



**CENTER FOR TRADE UNION & WORKERS SERVICES
(CTUWS)**

Awarded the French Republic's Human Rights Prize

**Trade Union Committees Elections 2018-2022
Between Disqualification and Bequeathing¹**

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Introduction

The two phases of trade union elections are over, leaving behind hundreds of complaints: hundreds of candidates disqualified without justification, tens of procès-verbal filled in police stations to document the cases of disqualification, an electoral process null, and hundreds of people refusing the results and seeking to appeal them.

After twelve years without trade union elections, we are back to the absurdity of the electoral practices that were replicated this time without any rationale, exceeding all the boundaries, and even neglecting any attempt to simulate a parody of elections in order to keep a decent image.

Immediately after the last day following the deadline for readjustment of legal status, in the midst of a total media blackout, and the absence of any social involvement or monitoring, the process of trade union elections was launched before independent trade unions had the time to breathe after the fierce struggle they had to go through to readjust their legal status, founding themselves confronted with a new battle which mechanisms were unexpected. Actually, the elections of trade union committees took place all over the country in two phases within eighteen days, and in a quite sensitive timing, i.e. the month of Ramadan where all social activities are slow down.

Everyone was getting out of breath in the attempt to finalize all the requested procedures; this marathon applied also for those responsible of organizing the electoral process under an extremely tight schedule that doesn't allow to fulfill correctly the electoral requirements in order to secure the right of everybody for candidacy, conducting their electoral campaigns, advertising for their programs, as well as the right of voters to select the adequate candidates capable of defending their interests and express their demands.

In such a squeezed time-frame, the governmental apparatus, represented by the Ministry of Labor with all its bureaucratic team, fell in numerous administrative mistakes in front of the huge size of applications; irregularities included among others the late announcement of the lists, misplacement of the names of candidates, etc.

However, the Ministry succeeded undoubtedly to achieve intentional wide campaigns of disqualification under various pretexts, following thus the directives of the "State-controlled" Federation, the Egyptian Trade Union Federation (ETUF), and those of the security services; these campaigns affected tens of trade union committees for the benefit of specific candidates. Actually, disqualification was not limited to the members of independent trade unions or opponents of the policies adopted by ETUF; it rather extended to members of trade union committees and general trade unions affiliated to the Federation as it happened with the head of Turah Cement Company trade union and the treasurer of the general trade union of workers in the factories of military production; if this refers to something, it shows that a conflict exists even among trade unions which are under the "State-controlled" Federation's umbrella.

Disqualifications were not only meant to enable the leaders of the “State-controlled” Federation winning by consensus, but also to help their children reaching important positions in trade unions; this is illustrated in the case of the professional committee of drivers in Suhag with the uncontested success of Hamad Mohamad Gebali El Maraghi - son of Gebali El Maraghi, president of the State-controlled Federation -in the presidency of the trade union of land transportation in this governorate. The same happened with Hany Mohamad Wahab Allah, son of the secretary general of the State-controlled Federation, who won membership in the board of the Egyptian Company of Medicinal Commerce trade union committee; another example is that of Murad Mohamad Salem Murad, son of the State-controlled Federation treasurer, who was granted the uncontested presidency of the workers in agriculture and irrigation trade union committee. The purpose of these results was to secure the hegemony of ETUF over the syndicalist movement in a scene quite close to those previously witnessed under Mubarak regime.

Besides the waves of disqualification, the Ministry of Labor complicated the possibilities of making appeal in order to close the door in front of the rehabilitation of unwanted candidates, giving the right to the general committees of elections that have committed this massacre with thousands of workers the authority of taking decisions regarding their appeals, becoming thus simultaneously the adversary and the judge.

In addition, appeals and complaints were met by many illegal measures preventing workers in most cases from obtaining their right if they would go into legal litigation. As an example, the general monitoring committee of the elections abstained in the majority of cases from providing a proof that the appeal or complaint was delivered; moreover, most of the candidates set aside never received an explanation for their disqualification; final lists of candidates were released quite late at night after the legal deadline for presenting appeals which led these to the loss of their rights.

Furthermore, elections begun without a decision about the composition of the labor courts responsible of examining appeals and complaints; this affected negatively the right to appeal, as the only alternative was to go before primary courts that are overwhelmed with cases and therefore incapable of issuing judgments for the cases requiring urgent decisions.

Thus, the chaos prevailed in the two phases of the trade union elections with the legal provisions disregarded; this deprived these elections of the standards of integrity and minimum amount of transparency to represent instead the worse example of elections in the history of Egyptian trade unions.

Actually, what happened cannot be called elections but rather quasi-elections aimed at improving the image of the Ministry (representing the Egyptian government) in front of ILO and to give the impression that the government meets its commitments, while all the facts and violations either during or before the elections represent a backlash compared to the recommendations formulated by the ILO committee of standards.

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Legislative background

A legal environment favoring several contraventions

The responsibility for all these facts do not fall only on the shoulders of the Ministry of Labor decisions; they are also a consequence of Law 213/2017 where legislators insisted blindly to pass Article 2 stating that the elections of trade union entities should take place within the ninety days following the publication of the executive regulation and Article 3 that defines the procedures and necessary dates for the readjustment of legal status provided they do not exceed sixty days beginning from the following day when the executive regulation enters into power.

This squeezed time-table provided a justification to the waste of some of the guarantees supposedly provided; for example, the preliminary lists of candidates were not announced, and the candidates themselves heard rumors about their content from other sources; this deprived many of them of the right to appeal against their disqualification, and consequently of the right to take legal procedures.

Despite the fact that the majority of violations during the electoral process were exceeding the boundaries of any law, it is possible to say that the provisions of Law 213/2017 represent a favorable legal ground for many of these contraventions as shown below:

Article 42 of the new Law – copied from the old Law – presupposes that the elections should take place simultaneously in all trade unions and grants the right to the governmental bodies to organize and monitor these elections similarly to what happened in the past with the Egyptian General Federation of Workers with whom it was dealt as one of the State institutions; however, when we refer to trade unions established upon the free initiative and will of workers, it is difficult to imagine how this type of elections could occur simultaneously under the supervision of committees and sub-committees created by ministerial decree.

The new Law has kept all the rules and procedures of the old one in exactly the same way the elections occurred over decades with all their intrinsic violations; the only exception in the old Law was the text stating that they would take place under judiciary control which led at the time the Constitutional Court and the Administrative Court to abolish the elections that occurred at all levels of ETUF; however this provision was avoided in the new Law.

Normally, trade unions, i.e. organizations of workers, should be able to include in their By-Laws the rules of their own elections and the guarantees securing the integrity and democratic character of the process with their members as monitors of its transparency. They might also request a judiciary monitoring or call for follow-up by other trade unions or civil society organizations, and it is the duty of the government to enable these trade unions conducting democratic elections without any intervention.

A gap in the electoral process

Article 42 of the Law states that the elections take place under the supervision of general committees composed by virtue of a ministerial decree and presided by members of the judiciary with a membership of the head of the corresponding directorate or his representative and a member of the concerned trade union. Article 16 of the executive regulation stipulates that the composition of the supervisory general committees is decided according to the provisions of the Law with the addition of a technical secretariat whose responsibility goes to an employee in the State administrative body, or in the public sector, or the sector of

holding companies, or in the concerned federation or its affiliated institutions; this technical secretariat has not voted in the deliberations of the committee and is commissioned to supervise the implementation of all measures related to applications for candidacy, elections of trade union boards, decisions about complaints, accreditation, and publication of the ballot's results.

Article 17 of the executive regulation states that sub-committees for the organization of the ballot and counting of the votes are also composed by ministerial decree, headed by an employee in the State administrative body, or in the public sector, the sector of holding companies, the concerned federation or its affiliated institutions in addition to two non-candidate members of the concerned trade union; the technical secretariat of these sub-committees is also headed by an employee in the State administrative apparatus, or in the public sector, in the sector of holding companies, in the concerned federation or its affiliated institutions and has no vote in the deliberations.

The new Law exchanged the expression "the Egyptian Trade Union Federation" with "the concerned federation"; however, this is meaningless as members of the "state-controlled" trade union federation are represented in the committee supervising the elections!! Moreover, legislators of the Law and its executive regulation didn't even take the burden of developing the criteria for selecting this representative; actually, in many cases, the member of the high committee for the monitoring of elections is at the same time president of the local federation in the governorate and has direct interests in the path of the electoral process while s/he was exerting pressures few days before – together with executive bodies - on the representatives of independent trade unions to join the governmental organization!!

The composition of these general committees is subject to questioning, especially with the wide prerogatives they are enjoying representing a gap leading to the distortion of the electoral process. These committees are directly responsible – even "pour la forme" – of disqualifying thousands of candidates, postponing the publication of preliminary lists or even hiding them, depriving many candidates of complaining, ignoring the right of several independent trade unions from having elections, and finally taking their time in announcing the results of elections.

Main stratagems used to disqualify candidates

Article 41 of Law 213/2017 enumerates the conditions of candidacy for the elections of trade union boards:

1. To be a fully legally competent adult;
2. To be holding– at least – a certificate of basic education or a certificate of literacy;
3. To be a member in the general assembly of the trade union for the duration specified in the By-Laws and having regularly paid membership fees;
4. To have done the military service or being legally exempted;
5. Not belonging to one of the following categories:
 - a. Workers specialized or mandated to undertake all or some of the authorities of the business owner in the private sector during the exercise of these powers;
 - b. Workers occupying leading positions in the government, units of local administration, general authorities of services or economic activities, governmental bodies with special budgets, public sector companies, workers in the investment sector, in the joint sector, and in the cooperative sector. Exempted from this provision are those in duplicate positions with the posts of general directors or the general administration but do not hold the right of applying punishments;

- c. Heads of sectors, board members of agencies and companies except for the elected members;
- d. Not being a temporary or delegated worker, or under military service, or on personal leave without pay;
6. Not having been convicted with a criminal punishment or by a punishment of imprisonment in a misdemeanor against honor or integrity unless having been rehabilitated.

These provisions are with no prejudice to Article 40 that stipulates the condition of not being retired.

These nine conditions are going against the genuine right of the general assembly to develop its own rules and select its representatives; they are also in violation of the right of electing and applying for candidacy that is supposed to be available for all trade union members; according to ILO literature the only exception of candidacy for the executive positions is applied to the member convicted in a criminal case or misdemeanor of honor or dishonesty.

It is odd to see that temporary or delegated workers still have not the right to apply for the trade union board similarly to the old Law that was enacted over forty years ago and tailored as to fit the size of a trade union composition almost identical with that of the ruling institutions. How comes that such a condition is raised today while the vast majority of workers in the private sector are under temporary contracts?!

Moreover, the condition of not being retired mentioned in Article 40 states that a board member who has been retired has the right to vote and apply for candidacy provided s/he is immediately hired for work in the same institution of the trade union; this provision represents an obvious exception and advantage for the benefit of board members without the other members of the trade union general assembly. The text that was subject to much debate during the discussion of the draft law in the Parliament has a noticeable impact on the elections as it was tailored to fit the interests of most of the current leaders at ETUF securing thus their continuation in the post and reducing the opportunities of change.

Unfortunately, several procedures related to the trade union elections look like having been adopted to consecrate the sustainability of a group of leaders at ETUF and its affiliated trade unions.

The conditions for candidacy included in Law 213/2017 guided the content of Article 20 in the executive regulation in terms of required documents to present a complete file as each of these conditions should be backed by the corresponding document, practically meaning that there is need to provide thirteen documents for each candidate lots of whom spent indefinite hours collecting documents and preparing their file.

With the beginning of the process, it appeared clearly that these documents would serve as the main pretext to disqualify a wide number of candidates without offering any justification or plausible reasons.

Deadline for appeals intentionally expired

In paragraphs 2 and 3 of Article 43 (Law 213/2017), we read that each set aside candidate, or any concerned member of the trade union, has the right to appeal the measures of disqualification as well as the results of the ballot before the competent Labor Court within fifteen days of the deadline for applications or the beginning date of elections or the announcement of results. Appeals are only accepted after having presented a complaint to the general committee supervising the elections.

Regardless the legislative debate regarding the constitutionality of this provision that might be considered as a restriction to the right to litigation, in practice many victims of disqualification was not even able to use this right. The intensive and rapid rhythm of the electoral process that even the Ministry of Labor and its affiliated committees could not follow prevented many of the disqualified from appealing.

On the other hand, the general committees of monitoring did not meet their commitments: preliminary lists of candidates were not published on time according to the set schedule mentioned in ministerial decree 37/2018, and even were not published at all with the lack of transparency it entails and the violation of both candidates and voters' rights.

Moreover, final lists of candidates were released only the day before the ballot and even sometimes on the same morning of the elections.

Finally, it is clear that the legislators intended to mention in the Law that appeals should be presented before the competent Labor Court instead of the Administrative Court that used to issue urgent judgments to stop the decisions of disqualification and consequently reinsert the names of disqualified in the list of candidates². In addition, competent Labor Courts are not established yet as they are expected to be operational after the enactment of the new Labor Law. Therefore, there was no way for appealing except taking legal procedures before the labor units in the courts of the first instance that are overwhelmed with hundreds of cases lasting for years³.

While Law 213/2017 and its executive regulation did not mention that heads of the boards should be elected directly by the trade union general assembly, contrarily to what happened before as trade unions were supposed to set their own rules, the model By-Laws – supposedly non-compulsory - issued by ministerial decree 36/2018 consecrated this principle that was applied all over the elections.

Regardless that the principle might be contradictory to the By-Laws of the few independent trade unions that succeeded to impose their own internal regulations despite all the pressures exerted, and that electing the head of the organization directly by the general assembly confers to the president an authority parallel and equal to that of the board and decreases the chances of accountability, this principle which may have been inserted in the model By-Laws upon request of ETUF has definitely played a background role in the violations pertaining to the electoral process.

Since day one, a bulletin of the vote was distributed in some important enterprises including two columns: one for the board and the other for the chairperson; in other settings, verbal directives forbid to apply for presidency except those who had been members in a previous trade union cycle.

Then came the turn of disqualifying applicants for the presidency: not only persona non grata, but any rival to the chosen candidate according to the arrangements suitable for ETUF.

² The government had previously tried to immunize the decisions of disqualification from the judgments of the Administrative Judiciary under the pretext that they do not fall under its jurisdiction; the Court judged that it was not in its jurisdiction to examine appeals regarding the measures of elections; however, the measures of applying for candidacy and of disqualification remained under its jurisdiction; therefore, the text of the new Law closed the door in front of this possibility.

³ The general assembly of the Parliament has not discussed yet the draft Labor Law presented by the government.

Monitoring of Violations and Irregularities during the Two Phases of the Electoral Process

The first phase of elections began with opening the door for applications on May 16 and 17 2018 lasting eleven days to include two days of voting on the 23rd and 24th of May followed by the deposition of papers on the 25th and 26th of May. According to the ministerial decree 37, this phase included trade union committees in the sectors of land transportation, railways, public utilities, commerce, agriculture irrigation and fishing, banks and insurance, education and scientific research, tourism and hotels, administrative and social services, military production, petroleum, taxes and financial business.

The second phase opened the door for applications on May 25 and 26 and lasted nine days that ended with the elections on Thursday 31st, 2018 and the deposition of papers on the first and second of June. The trade union committees included in this phase belong to thirteen sectors: food industries, engineering mineral and electrical industries, chemicals, journalism printing and media, health services, construction and wood industries, spinning and weaving, maritime transportation, air transportation, mines and quarries, post mail, office of public attorneys and courts.

The number of candidates in the first phase amounted to 20,087 at the level of the country including 17,000 for the membership of trade union committees and 2,113 for the presidency of 1,191 union committees among the 2,114 that readjusted their legal status according to the Labor Force Ministry. However, the Ministry has not published until now a statement about the number of candidates in the second phase of the ballot or the overall number of trade union committees where elections took place.

Irregularities when opening the door for application and announcing the names of candidates

The phase of opening the door for candidacies witnessed the disqualification of hundreds of applicants under various pretexts: documents lacking the republic official stamp, absence of a photocopy of the educational certificate, disappearance, and loss of files, etc.

Below are the cases of disqualification monitored by CTUWS:

Unrequested documents

- Some candidates were set aside for the absence of “unrequested” documents in their files: Tareq Qo’eb, president of the real estate taxes trade union in Qalioubia and candidate for the presidency of the same trade union, indicated that he had been set aside with two others (Magdy Ismail Zaki and Salah Mahmoud Afifi) under the pretext that their educational certificates were lacked. It is important to note that these documents are not required for the file of candidacy; therefore, they filled a complaint and resorted to the Administrative Court that set a hearing on the 8th of June 2018;
- Karam Abdel Halim, candidate for the presidency of the trade union committee of workers in the clubs of teachers, was disqualified because the specifying his status was not holding the republic stamp while this document should hold only the stamp of the employer that is not a governmental body and consequently does not possess the stamp of the republic;
- In Ismailia, the trade union committee of workers in the clubs of Suez Canal Authority was set aside because the Republican stamp was lacked on the document of candidacy issued by the employer, noting that these workers are contracted by a private firm that won the bid of managing these clubs;

- Ahmad Mohamad Thabet, a candidate to the board of the trade union committee of workers in potable water and sewage was dismissed because the certificate stating he was free from poisons was not clear;

Loss of the application file

- In Cairo, the trade union committee of workers in public transports was set aside from the list of candidates under the pretext that the application had disappeared; Amr Shahat Gad El Rab, president and legal representative of the trade union committee had received a receipt upon delivery of the file in Cairo stadium; on the 18th of May, he was notified of the full committee disqualification for this fake reason;
- Another time in Cairo, the same scenario happened with the professional trade union committee of workers in tourism where again all seven candidates were disqualified for loss of the file; the president of the trade union committee learned this on the 18th of May only;
- In Giza, the candidates of the professional trade union committee of workers in tourism were set aside for the same reason while their president, Wahid Ahmad Helmy, and his seven colleagues had provided all the requested documents and got a receipt;

Disqualification without justification

- In the second phase of the elections, the general monitoring committee disqualified 27 candidates out of 126 applying for the elections of the trade union committee of workers in Helwan Iron and Steel Company;
- In the second phase, the general committee monitoring the elections disqualified 27 candidates out of 126 applying for the elections of the trade union committee of workers in Helwan Iron and Steel Factory, on the top of whom was El Sayed SaadEddine who was applying for the presidency of the organization;
- Twenty two candidates out of 33 for the board of the trade union committee of workers in the National Company of Cement were set aside to leave on the list eleven candidates who won all the seats of the board because they remained the only candidates;
- In Assiut, the list of candidates for the trade union committee of workers in transportation was disqualified under the pretext of being incomplete; actually, after several frictions and struggles with the employees of the labor force who were refusing to receive their papers, one of the candidates lost his file; therefore, six candidates only applied leading to the disqualification of the entire group and the abolition of the trade union committee;
- The Egyptian Company of Communication was also subject to a wide campaign of elimination of candidates at the country level: 17 candidates disqualified in Giza, and one for Cairo, South Sinai and BeniSweif;
- The following names from the trade union committee of El Ahram Company for Cooperatives of Consumption were set aside: Maher Ghamri Abdel Wahed, Mahmoud Fahmi Mahmoud, Abdel Nabi Mahmoud Awwad, Tawfiq Sayed Tawfiq, Magdy El Sayed Mohamad, Ahmad Labib El Mansi, Ahmad El Sayed Mahmoud Ouf, Mohamad Hassan Abdel Hamid El Afifi, Sayed Kamal Ibrahim, Ahmad Metwalli Mohamad, Mohamad El Sayed Ali, Mohamad Hussein Mekkawi, NefissaFarag Ali, and Mohamad Abdallah Mahmoud; they presented a complaint at the Ministry of Labor Force under number 565/2018;

- In Daqahlia for the Production and Refinery of Sugar, 44 members of the trade union general assembly had presented applications of candidacy that were refused under the pretext that they were set aside from the general assembly; the applicants sent their files through an official clerk as well as warnings to the Company administration, the trade union committee and the election committee at the labor force, appealing the decision of removing them from the general assembly although they had paid all the due membership fees;
- The high committee for the supervision of elections disqualified during the second phase five candidates from the Company of Cook: Ayman Sobhi El Sayed, EssamEddineSabri Mohamad, Essam Ali Ahmad, Mohamad Ahmad Mohamad Ibrahim and Shadia Ahmad Hegab;
- In the governorate of Gharbia, Mohamad Fouad Younes, vice-president of the trade union committee of workers in the railways and candidate to the presidency, was set aside together with Ayman El Dessouki El Sayed Ghanem, Mohamad Mohamad El Sayed Mourad, and Wahid Fathallah El Guindi candidates to the board;
- Moustafa Hamed Mohamad Abdallah, candidate to the presidency of the trade union committee of workers in Ismailia real estate taxes, and Ashraf Kamel Mohamad, candidate to the board, were disqualified without any explicit reason; when they went to inquire about the decision, they were said they could make an appeal or present a complaint;
- In Ismailia trade union committee of workers in ports, Galal El Gizawi was also set aside without justification;
- Two candidates working in Naga Hammadi Sugar Company were disqualified without providing reasons;
- From Fayoum Sugar Company, the monitoring committee of the elections refused to receive the file of Ashraf Abdel Tawwab Abdel Wanis under the pretext that he was not registered in the general assembly of his trade union committee;
- While presenting his application, Islam Mohamad Abdallah from Nile Group Company in Alexandria was arrested without reason and taken to the National Security, then released; Shadi Ali Ali was also set aside the list of candidates from the same company;
- The candidacy of Mohamad Hassan working in Alexandria Cadbury Factory was exchanged from presidency to membership of the board;
- Yousri Maarouf was disqualified from the board of administration elections in Alexandria Company of Containers as well as Mahmoud Mohamad from the trade union committee of Alexandria Company for Oils and Soap;
- From the trade union committee of workers in Suez Canal Authority, 40 were candidates: 17 for the seat of presidency and 16 as board members; Abdel Aziz Abdel Gawad Mohamad Ali Khalifa was set aside for his belonging to a religious current although he had served as board member under the previous trade union committee;
- In Turah Cement Company, the final lists that were published after midnight did not include the names of Mohamad Mahmoud Ramzi, current president of the trade union committee and candidate for presidency or the name of his rival Hazem Mohamad Selim, while the uncontested winner was Mahmoud Hussein Ismail;
- In the Company of Cook, Ahmed Qassem candidate to the board of the trade union committee was disqualified at a late time of the night when deadline for appeals had occurred with no explanation provided.

In military production factories

These factories amount to eighteen; according to the available preliminary information, the number of candidates for the board and the presidency of trade union committees reached around one thousand with disqualification of around 300, i.e. 30% of the candidates which is the highest rate of candidates kept away over the history of trade union elections; it was noticed also that some candidacies for presidency were exchanged into candidacies for the board without given justification:

- In Factory 99, Mahmoud Barakat Ahmed, Ashraf El Sayed Shalabi, Mohamad Sayed Mohamad, Hassan Mohamad Abdel Aal, Mohamad Mohamad Said, Mohamad Nasr EddineAlam, Ahmad Mohamad Ahmad Radouan, Ali Salah Ali Ismail, Mohamad Sayed Abdel Meguid, Badawi Ahmad Badawi, Reda Ahmad Amin, Hani Abdel Wahab Ahmad, Nasser Salah Ibrahim, Hosni Fahim Ibrahim, Khaled Abdel Moez, Ahmad RagabGomaa, Ahmad Ragab Mahfouz, Mahmoud Abdel Meguid Mahmoud, and Ahmad Abdel Aziz were set aside; Ahmad Abdel Hadi who had been president of the trade union committee for three previous cycles was also disqualified without justification;
- In Factory 9, the candidacy of Ahmad Samir for presidency of the trade union committee was exchanged into candidacy for the membership of the board accompanied by the disqualification of another group of candidates: Ahmad Mohamad El Fuli, Mohamad Shaaban, Ahmad Abdel Salam, Hussein El Beheri, Hassan Refai, Mohamad Abdel Rahman, Ibrahim Faze', and Hamdi Moussa;
- In Factory 999, five were set aside from the electoral list: AboulFottouh Abdel Maaboud Moussa, Mahmoud Mansour Helal, Wael Mahmoud Moustafa, Ismail Ahmad Ahmad, Mohamad Gomaa El Fayoumi; they were said that their names were missed inadvertently but would be re-introduced immediately pushing them to abstain from complaining; however, these promises were not fulfilled and it was too late to file a complaint;
- In Factory 45, candidate Faten Mohamad Ahmad Aboul Dahab was set aside while she had been a board member in two previous cycles and no justification was provided; this applied also to Ashraf El Sirgani, Ahmad El Sharkawi, Sabrine, Ramadan Mohamad Ramadan, Abdel Rahman Radi, and Ibrahim Ragab;
- In Factory 360, Ashraf Mohamad El Far, president of the trade union committee, Osama Ibrahim, treasurer of the general trade union of military production, Moustafa Mahmoud, and Hesham Ahmad Megahed were set aside.

Set aside in transportation sector

- In the trade union committees of the Authority of Public Transports, the following names were disqualified: Hany Mohamad Afifi, Tayseer Saber Fakhri, Waleed Mohamad Abdou, and Saleh Ibrahim Ahmad from the committee of workers in the central administration for the sector of mini buses A; Hany Mohamad Emeira, Sayed Hosni Sayed, Ayman Abdel Tawwab Salem, Mohamad Ahmad Mahmoud, Ayman El Sayed Abdel Hamid, HishamFarouqEid, and Samir Gad Khalaf from the committee of workers in the central administration for Middle Cairo sector, and Gamal Mohamad Khayami from the committee of workers in the central administration of the Authority presidency; Ahmad Abdel Aziz Hassan, Nageh Abdel Maqsoud El Yamani, Said Abdel Zaher El Gawwad, and Ali Fattouh from the committee of workers in the central administration of North Cairo sector;

- Mohamad AboulFotouh was also disqualified from applying to the presidency of the land transportation trade union committee in Damietta in order to guarantee the success of the current president for twenty years now;
- Other candidates from the committee of workers in the subway affiliated to the general trade union of workers in railways were set aside including: Ashraf Helmi Riad, Fathi Mounir El Dardiri, Metwalli Abdel Hameed, Ahmad Ibrahim Ahmad, Reda Ragab Ahmad Ali, Hossam El Nabawi, Hamdi Mohamad Hassan, El Sayed Sayed Ahmad Farid, Yasser Salah El Sayed Dagher, Ahmad Hassan Ahmad Hassan, Mohsen Abdel Meguid, Mamdouh Mohamad Ibrahim, Moustafa El Sayed Ibrahim, Mohsen Abdel Meguid Abdel Aziz, Ali Hassan Abdel Aati; Amal Abdel Hafez and Alaa El Said were exchanged from candidates to the presidency to candidates to the board;

Disqualified workers from the postal services

- From the trade union committee of workers in Alexandria postal services, the following names were set aside: Abdel Rahman Mohamad Mohamed Abdel Motelleb, candidate to the presidency of the committee; in Sharqia South, Mohamad Naguib Abdel Khaleq, applicant for the presidency of the trade union committee and Ismail Mohamed Fayed applying for the membership of the board were set aside;
- From Giza postal services, the following were disqualified: Magdi Kamal Ibrahim Ibrahim, Walaa Ahmad Abdel Wahab Shamroukh, Ahmad Hamdi Mohamad Hassan, Mohamad Hamdi Mohamad Hassan, Mahmoud Abdallah El Tohamy, Mahmoud Mohamad Sobhi, Ali Taher Ahmad, Khaled Shaaban Abdallah Rehan, Hassan Ramadan Amin and Abeer Hassan Abbas;
- From the trade union committee of workers in BeniSweif postal services, the following names were set aside: Adel Kamal Hashem Mohamad, candidate to the presidency of the committee, in addition to Mohamad Abdel Badie Ismail Ibrahim, Osama Seoudi Abdel Aziz Saad, Mohamad Mahmoud Ibrahim Mohamad, Bassem Hamdi Ahmad Ali, and Mahmoud Gaber Gouda candidates to the board; when these disqualified inquired about the reason, and the labor force directorate of BeniSweif informed them first that it was for security reason; he then retracted his declaration saying that their names were lacked on the list of the general assembly; when they presented the mentioned list including their names and a proof that they have paid the membership fees, he pretended that the names were not on the CD forwarded to the directorate for the readjustment of legal status; in front of this stubborn attitude, the disqualified made appeal before the high monitoring committee of the elections;
- In Beheira governorate, Mohamad Hamdi Mohamad Rizk, Embabi Ali Embabi, Mohamad Mahmoud El Gharbawi and Tareq Sobhi Mahmoud El Zagh were set aside, while Hissam Eddine Ahmad Abbas candidate to the presidency of Assiut trade union committee, and Abdel Rahman Ahmad Abdel Rahman Moawad candidate to the board were disqualified together with three candidates from Qena, one candidate from Ismailia and one candidate from Luxor.

Objections from the company administration

- All members of Enpi Petroleum Company trade union committee were definitely erased from the lists of candidates under the pretext that the Company does not simply want to have a trade union in the enterprise as they were informed by the head of the monitoring committee of elections in Cairo without providing any further clarifications whether about the nature of objections or the legality of

such decision?!! We note that the trade union committee had succeeded to obtain a legal status on April 30, 2018, after a long fight with the Company administration that abstained from stamping the membership list; however, the trade union had adjusted its legal status and managed to have the names of its candidates on the preliminary list for the elections before the seven names were erased from the final list;

- Mahmoud Shaaban was fired from work as a consequence of his candidacy for the presidency of the trade union committee of workers in Hotel Meridien El Haram against the candidate of the general trade union and one of the most influential people in this business; as of the worker, he was dismissed without any accusation of unsatisfactory performance at work or any other reason.

Violations related to complaints and appeals including the publication of final lists

The Labor Force Ministry received 1554 appeals in the first phase of the elections; these appeals were reviewed by the supervisory committee in two days only; as a result, the final lists of those running for elections were announced on the 21st of May 2018 and an important number of the disqualified sat in front of Cairo stadium where they had presented their applications; this led to altercations with the security forces; the general monitoring committee of the elections abstained from providing the majority of complainers a proof that they had submitted complaints and most of them didn't receive answers to their questions about the decision to be set aside.

- Ali Mohamad Abdel Rahman Naguib, secretary general of the professional trade union committee of Qalioubia workers in the services for drivers, was arrested under the accusation of offense to the judge of the monitoring committee and assault against him; Naguib and other disqualified candidates had presented an appeal that was refused under the pretext that they had deposited their documents as an independent trade union that illegally readjusted its legal status; anger was spread among workers and the judge called the security forces that arrested four of the men; a procès-verbal and the physical assault perpetuated by Naguib was registered and the man was arrested and remained in Banha police station from where he was released against a bail of 1000 pounds;
- On May 29, 2018, El Sayed SaadEddine, candidate to the presidency of the trade union committee of workers in the Iron and Steel Factory, presented an appeal before the high monitoring committee of the elections as he found his name absent from the list of candidates; he also made appeal against the candidacy of Gamal Abdel Mawla, former president of the trade union and current candidate supported by the "State-controlled" Federation; the reasons mentioned in the appeal stated that Abdel Mawla was on pension since December 22, 2017, and the administration of the Company contracted him on 25 December 2017, this gap representing a contravention to Article 40 of Law 213/2017 that allows the retired to pursue its membership during the cycle of his election provided he is hired in the institution without any interruption of time; obviously, this was not the case with Abdel Mawla who occupied the presidency of the trade union committee since 2013 and is considered by the iron and steel workers as the main reason leading to the loss of their interests as well as those of pensioners;
- Late at night after the end of the deadline for appeals, the final list of trade union committees' candidates for workers in offices of public attorneys and Northern Cairo courts were published without the name of Shaker Abdallah El Shenawywho was obviously set aside;

- Similarly to the previous case, five candidates for the trade union committee of workers in the Egyptian Company of Communications were set aside: Mahmoud El Sayed Mohamad Sayed; Waleed Abdel Aleem, Ibrahim El Said, MoustafaSoliman and Khaled Radouan.

Irregularities during the ballot

- During the vote for the trade union committee of workers in Naga Hammadi Authority of Electricity, the bulletins were not stamped, raising suspicion among voters;
- The bulletins of vote arrived few hours late (10:45 AM) in the elections for the trade union committee of workers in the Company of Potable water and Sewerage for the county towns of Farshout, Naga Hammadi, Doshna and Abu Tesht;
- The beginning of voting begun late in the elections of Mansoura workers in the Authority of Electricity as voters objected the absence of a judiciary supervision of the process; however, this didn't happen and the vote continued without monitoring;
- In Helwan Iron and Steel Factory, eight commissions of voting out of eighteen were opened at 12:00 only resulting in the freezing of sixteen ballot boxes in these commissions divided in each commission between a box for the election of the trade union board and a box for the election of workers' representatives in the company's board; moreover, the boxes in two commissions of voting arrived broken arising doubts about the proper measures in these commissions;
- In the Company of Cook, the ballot begun at 11:30 only because the bulletins of voting were not ready;
- Regarding the trade union committee of Cairo workers in the Ministry of Health, the lists of candidates and the bulletins of voting were not delivered until 12:00;
- In El Diwan commission at the headquarters of the Egyptian Company of Communications (Smart Village), a confusion took place between the list of voters in the technical and human resource section and the other units; as a consequence, 134 voters were not able to practice the vote because their names were misplaced; in addition, five candidates were set aside after midnight from the final lists without providing any justification: Mahmoud El Sayed Mohamad Sayed, Waleed Abdel Aleem, Ibrahim El Said, MoustafaSoliman and Khaled Radouan;
- Ballot was delayed for one hour and a half in the trade union committees of El Mehallah Weaving and Spinning Factory after workers waited outside the doors since 9:00 AM which is the set time for opening the commissions of voting; furthermore, the voting was stopped for almost two hours for mid-day and early afternoon prayers and was resumed from 5:00 to 6:00 PM then reopened after the fast breaking to last until 2:00 in the morning; in one of the voting commissions, the lists of candidates were hanged on the door and the security people were directing workers to vote for specific candidates;
- In Assiut postal services where the ballot takes place in eight commissions, voting begun in Abu Tig commission at 10:30 AM, i.e. with a delay of one hour and a half; moreover, some members of the former trade union board were present inside the room and voted instead of the voters; in addition, the directorate of labor force had printed 2000 bulletins for both the elections of the trade union and that of the Company's board while the number of voters amounted to 1490; the additional number of bulletins represents a serious violation as it widely opens the door for any kind of electoral fraud; it is also worth mentioning that the lists of voters were full of pensioners' names and names of people who were not originally members of the trade union;

- In Eastern Cairo commission of voting for the trade union committee of postal services, 1600 voters were allocated only one ballot box which resulted in a big crowd and chaos;
- In Tanta commission of voting for the trade union committee of postal services, an intensive number of members from the old board were inside the room, preventing the other candidates from entering and practicing their right in following the electoral process;
- As of Suez Canal Authority elections of the trade union committees in Port-Said, the ballot begun at 11:00 AM with lists including names of retired and deceased persons in addition to the administrative intervention for the benefit of a specific candidate and the elimination of other candidates;
- On the other hand, the elections for workers at Cairo airport begun at 10:00 AM, one hour later from the set time;
- The works of commission 5 of workers on the railways begun also at 10:00 AM and workers filed a complaint about this delay;
- Sherif Hussein Mohamad, candidate to the board of Petro trade workers trade union committee, was deferred to inquiry for having taken pictures documenting the contraventions that occurred in commission 14 where there was supposed to be two boxes: one for the elections of the trade union committee and the other for the elections of the Company's administrative board; however Sherif protested against the absence of a second box and requested that his objection be registered in the procès-verbal of the commission; his demand was met with refusal by the supervisor; moreover, the bulletins of votes were lesser than the number of voters and Sherif asked to include this fact in the procès-verbal which was refused again by the supervisor, and the candidate was put under inquiry;
- In the elections of trade union committee of workers in Alexandria Company of Petroleum, several irregularities occurred: the Company was firstly divided into electoral districts, then this measure was abolished 72 hours before the elections; the absence of the reputed names of the candidates on the bulletins caused a state of confusion among voters; the opening was delayed until 10:00 AM in contravention with the Law; supervisors of the elections from the labor force neglected to examine many of the voters' IDs; some candidates and their accompaniment were allowed to enter in the room and get acquainted with the lists of voters, voting instead of absents and signing in their names; the compilation of votes was delayed until 9:00 PM instead of 5:00 PM in contravention to the provisions of the Law; candidates were not allowed to accompany the boxes while some employees were permitted so; absence of the judge responsible of supervising the process during the compilation and accounting of votes or in the announcement of the results; compilation of votes took place over two days and when voters objected, the representative of the labor force declared that these were decisions issued by a supreme authority!!; the following day, in the count of votes, candidates and their delegates were denied the right to attend the account in contradiction with the provisions of the Law; moreover, the counting stopped at 12:00 for the prayer without however sealing the ballot boxes or the doors of the commission; after the end of the count, the door remained closed for three hours and only one of the candidates – head of the trade union committee – was allowed to enter with a number of employees in the Company; finally, the results were leaked before their official publication and candidates were not handed any procès-verbal including the results of the count, the number of votes or the classification of winners, leaving this responsibility to the Company administration.

Irregularities related to the count of votes

- In the city council of Doshna, the council's employees regrouped, expressing an extreme anger about the outcome of the trade union committee elections that came with uncontested names; they objected having no idea of the trade union committee existence; they also protested against being compulsorily involved in the general assembly of this trade union committee that is affiliated to the general trade union of workers in public utilities;
- In the elections of El Mahallah Weaving and Spinning, the supervising judge announced the names of winners in the company's board of directors and the name of the trade union president then disappeared from the scene and left the remaining results to be announced by the Company security staff; in front of such contravention, candidates filed a complaint;
- In the United Bank, a flagrant case of fraud in the announcement of the final results is noted: after having achieved the elections in fifteen committees at the bank level, and announcing Saqr success with a total of 274 votes against 244 votes for his rival Nader El Eryan, current president of the trade union, the results published by the general committee of elections reversed the votes into 272 in favor of Nader El Eryan and 235 in favor of Saqr, in pure contravention with the procès-verbal and the counting of votes.

Cairo, June 5, 2018