delegate	Yes, if member of the committee
Persons appointed under article 2(3)(i), Standing Orders Persons appointed to occupy an adviser's post which may fall vacant, maximum of 5	Yes	No	No	No	No
Other persons According to practice	Yes	No	No	No	No
Support staff Article 2(3)(g), Standing Orders	Yes	No	No	No	No

