



15th Asia and the Pacific Regional Meeting

Kyoto, Japan, 4–7 December 2011

APRM.15/D.5(Corr.)

Report of the Credentials Committee

1. The Credentials Committee, which was appointed by the 15th Asia-Pacific Regional Meeting at its first sitting, met on 4, 5 and 6 December 2011, in conformity with article 9 of the *Rules for Regional Meetings*, to examine the credentials of the delegates and technical advisers accredited to the Meeting, as well as objections, complaints concerning the non-payment of travel and subsistence expenses of delegations, and other communications.
2. The Committee was composed as follows:

Mr Michael Hobby (Government substitute delegate, New Zealand), Chairperson

Mr Ramadass Arumugam (Employers' substitute delegate, Malaysia)

Mr Samuel Devadasan Krajaratnam (Workers' delegate, Malaysia)
3. Credentials that have been received in respect of the members of the delegations have been submitted in the form of official instruments, official letters, and facsimiles. Scanned copies of such documents sent by electronic mail have been considered as equivalent to facsimiles.
4. 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 the Meeting (i.e. 18 November 2011 for this Meeting). The Committee noted with satisfaction that the credentials of 35 of the 37 member States accredited and the credentials of the two territories accredited were received within that time limit.

Composition of the Meeting

5. By the time of the adoption of this report, of the 46 member States and two territories invited to attend the Meeting, 37 Members and two territories had sent credentials. Of the two member States responsible for the external relations of non-metropolitan territories located in the region, one had sent credentials. The Committee hopes that all member States will in future participate in Regional Meetings and that appropriate steps will be taken to this effect.
6. The Meeting was composed of 74 Government delegates, 36 Employers' delegates and 37 Workers' delegates, i.e. 147 accredited delegates in all. In addition, the Meeting comprised 86 Government advisers, 36 Employers' advisers and 30 Workers' advisers, amounting to a total of 152 accredited 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 299.¹ Annex A to this report contains more detailed information in this regard.

7. Regarding the number of delegates and advisers having registered, there were 66 Government delegates, 33 Employers' delegates and 32 Workers' delegates, making a total of 131 delegates. The total number of advisers amounted to 143, of whom 80 were Government advisers, 33 Employers' advisers, and 30 Workers' advisers. Annex B to this report contains more detailed information on the number of delegates and advisers registered for the Meeting, amounting to a total of 274.²
8. The Committee noted that two delegations at the Meeting (Brunei Darussalam and Yemen) were exclusively governmental and one delegation (France) comprised the Workers' delegate but not the Employers' delegate.
9. 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 was disappointed at the very low proportion of women in the Meeting. It noted that only 11.6 per cent of the delegates accredited and 28.3 per cent of the advisers accredited to this Meeting were women, which is even less than at the last Asian Regional Meeting, where the figures were respectively 16 per cent and 32 per cent. The Committee noted with particular concern that 14 delegations contained no women delegates or advisers. The Committee recalls that the Director-General in his letter of convocation to the Meeting had reiterated his earlier appeals to the constituents to redouble their efforts to meet a target of 30 per cent representation of women in delegations. The Committee observes that the regress of the representation of women at this Meeting, in particular among the titular delegates where the proportion was already low at the previous Asian Regional Meeting, sharply contrasts with the fact that the ILO considers gender equality to be a cross-cutting objective of all its programmes. It therefore strongly urges governments and national organizations of employers and workers to include more women in their delegations to future Regional Meetings.
10. One Prime Minister and one Deputy Prime Minister, as well as 28 Ministers and Vice-Ministers attended the Meeting.
11. The Chairperson of the Governing Body also attended the meeting.

Representatives of official international organizations

12. Of the official international organizations invited to attend the Meeting, in conformity with article 1, paragraph 8, of the *Rules for Regional Meetings* and in accordance with the relevant agreements or decisions of the Governing Body, the following were represented:
 - United Nations
 - International Organization for Migration
 - Inter-American Development Bank

¹ In 2006, at the 14th Asian Regional Meeting, the total number of accredited delegates and advisers was 310 (153 delegates and 157 advisers).

² In 2006, at the 14th Asian Regional Meeting, the total number of registered delegates and advisers was 294 (148 delegates and 146 advisers).

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- Arab Labour Organization
 - Council of Ministers of Labour and Social Affairs in Gulf Cooperation Countries

Representatives of non-governmental international organizations

13. Of the non-governmental international organizations invited to attend the Meeting, in conformity with article 1, paragraph 8, of the *Rules for Regional Meetings* and in accordance with the relevant decisions of the Governing Body, the following were represented:

- World Federation of Trade Unions
- International Organisation of Employers
- International Trade Union Confederation
- General Confederation of Trade Unions
- International Confederation of Arab Trade Unions
- International Council of Nurses
- International Transport Workers' Federation
- International Federation of Chemical, Energy, Mine and General Workers' Unions
- Public Services International
- UNI Global Union

Objections, complaints and communications

14. The Committee received one objection and one communication.

Objection concerning the nomination of the Workers' delegate of the United Arab Emirates

15. The Committee had before it an objection lodged by the International Trade Union Confederation (ITUC) alleging that the nomination of the Workers' delegate of the United Arab Emirates had not been made in accordance with article 1, paragraph 2, of the *Rules for Regional Meetings*. The objecting organization contested that the delegate and the organization from which he came, the Coordination Association for Professional Associations (CAPA), truly represented the workers of the country. The Credentials Committee was asked to call upon the Government of the United Arab Emirates to explain the selection of the Workers' delegate and to decide upon the validity of his credentials.

16. In a written communication submitted by the Government at the Committee's request, Mr Yousif Abdulla Abdelghani, Assistant Undersecretary for Policy and Strategy in the Ministry of Labour, and Government delegate at the Meeting, stated that the Workers' delegate had been appointed by the Board of Directors of the CAPA, of which he was the Chairperson. CAPA acted as a coordinating body for 27 professional associations,

including associations of jurists, social researchers, teachers, physicians, engineers, accountants, industrialists, bankers and contractors. The Workers' delegate himself was a member and representative of the Teachers' Association. CAPA was registered with the Ministry of Social Affairs as the representative body of its member associations at international forums including the ILO and the Arab Labour Organization. The aggregate membership of CAPA member associations exceeded 35,000.

17. *The Committee observes that the facts underlying this objection are similar to those that gave rise to an objection concerning the nomination of the Workers' delegate of the United Arab Emirates at the 89th Session (June 2001) of the International Labour Conference (see Provisional Record No. 17). At that Conference, the Workers' delegate had been nominated by the Coordination Council for Professional Associations (CCPA), which was a grouping of nine professional associations. The Credentials Committee found that this organization did not correspond to the notion of the most representative Workers' organization encompassed by article 3, paragraph 5, of the Constitution. The Committee observes that whether or not the CAPA is the same or the successor organization of the CCPA, it is, like the latter, a grouping of professional organizations, which represents professionals or highly qualified workers. Since when asked by the Committee for the names of the representative Workers' organizations in the country, the Government named only the CAPA, the Committee concludes that no industrial organizations which are most representative of the workers in the sense of article 1, paragraph 2, of the Rules for Regional Meetings exist in the United Arab Emirates, so that the nomination of the Workers' delegate cannot be examined by reference to this provision.*
18. *According to the case law of the Credentials Committees of the International Labour Conference, where no most representative organizations exist in a country, the Government still has an obligation to nominate delegates who truly represent respectively the employers and the workers of the Member. While the Conference Credentials Committee based this obligation specifically on article 3, paragraph 1, of the Constitution, which has no exact correspondence in the Rules for Regional Meetings, this obligation is in fact implied in the very notion of Employers' and Workers' delegate. The Credentials Committee in the case mentioned above concerning the Workers' delegate of the United Arab Emirates developed three conditions which governments would have to satisfy in such cases: the nominated Workers' delegates should be true workers; they should have been chosen freely by workers; and they should be as representative as possible of the workers in the country concerned. On the basis of the information provided by the Government, the first two conditions may be considered to have been complied with, but the third has obviously not been met. As the CAPA represents only about 35,000 professionals or highly qualified workers of a total workforce of at least 1.85 million (according to 2008 ILO figures), the Committee considers that in order to ensure that the Workers' delegate is as representative as possible of all the workers in the country, there should be more extensive consultations involving workers from other sectors of the country's economic activities.*
19. *The Committee regrets that the situation regarding the representation of workers in the country has not substantially changed in the ten years since the Credentials Committee of the International Labour Conference last examined the substance of an objection concerning the nomination of the Workers' delegate of the United Arab Emirates. While the Committee is not competent under the Rules for Regional Meetings to invalidate the credentials of the Workers' delegate, it urges the Government to take immediate steps to ensure that the Workers' delegate to the next sessions of the International Labour Conference and to the next Asia-Pacific Regional Meeting will be representative of the greatest possible number of workers of the country. The Committee is of the view that this can best be achieved by allowing and encouraging the creation of independent and structured organizations of workers in all sectors of economic activity of the country.*

Communication concerning Brunei Darussalam

20. The Committee also received a communication from the International Trade Union Confederation (ITUC) alleging that the delegation of Brunei Darussalam did not respect the provisions of article 1, paragraph 1 of the *Rules for Regional Meetings* as it was not tripartite since it included neither an Employers' delegate nor a Workers' delegate. The Credentials Committee was asked to call upon the Government to provide explanations and to recommend to the Government that it complies with the rules regarding the composition of delegations.
21. In response to the Committee's invitation to the Government to comment on the communication, Mr Roslan Taja'ah, Deputy Permanent Secretary at the Ministry of Home Affairs and Government delegate at the Regional Meeting, conveyed his Government's sincere regrets at the absence of Employers' and Workers' representatives in the delegation of Brunei Darussalam due to unavoidable circumstances. The decision to attend the Regional Meeting had been taken only a short time before the start of the Meeting and the inclusion of Worker and Employer representatives in the delegation had been unintentionally overlooked.
22. *The Committee is aware that its mandate is more restrained than the mandate of the Credentials Committee of the Conference as regards incomplete delegations. It recalls the obligation of all governments of member States and territories invited to a Regional Meeting, under article 1, paragraph 1 of the Rules for Regional Meetings, to nominate a complete delegation that ensures, in particular, a balanced representation of employers and workers. Given that the Employers' and Workers' delegates and advisers are to be chosen in agreement with the most representative employers' and workers' organizations of the country, governments have to allow the necessary time for such consultations and, where due to unavoidable circumstances only little time is left, the Government should still make efforts to consult the workers' and employers' organizations even at short notice. In this regard, the Committee notes that the Government has not stated the reasons for its late decision to attend the Meeting nor why it did not try to constitute a tripartite delegation at short notice. It expects that the Government will attend the next Asia-Pacific Regional Meeting with a fully tripartite delegation.*
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23. *The Committee recalls that, by decision of the Governing Body adopted at its 183rd Session (June 1971) and modified at its 205th Session (March 1978), the Director-General is requested to carry out inquiries concerning the reasons for failure to send complete tripartite delegations, including to Regional Meetings, and to report to the Governing Body on the responses. The Committee wishes to encourage the Director-General to contact the governments mentioned in paragraph 8 above and to report to the Governing Body accordingly.*
24. The Credentials Committee adopted this report unanimously.

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- 25.** This report is submitted to the Meeting in order for the Meeting to request the Office to bring it the attention of the Governing Body in conformity with article 9, paragraph 4, of the *Rules for Regional Meetings*.

Kyoto, 6 December 2011

Mr Michael Hobby
Chairperson

Mr Ramadass Arumugam

Mr Samuel Devadasan Krajaratnam

Annex A

Accredited delegates and advisers

(Updated as of 2:30 p.m. on 06.12.2011)

| | Government Delegates | Employers' Delegates | Workers' Delegates | Government Advisers | Employers' Advisers | Workers' Advisers |
|------------------------------|-------------------------|-------------------------|-----------------------|------------------------|------------------------|----------------------|
| Afghanistan | 2 | 1 | 1 | - | - | - |
| Australia | 2 | 1 | 1 | 1 | 1 | 1 |
| Bahrain | 2 | 1 | 1 | 1 | 2 | 1 |
| Bangladesh | 2 | 1 | 1 | 3 | 3 | - |
| Brunei Darussalam | 2 | - | - | 1 | - | - |
| Cambodia | 2 | 1 | 1 | - | - | - |
| China | 2 | 1 | 1 | 5 | 1 | 4 |
| Hong Kong S.A.R., China | 2 | 1 | 1 | - | - | - |
| Macau S.A.R., China | 2 | 1 | 1 | 4 | 1 | 1 |
| Fiji | - | - | - | - | - | - |
| France | 2 | - | 1 | 2 | - | - |
| India | 2 | 1 | 1 | - | 1 | 1 |
| Indonesia | 2 | 1 | 1 | 7 | 1 | 2 |
| Islamic Republic of Iran | 2 | 1 | 1 | 3 | 3 | 3 |
| Iraq | 2 | 1 | 1 | 2 | - | - |
| Japan | 2 | 1 | 1 | 23 | 5 | 7 |
| Jordan | 1 | 1 | 1 | - | - | - |
| Kiribati | 2 | 1 | 1 | - | - | - |
| Republic of Korea | 2 | 1 | 1 | 7 | 5 | 5 |
| Kuwait | 2 | 1 | 1 | 5 | 1 | 2 |
| Lao People's Democratic Rep. | 1 | 1 | 1 | - | - | - |
| Lebanon | - | - | - | - | - | - |
| Malaysia | 2 | 1 | 1 | 1 | 2 | - |
| Maldives | 1 | 1 | 1 | - | 1 | - |
| Marshall Islands | - | - | - | - | - | - |
| Mongolia | 2 | 1 | 1 | - | 1 | - |
| Nepal | 2 | 1 | 1 | - | - | - |
| New Zealand | 2 | 1 | 1 | 1 | - | - |
| Oman | 2 | 1 | 1 | 4 | 3 | - |
| Pakistan | 2 | 1 | 1 | - | - | - |
| Papua New Guinea | 2 | 1 | 1 | 2 | - | - |
| Philippines | 2 | 1 | 1 | 2 | - | - |
| Qatar | 2 | 1 | 1 | 1 | - | - |
| Russian Federation | - | - | - | - | - | - |
| Samoa | - | - | - | - | - | - |
| Saudi Arabia | 2 | 1 | 1 | 1 | - | - |
| Singapore | 2 | 1 | 1 | 2 | 1 | 2 |
| Solomon Islands | 2 | 1 | 1 | - | - | - |
| Sri Lanka | 2 | 1 | 1 | - | - | - |
| Syrian Arab Republic | - | - | - | - | - | - |
| Thailand | 2 | 1 | 1 | 4 | 1 | - |
| Timor-Leste | 2 | 1 | 1 | - | - | - |
| Tuvalu | - | - | - | - | - | - |
| United Arab Emirates | 2 | 1 | 1 | 1 | - | - |
| United States | - | - | - | - | - | - |
| Vanuatu | - | - | - | - | - | - |
| Viet Nam | 2 | 1 | 1 | 3 | 3 | 1 |
| Yemen | 1 | - | - | - | - | - |
| Total | 74 | 36 | 37 | 86 | 36 | 30 |

Annex B

Registered delegates and advisers

(Updated as of 2:30 p.m. on 06.12.2011)

| | Government Delegates | Employers' Delegates | Workers' Delegates | Government Advisers | Employers' Advisers | Workers' Advisers |
|------------------------------|-------------------------|-------------------------|-----------------------|------------------------|------------------------|----------------------|
| Afghanistan | 1 | 1 | - | - | - | - |
| Australia | 2 | 1 | 1 | 1 | 1 | 1 |
| Bahrain | 1 | 1 | - | 1 | 2 | 1 |
| Bangladesh | 2 | 1 | - | 3 | 3 | - |
| Brunei Darussalam | 2 | - | - | 1 | - | - |
| Cambodia | 2 | 1 | 1 | - | - | - |
| China | 2 | 1 | 1 | 5 | 1 | 4 |
| Hong Kong S.A.R., China | 2 | 1 | 1 | - | - | - |
| Macau S.A.R., China | 2 | 1 | 1 | 4 | 1 | 1 |
| Fiji | - | - | - | - | - | - |
| France | 2 | - | 1 | 2 | - | - |
| India | 2 | 1 | 1 | - | 1 | 1 |
| Indonesia | 1 | 1 | 1 | 4 | - | 2 |
| Islamic Republic of Iran | 2 | 1 | 1 | 3 | 2 | 3 |
| Iraq | 1 | 1 | 1 | 2 | - | - |
| Japan | 2 | 1 | 1 | 20 | 5 | 7 |
| Jordan | 1 | 1 | - | - | - | - |
| Kiribati | 2 | 1 | 1 | - | - | - |
| Republic of Korea | 2 | 1 | 1 | 7 | 5 | 5 |
| Kuwait | 2 | 1 | 1 | 5 | 1 | 2 |
| Lao People's Democratic Rep. | 1 | 1 | 1 | - | - | - |
| Lebanon | - | - | - | - | - | - |
| Malaysia | 2 | 1 | 1 | 1 | 2 | - |
| Maldives | 1 | - | 1 | - | 1 | - |
| Marshall Islands | - | - | - | - | - | - |
| Mongolia | 2 | 1 | 1 | - | - | - |
| Nepal | 2 | 1 | 1 | - | - | - |
| New Zealand | 2 | 1 | 1 | 1 | - | - |
| Oman | 2 | - | 1 | 4 | 3 | - |
| Pakistan | 2 | 1 | 1 | - | - | - |
| Papua New Guinea | 2 | 1 | 1 | 2 | - | - |
| Philippines | 2 | 1 | 1 | 2 | - | - |
| Qatar | 2 | 1 | 1 | 1 | - | - |
| Russian Federation | - | - | - | - | - | - |
| Samoa | - | - | - | - | - | - |
| Saudi Arabia | 2 | 1 | 1 | 1 | - | - |
| Singapore | 2 | 1 | 1 | 2 | 1 | 2 |
| Solomon Islands | - | - | - | - | - | - |
| Sri Lanka | 2 | 1 | 1 | - | - | - |
| Syrian Arab Republic | - | - | - | - | - | - |
| Thailand | 2 | 1 | 1 | 4 | 1 | - |
| Timor-Leste | 1 | 1 | 1 | - | - | - |
| Tuvalu | - | - | - | - | - | - |
| United Arab Emirates | 2 | 1 | 1 | 1 | - | - |
| United States | - | - | - | - | - | - |
| Vanuatu | - | - | - | - | - | - |
| Viet Nam | 2 | 1 | 1 | 3 | 3 | 1 |
| Yemen | - | - | - | - | - | - |
| Total | 66 | 33 | 32 | 80 | 33 | 30 |