



12th African Regional Meeting

Johannesburg, South Africa, 11–14 October 2011

AFRM.12/D.5

Report of the Credentials Committee

1. The Credentials Committee, which was appointed by the Meeting at its first sitting, met on 11, 12 and 13 October 2011 to examine, in conformity with article 9 of the ILO *Rules for Regional Meetings* (2008), the credentials of the delegates and their advisers attending the Meeting, as well as the objections to credentials, the complaints concerning the non-payment of travel and subsistence expenses of delegations, and other communications. The Committee was composed as follows:

Chairperson: Mr Ahmed Mohamed Yahya (Government delegate, Mali);

Members: Mr Aggrey K. Mlimuka (Employers' delegate, the United Republic of Tanzania) and Mr Roy Mwaba (Workers' delegate, Zambia).

2. Credentials that have been received in respect of the members of the delegations have been submitted in the form of official instruments, official letters, or facsimiles. Scanned copies of such documents sent by electronic mail have been considered as equivalent to facsimiles.
3. The Committee draws the attention of the governments to the importance of respecting article 1, paragraph 3, of the abovementioned *Rules*, according to which credentials must be deposited at least 15 days before the opening of a meeting (i.e. 26 September 2011 for this Meeting). The Committee noted that credentials from only 22 (one more than in 2007) of the 54 Members invited were received within that time limit. Furthermore, two Members filed their credentials just before and during the Meeting and therefore did not appear on the *First Provisional List of Delegations* made available online by the Office on 11 October 2011. Since this list provides advance information that may serve as the basis for objections to the credentials of delegates or their advisers, the absence of full information before the beginning of the Meeting was a concern to the Committee.

Composition of the Meeting

4. By the time of the adoption of this report, and as reflected in the table in Appendix A, out of the 54 member States invited to attend the Meeting, 41 Members have sent credentials in due form. The Meeting was composed of 79 Government delegates, 37 Employers' delegates and 39 Workers' delegates, i.e. 155 delegates in all. In addition, the Meeting comprised 68 Government advisers, 17 Employers' advisers and 30 Workers' advisers, amounting to a total of 115 advisers. Persons appointed as both substitute delegates and advisers have been included among the advisers. The total number of accredited delegates and advisers thus amounted to 270.
5. Regarding the number of delegates and advisers having registered, there were 74 Government delegates, 31 Employers' delegates and 31 Workers' delegates, for a total of 136 delegates. The total number of advisers amounted to 95, of whom 60 were

Government advisers, 12 Employers' advisers, and 23 Workers' advisers. Appendix B to this report contains more detailed information on the number of delegates and advisers registered to the Meeting, amounting to a total of 231.

6. The Committee noted that the delegations of two member States accredited to the Meeting (Burundi and Cape Verde) were exclusively governmental. In addition, the delegation of the Central African Republic comprised the Workers' delegate, and not the Employers' delegate. The Committee details this point in paragraphs 39–41 below.
7. With regard to the resolutions concerning the participation of women in ILO meetings, adopted by the International Labour Conference at its 67th and 78th Sessions (June 1981 and June 1991), the Committee noted that 29 of the 155 delegates and 23 of the 115 advisers that are accredited to the Meeting are women. Women represent no more than 21.4 per cent of total delegates and advisers. Although these numbers reflect an increase as compared to the 11th African Regional Meeting in 2007 (17.8 per cent), the Committee deplores the fact that this percentage has remained low. The Committee noted with particular concern that 13 delegations contained no women delegates or advisers (Algeria, Burkina Faso, Burundi, Egypt, Ethiopia, France, Guinea-Bissau, Mali, Mauritius, Mauritania, Togo, Tunisia and Zambia). The Committee wishes to recall that the United Nations set a target of increasing the proportion of women in decision- and policy-making bodies to at least 30 per cent which was referred to by the Director-General in the letter of convocation sent to the members. The Committee calls upon the constituents to strive to meet this target of representation of women in delegations to the Regional Meetings. It also suggests that the Governing Body examine measures, including changing the existing *Rules*, with a view to encouraging an increased representation of women at Regional Meetings.
8. Twenty-six ministers or vice-ministers of member States of the region attended the Meeting. The Committee notes with a particular satisfaction that 11 among them are women.
9. Thirteen member States of the region were not accredited (Cameroon, Chad, Djibouti, Eritrea, Gambia, Liberia, Libya, Madagascar, Rwanda, Sao Tome and Principe, Sierra Leone, Somalia and Uganda).

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:
 - African Union;
 - African Regional Labour Administration Centre;
 - Arab Labour Organization;
 - Conférence interafricaine de la Prévoyance sociale;
 - Southern African Development Community.

Representatives of non-governmental international organizations

11. The international non-governmental organizations that were invited to participate at the Meeting, in conformity with article 1, paragraph 8, of the *Rules*, and were represented, were:
- International Trade Union Confederation;
 - World Federation of Trade Unions;
 - International Organisation of Employers;
 - Organization of African Trade Union Unity;
 - Pan-African Employers' Confederation;
 - International Social Security Association;
 - International Confederation of Arab Trade Unions;
 - Southern African Trade Union Coordination Council;
 - East African Trade Union Council.

Objections

12. The Committee received only one objection.

Objection concerning the nomination of the Employers' delegate of Niger

13. The Committee received an objection challenging the nomination of the Employers' delegate lodged by the International Organisation of Employers (IOE). The objecting organization stated that the Employers' delegate, Mr Adolphe Sagbo, President of the Fédération des Organisations patronales du Niger (FOP-Niger), had been nominated without proper consultations with the most representative organization of employers in Niger, the Syndicat Patronal des Entreprises et Industries du Niger (SPEIN), in violation of article 1, paragraph 2, of the *Rules for Regional Meetings*. The IOE requested that the Committee call upon the Government to provide explanations regarding this nomination and to hold proper consultations in the future.
14. In a written communication addressed to the Committee at its request, the Government explained that the employers' organizations were organized through two large groups, namely the Conseil national du patronat nigérien (CNPN), a member of which is SPEIN, and the FOP-Niger. Nevertheless, the issue of the representativity of the employers' organizations in the country has not yet been resolved. The Government annexed to its submission a letter from the Minister of Labour and Public Service dated 19 September inviting the presidents of both organizations to nominate their representatives. The Government states that the presidents, after both having claimed their right to participate in the Meeting, finally found an agreement and that the President of the CNPN agreed over the phone that Mr Sagbo be designated as the Employers' delegate at the Meeting.

-
15. *The Committee takes note of the Government's explanation, which is very specific. In absence of any contrary evidence, the Committee considers this explanation as credible. The Committee, however, strongly encourages the Government to continue its efforts aimed at determining the objective and transparent criteria allowing the determination of the most representative organization, in accord with all the parties concerned.*

Complaints

16. The Committee also received four complaints, which are listed below in the French alphabetical order of the member States concerned.

Complaint concerning the non-payment of travel and subsistence expenses of the Workers' delegate by the Government of the Central African Republic

17. The Committee received a complaint filed by the International Trade Union Confederation (ITUC) concerning the non-payment of travel and subsistence expenses of the Workers' delegate, Mr Sabin Kpokolo, Secretary-General of the Confédération syndicale des travailleurs de Centrafrique (CSTC). According to the complainant, the Government invoked financial reasons for not paying the expenses. As a result, Mr Kpokolo had not been able to travel to Johannesburg. The ITUC requested the Committee to call upon the Government to provide explanations in this respect and to comply with the *Rules for Regional Meetings*.
18. In a written communication addressed to the Committee at its request, the Government recalled its commitment to tripartism in spite of continuing budgetary constraints. The Government indicated that all official missions financed by the budget were suspended given that the budget for that purpose had been exhausted. That was the reason why the minister could not come to Johannesburg. He had, however, solicited support from organizations connected to the Government, namely the National Social Security Fund and the Agency for Vocational Training and Employment, but they were not able to finance more than two government delegates. Furthermore, Mr Kpokolo had indicated to the minister that the ITUC could cover his costs.
19. *The Committee took note of the comments made by the Government. However, it wishes to recall that members that accept an invitation to attend Regional Meetings have an obligation under article 1, paragraph 1, of the Rules for Regional Meetings to nominate complete delegations and have also a duty to pay the travel and subsistence expenses of the Employers' and Workers' delegates in order to ensure their effective participation at the Meeting. The Committee therefore considers that the Government should have made an additional effort to secure funds for all delegates it accredited to the Meeting. Consequently, the Committee trusts that the Government will honour its obligation to cover the travel and subsistence expenses of the Workers' delegate.*

Complaint concerning the non-payment of travel and subsistence expenses of the Workers' delegate by the Government of the Democratic Republic of the Congo

20. The Committee received a complaint presented by the ITUC, concerning the non-payment of travel and subsistence expenses of the Workers' delegate, Mr Symphorien Dunia. According to the complainant, the Government indicated that it had not been in a position to cover its costs of participation at the Meeting. Consequently Mr Dunia was not able to

travel to Johannesburg. The ITUC requested the Committee to call upon the Government to provide explanations in this respect and to comply with the *Rules for Regional Meetings*.

21. In a written communication addressed to the Committee at its request, the Government stated that the reasons for the absence of the Workers' delegate were not financial, given that the funds were available for the participation of the delegation at the Meeting. Contrary to other members of the delegation, Mr Dunia preferred personally to undertake all administrative procedures related to the mission. As a result, he did not have the original mission order and the Ministry of Foreign Affairs had not accepted to send a *Note verbale* to the Embassy of South Africa to facilitate the issuance of his visa and the receipt of funds necessary to cover his travel and subsistence expenses. Copies of the travel authorization of the whole delegation and the payment authorization were attached.
22. *The Committee considers that the Government provided sufficient evidence that the funds necessary for covering payment of travel and subsistence expenses had been secured and that the reasons for the absence of Mr Dunia are not of a financial nature. However, the Committee considers that the Government should have secured the necessary documents earlier, to allow the administrative procedure to be completed sufficiently in advance of the Meeting.*

Complaint concerning the non-payment of travel and subsistence expenses of the Workers' delegate by the Government of Senegal

23. The Committee received a complaint filed by the ITUC concerning the non-payment of travel and subsistence expenses of the Workers' delegate, Mr Attou Diaw, Deputy Secretary-General of the Confédération nationale des travailleurs du Sénégal (CNTS). The ITUC requested the Committee to call upon the Government to provide explanations in this respect and to comply with the *Rules for Regional Meetings*.
24. In a written communication addressed to the Committee at its request, the Government stated that administrative problems caused the delay of the delegation's departure on 8 October. The Government undertook an obligation to reimburse all travel and subsistence expenses incurred by the members of the delegation.
25. Further clarifications solicited by the Committee were provided orally in the name of the Government by Ms Mame Khar Diallo Seck, Director of Labour and Professional Relations in the Ministry of Labour and Professional Organizations. She confirmed the statements contained in the written submission, but added that Senegal did not habitually prevent representatives of the social partners from coming to international meetings. She confirmed the Government's commitment to reimburse all persons that incurred expenses in coming to the Meeting.
26. Further clarifications were also provided orally by Mr Attou Diaw. He stated that, given the importance of the Meeting, the CNTS insisted on participating, even if this involved engaging its own funds. He stated that he was not aware of the Government's recent commitment to reimburse the delegation's expenses.
27. *The Committee notes with satisfaction the Government's written commitment. It trusts that the Government will cover the travel and subsistence expenses of the Workers' delegate, in conformity with its commitment and the Rules for Regional Meetings.*

Complaint concerning the non-payment of travel and subsistence expenses of the Employers' delegate by the Government of Senegal

28. The Committee received a complaint filed by the IOE concerning the non-payment of travel and subsistence expenses of the Employers' delegate, Mr Amadou Massar Sarr. He was informed very late that the Government did not have funds to pay the social partners' attendance at this Regional Meeting. The complainant requested the Committee to ask the Government to provide explanations in this respect and to take measures in order to enable the Employers' delegate to participate in future Regional Meetings.
29. In a written communication addressed to the Committee at its request, the Government stated that administrative problems had delayed the delegation's departure on 8 October. The Government undertook to reimburse all travel and subsistence expenses incurred by the members of the delegation.
30. Further clarifications solicited by the Committee were provided orally in the name of the Government by Ms Mame Khar Diallo Seck, the Director of Labour and Professional Relations in the Ministry of Labour and Professional Organizations. She confirmed that if the Employers' delegate wished to attend the Meeting, his expenses relating to the Meeting would be reimbursed.
31. *The Committee takes note of the Government's commitment. However, it considers that it came too late to enable the Employers' delegate to attend the Meeting, including at his own expense, with subsequent reimbursement by the Government. It recalls that the Government has an obligation to secure the presence of a tripartite delegation at Regional Meetings and trusts that it will take timely measures aimed at covering the travel and subsistence expenses of all accredited delegates at future Regional Meetings.*

Communications

32. The Committee received four communications regarding incomplete delegations as well as several communications regarding the failure of member States to accredit their delegations to this Meeting.

Communication concerning Burundi

33. The ITUC drew the Committee's attention to the fact that the delegation of Burundi was only composed of a Government delegate and therefore did not respect the principle of tripartism. The ITUC requested the Committee to invite the Government to provide comments in this respect and to comply with the *Rules for Regional Meetings* regarding the composition of delegations.
34. In response to the Committee's invitation to the Government to provide information, if it so wished, the Government delegate orally apologized on behalf of the Government for its failure to be represented on a tripartite basis at the Meeting. He invoked budgetary reasons and emphasized that his own mission costs were covered by the National Institute for Social Security. His presence was justified by the Government's particular interest in social security issues.
35. *The mandate of this Committee is more restrained than the one of the Credentials Committee of the Conference as far as it concerns incomplete delegations. The Committee acknowledges the difficult financial situation that member States may be facing and*

understands the financial burden that the participation of a full tripartite delegation to the Meeting implies. However, the Committee wishes to remind the Government of Burundi of its obligation under article 1, paragraph 1, of the Rules for Regional Meetings to nominate complete delegations that would ensure, in particular, a balanced representation of employers and workers, as well as to its duty to ensure their effective participation at the Meeting. The Committee also recalls that the Director-General received the mandate in 1971 from the Governing Body to carry out enquiries concerning the failure of governments to send full tripartite delegations to the ILO meetings and, in particular, sessions of the International Labour Conference and Regional Meetings.

Communications concerning Cape Verde

36. Both the ITUC and the IOE drew the Committee's attention to the fact that the delegation of Cape Verde was composed exclusively of Government delegates. The two organizations requested the Committee to invite the Government to provide its comments and to ensure that a full tripartite delegation was sent in the future.
37. In response to the Committee's invitation to provide information, if it so wished, the Government stated that it did not intend to participate in the Meeting, but following the letter dated 6 October from the ILO Regional Director inviting the minister to participate in a panel, it had been decided to create a small government delegation. There had not been enough time to consult workers' and employers' organizations and accredit their respective representatives.
38. *The mandate of this Committee is more restrained than the one of the Credentials Committee of the Conference as far as it concerns incomplete delegations. The Committee acknowledges the difficult financial situation that member States may be facing and understands the financial burden that the participation of a full tripartite delegation to the Meeting implies. However, the Committee wishes to remind the Government of Cape Verde of its obligation under article 1, paragraph 1, of the Rules for Regional Meetings to nominate a complete delegation that would ensure, in particular, a balanced representation of employers and workers, as well as to its duty to ensure their effective participation at the Meetings. The Committee considers that in this situation the Government should have made an effort to consult the workers' and employers' organizations even at short notice. The Committee also recalls that the Director-General received the mandate in 1971 from the Governing Body to carry out enquiries concerning the failure of governments to send full tripartite delegations to the ILO meetings and, in particular, sessions of the International Labour Conference and Regional Meetings.*

Communication concerning the Central African Republic

39. The IOE drew the Committee's attention to the fact that the delegation of the Central African Republic did not include any Employer member. The IOE requested the Committee to invite the Government to provide comments in this respect and to ensure that full tripartite delegations were sent in the future.
40. In response to the Committee's invitation to the Government to provide information, if it so wished, the Government invoked the difficult financial situation.
41. *The mandate of this Committee is more restrained than the one of the Credentials Committee of the Conference as far as it concerns incomplete delegations. The Committee acknowledges the difficult financial situation that member States may be facing and understands the financial burden that the participation of a full tripartite delegation to the*

Meeting implies. However, the Committee wishes to remind the Government of the Central African Republic of its obligation under article 1, paragraph 1, of the Rules for Regional Meetings to nominate complete delegations that would ensure, in particular, a balanced representation of employers and workers, as well as to its duty to ensure their effective participation at the Meetings. The Committee also recalls that the Director-General received the mandate in 1971 from the Governing Body to carry out enquiries concerning the failure of governments to send full tripartite delegations to the ILO meetings and, in particular, sessions of the International Labour Conference and Regional Meetings.

Communication concerning non-accredited member States

42. The Committee received several communications regarding member States that did not respond to the Director-General's invitation to attend the Meeting. The IOE particularly emphasized the cases of Cameroon, Madagascar and Uganda, while the ITUC noted with regret the absence of several delegations, referring specifically to the cases of Madagascar and Chad. The national organizations affiliated to the IOE and the ITUC were informed that several governments justified their decisions not to attend the Meeting by citing financial difficulties. Both organizations consider that the employers and workers of the countries concerned were prevented from attending this important Meeting and contribute to its debates.
43. *The Committee finds the points raised by these communications important for the ILO. While member States do not have an obligation to respond positively to an invitation to attend a meeting, such a decision by a government prevents employers and workers of the States concerned from participating in the meeting. Even if fully understanding the financial difficulties that member States may have, the Committee considers it opportune to suggest that these decisions be subject, in the spirit of tripartism, to prior consultations with representative employers' and workers' organizations. The Committee also recalls that the Director-General was instructed by the Governing Body in March 1978 to carry out enquiries concerning the failure of governments to send delegations to the ILO meetings and, in particular, sessions of the International Labour Conference and Regional Meetings. The Committee therefore encourages the governments concerned to make explicit their reasons for their lack of accreditation in reply to the next letter of the Director-General.*

* * *

44. The Committee adopts this report unanimously. It recommends that the Meeting request the Office to annex it to the report of the Meeting and to bring it to the attention of the Governing Body, in conformity with article 9, paragraph 4, of the *Rules for Regional Meetings*.

Johannesburg, 13 October 2011

(Signed) Mr Ahmed Mohamed Yahya
Chairperson

Mr Aggrey K. Mlimuka

Mr Roy Mwaba

Appendix A

Accredited delegates and advisers

(Updated as of 5 p.m. on 13.10.2011)

	Government Delegates	Employers' Delegates	Workers' Delegates	Government Advisers	Employers' Advisers	Workers' Advisers
Algeria	2	1	1	1	-	-
Angola	2	1	1	1	-	-
Benin	2	1	1	1	-	-
Botswana	2	1	1	3	-	-
Burkina Faso	2	1	1	-	-	-
Burundi	1	-	-	-	-	-
Cameroon	-	-	-	-	-	-
Cape Verde	2	-	-	-	-	-
Central African Republic	2	-	1	-	-	-
Chad	-	-	-	-	-	-
Comoros	2	1	1	-	-	-
Congo	2	1	1	2	1	1
Côte d'Ivoire	2	1	1	1	1	-
Democratic Republic of the Congo	2	1	1	-	-	-
Djibouti	-	-	-	-	-	-
Egypt	2	1	1	1	1	1
Equatorial Guinea	2	1	1	-	1	1
Eritrea	-	-	-	-	-	-
Ethiopia	2	1	1	-	-	-
France	1	1	1	-	-	-
Gabon	2	1	1	-	-	1
Gambia	-	-	-	-	-	-
Ghana	2	1	1	3	-	-
Guinea	2	1	1	-	4	1
Guinea-Bissau	2	1	1	-	-	-
Kenya	2	1	1	1	-	-
Lesotho	2	1	1	1	-	-
Liberia	-	-	-	-	-	-
Libya	-	-	-	-	-	-
Madagascar	-	-	-	-	-	-
Malawi	2	1	1	1	-	-
Mali	2	1	1	3	-	1
Mauritania	1	1	1	-	-	-
Mauritius	2	1	1	3	-	-
Morocco	2	1	1	4	1	11
Mozambique	2	1	1	4	-	1
Namibia	2	1	1	7	-	-
Niger	2	1	1	3	-	-
Nigeria	2	1	1	6	-	-
Rwanda	-	-	-	-	-	-
Sao Tome and Principe	-	-	-	-	-	-
Senegal	2	-	1	1	-	-
Seychelles	2	1	1	-	-	-
Sierra Leone	-	-	-	-	-	-
Somalia	-	-	-	-	-	-
South Africa	2	1	1	8	6	5
Sudan	2	1	1	2	-	2
Swaziland	2	1	1	-	-	2
United Republic of Tanzania	2	1	1	4	2	1
Togo	2	1	1	-	-	-
Tunisia	2	1	1	-	-	-
Uganda	-	-	-	-	-	-
Zambia	2	1	1	4	-	1
Zimbabwe	2	1	1	3	-	1
Total	79	37	39	68	17	30

Appendix B

Registered delegates and advisers

(Updated as of 5 p.m. on 13.10.2011)

	Government Delegates	Employers' Delegates	Workers' Delegates	Government Advisers	Employers' Advisers	Workers' Advisers
Algeria	2	1	1	-	-	-
Angola	2	1	1	1	-	-
Benin	2	1	1	1	-	-
Botswana	2	1	1	2	-	-
Burkina Faso	2	1	1	-	-	-
Burundi	1	-	-	-	-	-
Cameroon	-	-	-	-	-	-
Cape Verde	2	-	-	-	-	-
Central African Republic	2	-	-	-	-	-
Chad	-	-	-	-	-	-
Comoros	2	-	-	-	-	-
Congo	2	-	-	2	1	1
Côte d'Ivoire	2	-	1	1	1	-
Democratic Republic of the Congo	2	1	-	-	-	-
Djibouti	-	-	-	-	-	-
Egypt	2	1	-	1	1	-
Equatorial Guinea	2	1	1	-	1	1
Eritrea	-	-	-	-	-	-
Ethiopia	2	1	1	-	-	-
France	1	1	1	-	-	-
Gabon	2	1	1	-	-	-
Gambia	-	-	-	-	-	-
Ghana	1	1	1	2	-	-
Guinea	2	1	1	-	1	-
Guinea-Bissau	2	-	1	-	-	-
Kenya	2	1	1	1	-	-
Lesotho	2	1	1	-	-	-
Liberia	-	-	-	-	-	-
Libya	-	-	-	-	-	-
Madagascar	-	-	-	-	-	-
Malawi	2	1	1	1	-	-
Mali	1	1	-	3	-	1
Mauritania	-	-	-	-	-	-
Mauritius	1	1	1	1	-	-
Morocco	2	1	1	4	1	11
Mozambique	1	1	1	4	-	1
Namibia	2	1	1	7	-	-
Niger	2	1	1	2	-	-
Nigeria	2	1	-	6	-	-
Rwanda	-	-	-	-	-	-
Sao Tome and Principe	-	-	-	-	-	-
Senegal	2	-	1	1	-	-
Seychelles	2	1	1	-	-	-
Sierra Leone	-	-	-	-	-	-
Somalia	-	-	-	-	-	-
South Africa	2	1	1	8	4	3
Sudan	2	1	1	1	-	1
Swaziland	2	1	1	-	-	1
United Republic of Tanzania	2	1	1	4	2	1
Togo	2	-	1	-	-	-
Tunisia	2	1	1	-	-	-
Uganda	-	-	-	-	-	-
Zambia	2	1	1	4	-	1
Zimbabwe	2	1	1	3	-	1
Total	74	31	31	60	12	23