



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

Honored the French Republic's Human Rights Prize

Candidates in Trade Union Elections Removed by Highest Orders Report

Trade Unions Elections 2022/2026

In this Report, CTUWS demonstrates most remarkable features of the trade unions elections which took around three months starting from the issuance of ministerial decisions which set out their dates and procedures on the 6th of April until the 30th of June (presumed date for submission of documentations of “quasi official” Egyptian Trade Unions Federation (ETUF).

This time, trade unions elections coincided with a crushing economic crisis that hit the world leading in particular to unprecedentedly rising prices of fuel and food products. The economic crisis also hit countries and peoples of the Third World the most. In Egypt, the Egyptian pound witnessed more devaluation, inflation rates soared, and prices of all goods and services rose. Burdens are increasingly exhausting workers and other limited-income groups and classes. The vast majority of them fail to fulfill basic needs of their families.

With rising inflation rates and increasing prices, real wages decreased under economic policies that don't take their interests and rights into consideration at all, and don't aim at addressing their situation or mitigate their burdens. At the same time, most workers lack strong and independent trade unions that are capable of defending their interests and negotiating on their behalf. Businessmen violate the law, and disregard the lawful rights of workers with no deterrent. Flagrant examples include what happened with the workers of the companies of Lord, BituNil and IceMan during the months preceding elections. In addition, workers of Universal saw one of their fellow workers end his own life because of increasing economic pressures on his livelihood because of the deprivation of workers from regular and fair wages. It is also worth mentioning that as soon as workers of Universal started registering their independent trade union, the employer fired all members of its board and all its representatives.

This time, trade unions elections are held amid the announcement by the Egyptian government of its desire to conduct political reform and its openness to dialogue with different political forces. Everyone in the country is looking forward to holding a genuine and fruitful social dialogue. Workers – in particular – hope that such dialogue expands so that it includes all active actors in the world of work, and tackles their pressing issues and important legislations that affect the lives of millions of workers like the Labour Law. It has to be asserted again and again that it is not possible to achieve political reform or social peace and balance without genuine participatory democracy that is inclusive to all categories and parties in society, or without empowering these categories of owning their tools and organizations that truly represent them. Independent trade unions, established by workers and governed by their own will, are at the forefront of these means.

However, the way trade unions elections were held destroyed the hopes of that labour movement that conditions of trade unions will improve and that freedoms of association will advance. Instead of welcoming active trade unions that enjoy the confidence of workers and can represent workers and negotiate on their behalf, many government agencies seemed to wish only for the existence of false structures that lack any content or vitality.

This Report includes the legislative framework of the trade unions elections, the course of its proceedings in reality, most important ministerial decisions that organized them, problems and irregularities faced by candidates, as well as any positive aspect that took place in this process even if it was limited or had weak effect.

CTUWS decided to establish an operation room for following-up and monitoring the elections of trade unions. Its work was divided into two parts:

- Part One: providing legal and technical support to any worker or unionist who needs it in the context of the electoral process.
 - Part Two: following up and monitoring the electoral process and registering any irregularities or violations of freedoms of association and the rights to nominate and elect.
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Methodology of monitoring, follow-up and documentations and problems encountered in the process:

In spite of its alignment to the principles of freedoms of association and the right to organize, CTUWS was committed to complete neutrality and abidance by agreed-upon standards in the processes of monitoring as follows:

First: Definition of Violations

In defining violations, the Operation Room relied on rights enshrined by the Constitution, as well as international instruments (especially core labour conventions) and rights protected by the Trade Unions Law no. 213 for 2017 and its amendments. In spite of the defaults of this Law, it remains one of the frameworks that regulate these rights as follows:

- The right to organize and form trade unions
- The right of workers to freely choose their representatives
- the right of trade unions to draw up their constitutions and rules. Public authorities should refrain from any interference that may infringe upon this right or hinder its lawful practice.
- The right to nominate and vote

Second: Collection of Information

Operation Room collected information from sources available to the work team, including;

- Information available with CTUWS' lawyers who provide legal aid and support to unionists, candidates and people willing to nominate, as well as workers who need help.
- Information available by collecting news published in newspaper, websites, and posts of unionists and workers on the internet.
- Direct complaints and communications received by the work team from unionists, candidates and workers whose rights are violated.
- Field monitoring to the course of the electoral process especially in polling stations and supervision centers.

Third: Data Verification

The Operation Room relied on the following mechanisms to make sure of the validity and reliability of collected data:

- Official documents, including ministerial decisions, statistics of the Ministry of Manpower, and police reports filed by unionists whose rights are violated in order to prove the summary of

facts or to seek redress, as well as complaints made by aggrieved people to the supervisory commission.

- Testimonies (whether those of people whose rights are violated, or of witnesses like lawyers and other unionists who witnessed incidents of violation).
- Verification of facts by consulting multiple sources.
- Anonymous or unauthenticated incidents (those which could not be verified or included contradictions in facts) are excluded.

Fourth: Problems Encountered in the Processes of Monitoring, Follow-up and Documentation

- Conducting trade unions elections in all workplaces throughout the country at the same time made follow-up and monitoring very difficult and demanding.
- Weak coverage of the course of trade unions elections by the media, and scarcity of news published in newspapers and websites of all affiliations.
- Some people whose rights were violated stated that they didn't want their incidents published fearing retaliation and especially losing their job and source of income.

The Legislative Framework of Trade Unions Elections

In the beginning, it is important to note that the legislative framework for the elections of trade unions is the fifth chapter of the Law on Trade Union Organizations and Protection of the Right to Organize no. 213 for 2017, and the fourth chapter of the Executive Regulations of the Law.

Law no. 213 for 2017 and its amendments included some positive points including the affirmation of some principles of freedom of association, as well as some important rules that guaranteed the establishment of independent unions and their legal personality. Article 64 of the Law stated that trade union organizations have the right to draw up their constitutions and financial and administrative regulations; to freely elect their representatives in accordance with the provisions of this Law; and to organize their own affairs, administer their activities and decide their own programs. It also stated that public authorities refrain from any interference that may infringe upon these rights, or obstruct their lawful practice. However, conditions and procedures for nomination and election included in the Law restrict these rights!

Some of the provisions of the Law infringe upon the powers of the general assemblies of trade unions and the rights of their members to draw up their constitutions and rules. The Law determines the term of the union, and powers and number of members of executive bodies of unions. It insists on keeping the same names, titles and methods of work (administrative board, secretary, etc); conditions for membership and nomination; reasons for ending membership; and regulations for conducting elections which are held on the same day in all work places. Moreover, the Ministry of Manpower assumes direct supervisory roles on elections in the presence of a judge in each polling center. This is actually what used to take place with the ETUF,¹ which used to be treated as one of the institutions of the state. However, we are now supposed to be dealing with unions freely established and administered by workers. This mode of conducting elections (i.e. held at the same time throughout the country via polling stations, polling centers, etc) is actually inconceivable.

The terms, conditions and procedures of nomination and election to the administrative boards of unions in Law no. 213 for 2017 are the most similar to the provisions of the repealed and notorious Law no. 35 for 1976. This is actually bizarre because the new Law is supposed to respect the right to form trade unions, to join them and withdraw from them, and to choose workers' representatives freely. So, it is not reasonable that the terms, conditions and procedures of nomination and election are so similar to those of an obsolete law that used to restrict the right to form trade unions, and to force workers to join one "official" organization. It is not reasonable that all unions are forced to conduct their elections in one particular time under the full supervision of the Ministry of Manpower, and that unions are forced to abide by seven conditions that have to be met by anyone who is nominated to the elections of the administrative board of a union. It is unfortunate and bizarre that these conditions include depriving temporary and seconded workers from nomination. This odd provision is taken from the old repealed Law no. 35 for 1976 which was legislated forty five years ago and tailored to one trade union organization that used to be treated as one of the government institutions, and its membership was confined to workers in the public sector in which temporary labour was – at that time – an exception. It does not make sense to have such condition now while temporary-contract workers form the majority of people employed in the private sector.

Although the Law does not allow members who are retired to run in the elections of the membership of the board of the trade union, article 40 of the Law made an exception to the member of the board if s/he joins a job under the same union classification of the relevant union. This provision is not abstract and general as legal provisions should be. It was well known that it aimed at allowing certain people to continue occupying their positions after they retire.²

¹ The ETUF was the only union organization allowed to exist according to the repealed Law no. 35 for 1976.

² This provision raised many objections and caused debate when the draft Law was discussed in the Parliament because it was understood that it was included in order to enable the leaders of the ETUF to remain in their positions.

This system, which was preserved by Law no. 213 for 2017, is still full of flagrant contradictions. New trade unions are supposed to be freely established every year. How the term of these unions should be calculated? Moreover, some unions didn't conduct their elections since 2018 and their situation is still suspended until now. New problems are added with the deprivation of more independent trade unions from conducting elections. Confusion in the implementation of the Law is renewed. We take several steps backward instead of achieving progress in freedoms of association.

Article 41 of the Law stipulated seven conditions which were detailed by the Executive Regulations into thirteen documents that every candidate has to attach to his/her nomination request. The Law infringes upon the right of general assemblies to draw their own constitutions according to the nature of their jobs, interests and needs. The Executive Regulations, on the other hand, excessively required many documents from people wanting to nominate. Article 20 of the Executive Regulations stated that every candidate has to attach the following documents to his/her nomination request:

1. A copy of national ID card.
2. A copy of the birth certificate
3. A certificate approved by the employer stating the job s/he works in, job degree, and type of contract.
4. A certificate stating the completion of military service or exemption thereof.
5. A certificate of primary education or a certificate of literacy.
6. An official criminal record that is issued within a maximum of three months.
7. A certificate from the Union that proves his/her membership in its general assembly and payment of union dues for the period determined by the union's constitution until the date of nomination.
8. A statement by candidates working in the private sector that s/he is not competent or delegated to perform some or all of the powers of the employer.
9. A statement written by the candidate that s/he is not a member in another trade union of the same level and occupational classification.
10. A statement written by the candidate that s/he is not an employer in any commercial, industrial, agricultural or service activity.
11. A statement written by the candidate that s/he is not one of the heads of sectors, or members of head of administrative boards of any company or entity – except for elected members of the board.
12. A statement by the candidate that s/he does now own or hold more than three feddans if s/he was nominated to the administrative board of an occupational agricultural union.
13. A medical certificate from one of the laboratories of the Ministry of Health stating that the candidate is free of drugs.

Issuing and preparing these documents require lots of time, effort as well as financial cost that exhaust workers.³

The Right to Litigation

Article four of issuance articles of the Trade Unions Organizations Law no. 213 for 2017 states that the labour court that has jurisdiction over the area in which the union is located is the one competent

³ The cost of medical examination and medical certificate amounted to 600 pounds in the governorate of Beheira. This led candidates who want to run in elections in this governorate traveled to the laboratories of the Ministry of Health in the governorate of Alexandria because it is less expensive there leading to overcrowding these laboratories.

to adjudicate all cases resulting from the implementation of this Law. There are many remarks on this provision that we can summarize as follows:

- ◆ Article 190 of the current Constitution states that:

“The State Council is an independent judicial body that is exclusively competent to adjudicate in administrative disputes, disciplinary cases and appeals, and disputes pertaining to its decisions... Other competencies are to be determined by law”.

Article 10 of the State Council Law no. 47 for 1972 states that “courts of the State Council are exclusively competent to settle the following matters:

....

Fifth: requests by individuals or entities to repeal final administrative decisions.

....

Fourteenth: All administrative disputes

- ◆ Making labour courts competent to adjudicate disputes resulting from the implementation of Law no. 213 for 2017 should not infringe upon the powers of the State Council stated by the Constitution. Otherwise, the Law become unconstitutional. What is more feasible and consistent with logic is to make labour courts competent to adjudicate disputes resulting from the implementation of the provisions of the Law that are not under the competence of the State Council, i.e. disputes that are not relating to decisions of administrative bodies.
- ◆ The Legislation Department of the State Council had already made a remark on the above-mentioned provision before the enactment of the Law adding the phrase “not withstanding the competences of the State Council courts” at the beginning of the article. The reason behind that is the fear that the article may include a constitutional violation (violation of article 190 of the Constitution of Egypt), especially that some of the provisions of the Law grant administrative entities powers to interfere in the affairs of unions which may result in issuing administrative decisions that are positive or adverse.

Regarding trade unions elections, article 43 of the Law states that:

“All stakeholders from members of the trade union may challenge any of the nomination procedures or the results and procedures of elections before the competent court within fifteen days from the closure of the nomination period or the start of conducting elections, or from the date of the announcement of results in the polling stations as the case may be.

No appeal may be admitted except after complaining to the commission supervising elections and the passage of the settlement date”.

So, people who were excluded from candidates lists and deprived from their right to run in elections cannot contest the decisions based on which they were excluded in a summary manner before administrative courts of the State Council similarly to what members of professional syndicates do, or similarly to what used to take place in trade unions elections before the enactment of Law no. 213 for 2017.

We have to recall here summary judgements that used to be made by administrative court to reinstate excluded candidates before the start of elections and the controversy made by those who issued exclusion decisions claiming that the administrative judiciary is not competent to adjudicate them pursuant to the repealed Law no. 35 for 1976 (which stated that results of elections may be appealed before labour courts), as well as the decision of the Supreme Constitutional Court that held decision of the administrative judiciary valid in disputes arising before the conduct of elections. In order to avoid this, those who drafted the current Law no. 213 for 2017 were keen to state that labour courts are competent to adjudicate appeals to all procedures of nomination and election.

It is worth mentioning in this regard that specialized labour courts stipulated by the draft Labour Law proposed by the government may allow for summary appeal procedures against exclusion decisions. However, these courts are not established yet. So, aggrieved people have

to resort to labour circuits in courts of first instance which take so long that the electoral term may end before a judgment on their right to run in elections is issued.

on the other hand, the provision that an appeal may not be admitted before complaining to the commission supervising elections lead to violating the right of many workers to litigation because the secretariat of the commission refrain from giving the complainant a receipt affirming that s/he made the complaint. We find government's lawyers plead at the court that the case is in admissible because the complaint was not made. Only in cases where complaints are lucky enough to have the commission refusing his/her complaint, such response would be a proof that s/he made the complaint.

Submission of Proposed Electoral Projects

The first step in the process was on the sixth of April 2022. A group of Ministerial Decisions were issued (numbers 45, 46, 47 and 48 for 2022). The first Decision set out the dates of the electoral process. The third one set out the date and procedures of the application of the proposals for electoral projects of trade union organizations. Decisions no. 46 and 48 set out rules and procedures of nomination to the membership of administrative Councils in the public sector and the public works sector, as well as procedures for the application of electoral projects for their election.

The issuance of these decisions was a signal of the start of the electoral process which became the prevailing concern of trade unions and workers who want to run in elections, as well as workers who are concerned with trade union affairs. However, it remained outside the scope of interest of private sector enterprises which have no unions, as well as informal and irregular workers. Nevertheless, trade union elections became at the forefront of events in the labour world.

Decision no. 47 for 2022 stated that trade unions have to submit the proposed electoral project for conducting the process of the election of their administrative boards not later than Thursday the 21st of April 2022. Later, the deadline for submitting electoral projects of trade unions in the industries of the first phase was extended until the 24th of April, and the deadline for the industries of the second phase was extended to the 9th of May. Manpower Directorates and staff responsible for the electoral database of the Ministry failed to complete the admission procedures of electoral projects and entering them into the database within the time frame set out by the Decision. That time frame was also too tight for trade unions which had to prepare updated membership lists.

It may be said that the phase of submission of electoral projects didn't witness many irregularities. The most important problem in that phase was the third article of Decision no. 47 for 2022 which stipulated that "the electoral project is to be made in three paper copies approved by the Union and stamped by its stamp as well as the stamp of the competent administration (if any), in addition to an electronic copy on a CD, and submitted to the competent Manpower Directorate." some administrations of establishments refrained from stamping the electoral project of unions. It is needless to say that the condition to get all the documents of the union by stamped by the stamp of the administration of the enterprise (the employer) is a clear violation of ILO Convention no.98 which prohibits the intervention of employers in the affairs of unions. Independent trade unions held on to their right to submit their electoral projects without the stamp of the employer based on the phrase "if any" included in article three of the Decision which meant that it is not a must. However, directorates of manpower insisted that it is necessary for the project to be stamped with the employer's stamp.

However, it has to be said that this problem was solved after the positive intervention of the Ministry of Manpower in all cases in which it was difficult to receive the stamp of the employer as electoral projects were accepted without that stamp.

In addition, most important observations on the phase of application of electoral projects were as follows:

- The chronic problem of double membership emerged again. The cause of this problem is that unions affiliated to the “governmental” Egyptian Trade Unions Federation (ETUF) submit membership lists that include all the workers in the enterprise (and accordingly they include the names of members who resigned and joined independent trade unions). So, members of independent unions appear on database as double members. This sometimes led to forcing some independent trade unions to give up part of their membership as a condition to accept their electoral projects. One of the most flagrant examples is the Union of Workers in the Central Office of the Real Estate Taxation Authority and the National Archives of Egypt (*Dar AL-Mahfouzat*).
- Some directorates of Manpower continue to be aggressive towards independent trade unions that exist parallelly to unions affiliated to the “governmental” ETUF to the extent that they refused to accept electoral projects without any reasons. The most flagrant examples are what happened with the Union of Workers in Real Estate Taxation Authority in Qena as the Directorate of Manpower refused to accept their electoral project until it was accepted after strenuous talks and interventions by the Ministry of Manpower;⁴ as well as the Union of Workers in the Water and Sewerage Company in Qena whose electoral project was not accepted and they were told after deliberations that the union board was formed since less than four years and so no elections may be held in that union!⁵

Decisions no. 61 and 62 for 2022

On the 24th of April, Ministerial Decisions no. 61 and 62 for 2022 stipulated the following:

- Decision no. 61 set out the formation of the High Commission for the Trade Unions Elections as follows: the Minister of Manpower as a president; and a representative of the Ministry of Justice, a representative of the Administrative Prosecution Authority, a representative of the Ministry of Finance, a representative of the Ministry of Local Development, a representative of trade unions nominated by the “governmental” ETUF, the legal advisor of the Ministry of manpower as the representative of the Ministry and the rapporteur of the Commission as members thereof. The Commission is assigned general supervision of the electoral process at the national level.

The formation of the High Commission is self-explanatory. This is a flagrant governmental intervention in the affairs of trade unions. The only member among its seven members who is supposed to come from the ranks of workers is a representative of the “governmental” Federation!

- Decision no. 62 for 2022 regarding Electronic Registration stated that anyone who wants to run in the elections of the members or the president of the administrative board of the union has to register his/her information on the URL assigned for this purpose on the website of the Ministry of Manpower. Electronic registration for the first stage of elections started on the 27th of April and ended on the 9th of May 2022. Electronic registration for the second phase started on the 10th of May and ends on the 22nd of May 2022.

According to the third article of the Decision, electronic registration doesn’t exempt candidates from submitting requests manually by themselves.

The launching of a website by the Ministry of Manpower for candidates to use for the registration of their information is of course a positive thing, even if physical documentations are also required. It might be a pilot step towards electoral registration of trade unions and their

⁴ Although the electoral project was accepted, and candidates submitted their nomination requests with all required documentation, the General Commission supervising elections dismissed their application and refused to conduct elections in this union without giving any reasons.

⁵ Although other independent trade unions were registered and had their boards formed for few months and elections were held therein.

candidates and also conducting the voting process itself electronically in the future. However, that electronic registration also witnessed the problem of the performance of some Directorates which refused to let some electoral projects be uploaded including lists of general assemblies of unions leading to the inability of some people willing to run in elections to make the electronic registration, and consequently the refusal to let them deposit their paper documentations and nomination requests resulting which means denying them the right to run in elections. So, it became one of the problems faced by people wanting to participate in elections rather than a step in the direction of minimizing violations.

However, we have to mention in this regard that the Central Office of the Ministry of Manpower did very well when it responded to people who wanted to run in elections but failed to do the electronic registration because their names were not on the database or because there was something wrong in their data (like the case of a person who is registered in the membership of another union, unregistered at all or registered as if s/he was occupying a leadership position). Forms were prepared for such cases, and registration or amendment was conducted swiftly without obstacles.

Events of the First Stage of Trade Unions Elections

Events of the first stage of the trade unions electoral process – based on Decision no. 45 for 2022 – included unions under the following industries: food industries – air transport – public facilities – engineering, metal and electric industries – agriculture, irrigation and fishery – transportation – education and scientific research – textile – mail – military production – water transportation – health services – finance, taxation and customs – health sciences.

According to the schedule set out in that Decision, Sunday and Monday the 8th and 9th of May were assigned for the announcement of the names of candidates; Thursday the 12th of May for appeals; Friday the 13th for settlement of appeals; Saturday and Sunday the 14th and 15th of May for announcement of final lists; Monday the 16th for voting; Tuesday the 17th of May for the announcement of results and complaints against them on; Wednesday the 18th of May settlement of complaints; and finally Thursday and Friday the 19th and 20th of May for the depositing of documents.

The time frame of the electoral process – including all its phases and steps – is restrictively tight. The time between nomination and voting is merely eight days in which preliminary lists are announced, appeals are made and final lists are announced. There is no room here to talk of electoral platforms or campaigning. Moreover, time was not sufficient for workers to get the many documents required from those who want to run in elections (certificate of completion of military service – educational degree certificate – toxicology screening by one of the laboratories of the Ministry of Health). What made things even more difficult is that nomination started right after a ten-days long holiday in which all government agencies were closed.

This led many people who wanted to run in elections to try to get a copy of the documents available in their service-files giving employers greater ability to intervene in the affairs of trade unions by refraining from giving workers copies of the documents they have.

The Ministry of Manpower issued model forms for nomination requests, documents and statements that every candidate has to submit; pursuant to the provisions of the Law and the Executive Regulations. The Ministry also issued Periodic Book no. 16 for 2022 which stipulates that these model forms have to be abided by. There were many problems in the model certificate that has to be approved by the employer. In the first place, the mere requirement of a candidate to get a certificate approved by the employer may lead the employer to intervene in the electoral process in violation of the principles of freedoms of association and basic labour agreements. Moreover, many work places – especially government agencies – refused to abide by the model of the Ministry and insisted on giving candidates a statement of the job description approved therein leading to the confusion of many candidates.

Before committees responsible for receiving nomination requests opened their doors on Sunday the 8th of May, some people who wanted to run in elections had already received threats from security agencies or employers. So, some of them refrained from nomination. This happened in several cases including all workers who wanted to run in the elections of the Union of Workers in Real Estate Taxation Authority in Ismailia, and the Union of Workers in Real Estate Taxation Authority in Kafr El-Sheikh. This not only led to their withdrawal from nomination, but also the discouragement of others in independent trade unions fearing the price they may pay, while they are merely active-unionists wanting to defend the interests of their co-workers.

The administrative boards of existing unions affiliated to the “governmental” ETUF returned to the old game which was the only way available to deprive people from their right to run in elections, which is refraining from giving them a certificate from the Union that proves their membership therein and their payment of union dues. People who want to run in elections increasingly complained of such behaviour.

However, the Ministry of Manpower tried to solve this problem by issuing Periodic Book no. 17 for 2022 regarding the review of nomination requests and documentations for the elections of trade

unions in the electoral term of 2022-2026. In item no. 7, the Book stated that a nominee has to submit a certificate from the competent union confirming his/her membership in its general assembly and the regular payment of union dues for the period determined by the internal regulations of the union; a statement of this effect meaning from the employer; or a statement confirming these information from the administrative authority. This means that anyone who wants to run in elections has to prove membership in the union by a certificate from the employer, any document proving the payment of union dues; or a certificate from the Manpower Directorate confirming membership based on the database of the Ministry in case the administrative board of his/her union refuses to give him/her a proof of membership.

This Periodic Book tried to solve an old problem. However, the administrative boards of existing unions - especially their presidents - continue to manipulate general assembly lists which are uploaded on the Manpower Ministry database itself.

This notorious method of excluding candidates was the dominant one in trade unions elections in 2001 and 2006 when direct exclusion by removing the name of the candidate from the candidates' list was not used except very rarely. Now as direct exclusion and removal from candidates' lists are taking place on a very large scale, combating this old method is of limited impact although it is a step in the right direction.

As expected, work places and the labour space are devoid of all forms of electoral campaigning which were seen in previous elections. There are no banners, posters, statements or electoral platforms. However, observers noted that candidates' use of social media is stronger this time than any previous election. This may be explained by the fact that these media prevail all aspects of life, and that it is impossible to perform any other form of electoral campaigning in light of the very tight schedule of the electoral process which hardly suffice to prepare required paperwork and documentation, completing the process of electronic registration which often faced the problem of a fallen database, and then submitting hard copies of the nomination request and documentation.

Then, people willing to run in elections started submitting their nomination requests. Some of them were still striving to complete required documents – especially those whose employers refused to give them copies of the required documents from their service files like the military service completion certificate, educational degree certificate, and birth certificate. These documents were added to the requirements by the Executive Regulations for no good reason.

Tuesday and Wednesday the 10th and 11th of May were assigned to the announcement of the names of candidates. However, lists were not published in the vast majority of cases until Wednesday; and large numbers of candidates were surprised to find out that their names were removed from the lists.

The operation room of CTUWS could not count the numbers of all people excluded. This may be possible for independent unions. However, it seems impossible for unions affiliated to the ETUF because of the large numbers of candidates who were excluded in too many unions.

We can confidently say that the most flagrant and prevailing violation in this election is the deprivation of people wanting to run in elections from their right to be nominated; and consequently depriving workers from their right to freely choose their representatives.

In fact, actual reasons for exclusion varied – according to the people who were excluded themselves – and included security-related considerations that are mostly unjustifiable and incomprehensible; considerations related to the interests of the leaders of the “governmental” ETUF (whether by excluding candidates in independent unions or even excluding competitors in the elections of administrative boards of unions affiliated to the ETUF itself); and sometimes personal or vengeful considerations.

Reasons for excluding certain candidates remained unknown although these candidates tried for several days to meet the judge who is responsible for the Commission supervising elections in order to ask him why they were excluded.

It is worth mentioning that conditions for nomination stipulated in article 41/5/b of the Law no. 213 for 2017 provided that the candidate is not someone who occupies a leadership position in a government agency, local administration units, public agencies (whether they are service agencies or economic agencies), government apparatuses that have special budgets, public sector companies, and public business sector companies, or workers in the investment sector, the joint sector and the cooperative sector. This excludes people who occupy repeated jobs at the level of general managers or general administration who have no competence to set punishments.

This condition is applied in a highly selective manner. Candidates who are seen as ok by the authorities get their documents accepted claiming that they don't have the competence to set punishments for other workers, while other candidates in identical job positions and with the same competences are excluded claiming that they occupy leadership positions. Among the examples of such case is what happened with the Union of Workers in the Adult Education Authority. Two candidates (one of them was nominated for president) were excluded based on the pretext of that they occupy leadership roles, while another candidate for presidency was not removed although her position was identical to the other two. Exclusions in that case were clear to have been done in favour of that candidate for presidency.

Candidates who were excluded from nomination made appeals and complaints. Some of them also faced difficulties submitting them. Friday the 13th of May was the date for the settlement of appeals. Many candidates who were excluded didn't receive any response to their appeals. However, they knew the truth when final lists of candidates were announced.

Final lists didn't include names of most people who were excluded and deprived of their right to participate in elections. Those people made appeals but their appeals were dismissed without justification in most cases or justified with false reasons like not submitting some of the required documents (in spite of being actually submitted). Some of the candidates excluded received rude verbal responses like (Go and file a lawsuit and you will know why) which indicate disrespect of the law and belief in the uselessness of resorting to court.

The following are some cases of exclusions that CTUWS' operation room managed to register, and the results of appeals (acceptance or dismissal):

The Trade Union Committee of Workers in Alexandria Container and Cargo Handling Company (appeal dismissed)

- Ahmed Hamed Al-Dawy Abdel-Qader
- Mohamed Fawzu Abdullah
- Wael Abdel-Azim Rady
- Youssry Al-Sayed Ibrahim Ma'rouf (nominated to the position of President of the Union)
- Samir Youssef Khorsheid
- Zakareya Mohamed Mahmoud
- Mostafa Mohamed Mostafa Al-Erian
- Mohamed Mohamed Nabil Abdel-Maqsoud
- Ali Abou El-Soud Ali Mohamed

The Trade Union Committee of Workers in the Suez Canal Authority (appeal accepted)

- Sameh Zaghloul Abdella Mohamed Al-Hareif (nominated to the position of President of the Union)
- Yasser Ahmed Amin Ghoneim
- Tamer Abdel-Sallam Zayed Ibrahim
- Osama Abdel-Radie Mobarak

- Al-Sayed Mohamed Mostafa Fatouh

The Trade Union Committee of Workers in Alexandria Port Authority (appeal dismissed)

- Mohamed Hassan Ebeid Sayed Ahmed
- Amr Ali Mohamed Ibrahim (nominated to the position of President of the Union)
- Ahmed Atef Abdel-Khaleq Omar
- Abdullah Mohamed Mohamed Mahmoud Al-Beissy
- Nivine Galal Mohamed Roshdy
- Abdel-Hafeez Mohamed Ibrahim
- Ayman Yaqout Hassouna
- Ahmed Abdulrahman Gaballah
- Ahmed Atef Zaki Ahmed
- Ola Mohamed Mahmoud Ahmed
- Emad Abdel-Hakim Kamil

The Trade Union Committee of Workers in Misr Helwan Company for Engineering Industries (Military Factory 99) (appeal accepted)

- Fathia Mohamed Abdel-Moheimen
- Sayed Antar
- Ayman Abdullah
- Khaled Youssef
- Ali Othman

The Trade Union Committee of Workers in AluMisr (appeal dismissed)

- Sameh Abdel-hameed Radwan

The Trade Union Committee of Workers in the Egyptian Company for Textile Equipments (appeal accepted)

- Yasser Talaat Abdel-Hameed Abdullah – nominated to the position of the president of the union

The Union of Workers in Nile Lenin Group for Textiles (appeal dismissed)

- Abdel-Aziz Soliman Abdel-Aziz (nominated to the position of President of the Union)

The Trade Union Committee of Workers in Misr Helwan Company for Spinning and Weaving (appeal dismissed)

- Khaled Gaballah Al-Sayed (nominated to the position of President of the Union)
- Gamal Abdel-Sallam Mohamed

The Trade Union Committee of Workers in Misr Company for Spinning and Weaving in Mahala Kobra (appeal dismissed)

- Mohamed Sedeiq Seyam
- Sameh Ibrahim El-Azab
- Yasser Ibrahim Fahmy
- Waleed mahmoud Al-Qady
- Feisal Saber Mohamed (nominated to the position of President of the Union)
- Zaghloul Ali Abdel-Rahman Khalil – the Union of Workers in Agiba Petroleum Company (nominated to the position of President of the Union)

He is the vice president of the Sectoral Federation of Unions of Workers in petroleum industries and President of the Union. The Federation has frozen his membership during the ending term. He was nominated to the presidency of the Union. (appeal dismissed)⁶

The Trade Union Committee of Workers in EPSCO for Petroleum (appeal dismissed)

- Ahmed Ragab Seda (nominated to the position of President of the Union)

He was also a member in the Sectoral Federation of Unions of Workers in Petroleum. He was fired in the last term.

The Trade Union Committee of Workers in Alexandria Company for Petroleum

- Mohamed Fathy Mahmoud (appeal dismissed)
- Zeinab Abdel-Nabi Dessouky (appeal dismissed)

The Trade Union Committee of Workers in Gaz Misr Company (appeals dismissed)

- Fathy Abdel-Aziz Al-Sayed – current President of the Union
- Alaa El-Deem Mohamed Ismail – current Secretary General of the Union
- Salama Afify Hassanin – current Treasurer of the Union
- Mohamed Hassan Al-Daouny

The Professional Trade Union Committee of Fishermen in Gamaleya (Irregular Workers) (appeal dismissed)

- Khaled Rizq Al-Sayed Al-Shafei

The Professional Union for Workers in Transportation and its Services in Ismailia (appeal dismissed)

- Shereen Mohamed Hussein Rashid

The Trade Union Committee of Workers in the Adult Education Authority (appeal dismissed)

- Ashraf Abdo Abdel-Aziz
- Ezzat Hamza Ali (nominated to the position of President of the Union)

The Trade Union Committee of Workers in Workers Education Authority (appeal dismissed)

- Emad El-Deen Hanafy Ahmed (nominated to the position of President of the Union)
- Rehab Mahmoud Mohamed Atta
- Mona Mostafa Attaya Rehaan
- Ehab Mohamed Hamed Tahoun
- Al-Shahat Hamdy Abdel-Wahed (nominated to the position of President of the Union)
- Hemat Saied Abdel-Moeti
- Azza Morsi Hussein Radwan
- Dalia Magdy Abdel-Razeq Shahin
- Mohamed Fathy Al-Henawy (nominated to the position of President of the Union)

The Trade Union Committee of Workers in the Adult Education Authority (appeal dismissed)

- Ashraf Abdo Abdel-Aziz
- Ezzat Hamza Ali (nominated to the position of President of the Union)

The Union of Workers in Ain Shams University Specialized Hospital (appeal dismissed)

- Tamer Yehya Youssef

⁶ It is worth mentioning that the petroleum sector was among the highest sectors that recorded exclusions of candidates.

The Trade Union Committee of Workers in Real Estate Taxation Authority in Qalyobeya (appeal dismissed)

- Tarek Mostafa Abdel-Fattah Koeib (nominated to the position of President of the Union)

The Trade Union Committee of Workers in the central office of the Real Estate Taxation Authority and the National Archives of Egypt (appeal dismissed)

- Mostafa El-Sayed Abou Sabei (nominated to the position of President of the Union)
- Magdy Mohamed Ali

The Trade Union Committee of Workers in Real Estate Taxation Authority in the governorate of Qena

All candidates were excluded and notified that no elections will be conducted in this Union. All candidates complained the removal of their own names along with the Union which was denied its right to hold elections.

The Trade Union Committee of Workers in Al-Azhar Al-Shareif

- Hanan Othman Besheir (appeal dismissed)
- Naguib Mohamed Abdel-Azim (appeal dismissed)
- Hesham Atteya Mohamed Khalil (appeal accepted)
- Hesham Mohamed Gaballah (appeal accepted)

Amr El-Shahat Gad El-Rab (Secretary General of the Sectoral Federation of Unions of Workers in Transportation and its Services)

He was excluded from nomination to the elections of the Union of Workers in Transportation and its Services in Greater Cairo (appeal dismissed)

The Egyptian Company of Technical Services and Maintenance of Machines (SIANCO) (appeal dismissed)

- Mohamed El-Sayed Taha
- Waheed Abdel-Maqsoud
- Al-Amir Abdullah
- Ali Mahdy (Assiut)
- Tamer Shabaan Hassan Risq (Port Said)

Petrojet Company

- Eman Mohamed Ahmed Talaat Al-Agouz

She was nominated to presidency. Her name was included in preliminary lists, but her name was objected by the President of the Union Ahmed Al-Sorougy and his appeal was accepted. Thus, her name was removed from final lists. She is a member in the Parliament.

The Egyptian Copper Works Company (Alexandria/Cairo)

- Mohamed Sayed Zein El-Deen (His nomination to the membership of the administrative board of the union was accepted but his nomination to the membership of the administrative board of the company as a representative of workers was refused)
- Ahmed Gawish (nominated to the position of President of the Union) (excluded and his appeal dismissed)
- Ahmed Ewess (appeal accepted)
- Hamada Gomaa (appeal accepted)

The Trade Union Committee of Workers in Spring and Transport Needs Manufacturing Company (Yayat) (appeals dismissed)

- Walaa Nabil Mahmoud Mansi
- Tamer Fathy Hassanin

- Mohamed Samir Tinger
- Yasser Mohamed Omar
- Sameh Ahmed Maarouf
- Essam Ahmed Fahmy
- Mohamed Ahmed Abdel-Wahab

The Trade Union Committee of Workers in the Egyptian Company for Ferro Alloys in Edfu

The management of the Company refused to give workers who want to run in elections required document. Hence, they were deprived from their right to nominate. They are:

- Hossam El-Deen Sadeq
- Mostada Saleh Ahmed
- Ahmed Othman Mahmoud
- Al-Shazly Gaber Sayed
- Ramadan Abdel-Wahab Dardeer
- Ossama Abdel-Nabie Dardeer
- Zakareya Ahmed Abdel-Razeq Masry
- Sabry Gomaa Ahmed
- Hatem Abdel-Raheem Mohammed
- Al-Hussein Hanafi Ahmed
- Ayman Abdullah Mahmoud
- Mohamed Al-Sadeq Bagory
- Alaa Mohamed AL-Masry

The Trade Union Committee of Workers in Canal Harbour & Great Projects Co.

The management of the Company refused to give workers who want to run in elections necessary documents which resulted in preventing them from nomination. They are:

- Sayed Mohamed Ibrahim
- Abdel-Aziz Al-Sabbak
- Galal Al-Gezawy
- Abdullah Mohamed
- Sayed Abdel-Hafeez
- Wael Abdel-Raoof
- Atef Al-Sayed Mohamed
- Tarek Mohamed Hanafi
- Mohamed Ali

The Trade Union Committee of Workers in Upper Egypt Electricity Production Company in Al-Kuraymat and Giza

The following people were removed from candidates' lists without any explanation (appeal dismissed):

- Ahmed Mohamed Sawy
- Hussein Mohamed Mohamed Abou Serei
- Ibrahim Tawfik Abdel-Aal
- Ayman Fathy Eid
- Mahmoud Abdel-Azim Tolba

- Abdo Mohamed Abdo
- Ahmed Mohamed Reyad

The Trade Union Committee of Workers in New Cairo Electricity:

- Gamal Mahmoud Mohamed

The Trade Union Committee of Workers in Postal Services in Beheira

- Mohamed Hamdy Mohamed Rizq, an employee in the General Department of the Post Office of Beheira, was prevented from nomination to the elections of the board of the Union. the General Department of the Post Office of Beheira refused to give him a certificate stating the job he occupies. The incumbent board refused to give him a certificate proving his membership. According to his testimony, he was summoned to the Security Directorate of Beheira on the bases of an advise from the Director of the Post Office and the President of the Union to prevent him from nomination. Mohamed Hamdy tried to file a police report in order to prove refrainment from giving him required documents. However, the police station refused to allow him to file the report.

The Union of Workers in Health Insurance in Gharbeya – the Branch of Mahala Kobra - Ibn Sina Clinic - Al-Mabara Hospital

four unionists were surprised to find out that their names were removed from the list of members of the general assembly of the Union registered in the database of the Ministry. Their complaints to the commission supervising elections were not fruitful although they had participated in the previous elections and although union dues were consistently deducted from their wages.

Elections were conducted on Monday the 16th of May in 1191 unions. It didn't witness many violations as the results were already known because of excluding all unwelcome people or excluding competitors to people selected to occupy the positions.

However, there are some observations on the electoral process in that day including:

- Elections could not be held in the Trade Union Committee of Workers in Electricity in October because representatives of the Manpower Directorate were absent. Moreover, ballot papers included mistakes – according to workers.
- Delayed opening of polling stations until 11am and 12:30pm in the The Egyptian Company For Metallic Constructions (Metalco) and Misr Helwan for Weaving and Spinning (Harir Helwan), and the Sugar Company in Hawamdeya, the Alexandria Container and Cargo Handling Company, the Alexandria Port Authority, the Egyptian Company for Aluminum Products (AluMisr) and Military Production Factories.

Such delay led to depriving workers in the third shift from voting before leaving the factory.

- In most cases, there were no representatives of workers in polling stations. Workers' representatives were prevented from attending the voting process in the Alexandria Container and Cargo Handling Company
- In the elections of the Trade Union Committee of Workers in the Sugar Company of Naga Hamadi, the count room was set up, cameras and screens were put in place in order to display counting in a transparent manner. However, Manpower staff refused to start counting unless all cameras are turned off and nothing is transmitted from inside the room to people outside.

Then, counting process ended and it was announced that Alaa Fathy Hussein Al-Sayed and Mahmoud Fathy Abdella received highest votes in the Financial and Administrative Department. However, the Commission later announced that Essam Othman Sultan won the elections in the same department.

- In companies of the public sector and the public works sector, there were three ballot boxes in each polling station. One box was for electing the president of the union, the second one

was for the administrative board of the union and the third was for the elections of workers' representatives in the administrative board of the company. So, this led to confusing voters and the voting process.

- In the elections of the Trade Union Committee of Workers in the Suez Canal Authority, elections were conducted in around sixty polling stations in three governorates (Suez, Ismailia and Portsaid). Starting the electoral process was delayed as some polling stations didn't open until 10 am. The polling stations of the unions of workers in Public relations and Dredgers departments in Ismailia witnessed the use of the "revolving ballot" which is known to be a method for controlling the voting process.

A number of candidates contested the procedures and results of the elections of the Union of Workers in the Suez Canal Authority and the irregularities that took place therein. They are

- Sameh Zaghloul Abdella Mohamed Al-Hareif (nominated to the position of President of the Union)
- Khaled Ibrahim Al-Desouqy
- Mahmoud Mohamed Ghareeb Mahmoud
- Al-Sayed Mohamed Mostafa
- Islam Moahmed Mohamed Al-Anwar
- Mohamed Al-Sayed Abdullah Hussein
- Reda Al-Mahmoudy Al-Sayed Mohamed

The commission supervising elections refused to receive appeals from Hany Mohamed ElSayed Fares, Tamer Abdel-Sallam Zayed Ibrahim, and others

Information received by the Operation Room refereed to the fact that some government bodies in Ismailia intervened in the events of the electoral process in favour of candidate Harby Mohamed Abdel-Gawad (who is the labour secretary of the Homeland Future Party) who won the presidency of the Union. Security forces in Ismailia summoned some labour leaders who didn't support him and they were Abdel-Aziz Abdel-Aal Abdel-Gawad and Amr Abdel-Samee' Farahat.

In the trade union committee of Workers in South Cairo Company for the Distribution of Electricity, opening of polling stations was delayed until almost 10:30 am leading to overcrowding at polling stations; and elections witnessed the phenomenon of collective voting. There were names that were written more than once in electoral lists like voters Ahmed Adel Mohamed Ashmawy (took numbers 697 and 1106) and Ashraf Mohamed Ahmed Hussein (719 and 1112). In the areas of October, Sheikh Zayed, Abou El-Nomros, Badrasheen, Hawamdeya, Ayyat, Saff and Atfeeh; elections didn't start until 3:10 pm. Moreover, in polling stations of October and Sheikh Zayed elections didn't start before 3:10 pm. The name of one of the candidates was removed from the electoral lists printed in the polling stations of October and Sheikh Zayed. Ballots were stolen in the polling stations of Abou El-Nomros, Badrasheen, Hawamdeya, Ayat, Saff, and Atfeeh.

- Elections in the Public Authority for Health Insurance in Gharbeya witnessed gross violations. Large numbers of voters were removed from the lists of the general assembly and thus denied the right to vote. Lists included around half of the members in Ibn Sina Clinic, Students Complex in Mahala Kobra, and the Medical Complex of Tanta, Kafr El-Zayat and Samanoud. Lists were complete in other places like Talaat Harb Clinic in Mahala Kobra, Al-Mabara Hospital in Tanta, and Khaled Ibn AL-Waleed and Ali Ibn Abi Taleb Clinics in Tanta as observers from among the ranks of workers think that manipulation of the lists was done in favour of particular candidates.
- Following elections, the manager of the Directorate of Manpower in Ismailia refused to receiving people who want to appeal against the results; and closed the doors of the Directorate at 3 pm.

Second Stage of the elections of the Administrative Board of Trade Union Committees

The second stage included – based on Decision no. 45 for 2022 – unions under the following industries: communications – commerce – chemicals – land transport – journalism, press and media – public transport – construction and timber industries – tourism and hotels – banks, insurance and finance – rail ways – mines and quarries – administrative and social services – courts and prosecution – the ambulance service. Members of the general assemblies of unions who had the right to vote in this stage were 2,136,163 voters.⁷

Procedures in this stage started with nomination which was allowed on Saturday and Sunday the 21st and 22nd of May. Preliminary lists of candidates were supposed to be announced on Monday and Tuesday the 23rd and 24th of May according to the timetable announced in the Ministerial Decision no. 45 for 2022.

first and second days of the second stage passed without much tension. Electoral projects were submitted, data were uploaded on the Ministry's database, and nomination requests were registered on the electronic website established by the Ministry of Manpower. Preparation and issuance of documents required to be attached to nomination requests had relatively sufficient time compared to the first stage.

Some optimism started to appear during these two days. Workers hoped that things may improve and violations and irregularities witnessed in the first stage may retract, especially those related to unjustifiable mass exclusion of candidates and deprivation from the right to nominate. Workers willing to nominate submitted their nomination requests along with documentations required by the Ministry of Manpower. Every person who submits such a request should receive a receipt of the request and document s/he submitted. It has to be mentioned in this context that these receipts are so badly designed as they state that the candidate submitted documents without specifying what these document are although employees responsible for receiving documents refuse to receive them if they are not complete. Moreover, those employees review files very carefully and compare them to information they have. Nevertheless, the last paragraph in the receipt states that "in case documents are not complete, the request is invalid". So, in many cases certain documents were missed from candidates' files and it was claimed that candidates didn't submit them in the first place in order to justify the exclusion of these candidates.

Workers who submitted nomination requests waited for the announcement of candidates' lists on Monday. However, they were not announced until Tuesday morning. In some governorates, they were not announced until Tuesday afternoon (e.g. Giza). Again, news of excluding certain candidates spread everywhere. Frustration and distrust of the electoral process, and even a sense of uselessness, replaced Cautious optimism that workers had in the beginning.

Wednesday, the 25th of May, was the day determined for the application of complaints and appeals. Complainants and appellants crowded in the premises of the General Commission supervising elections hopelessly trying to meet the judge who was the president of the Commission, and demanding a receipt to prove that they submitted the complaint for no avail. The best they could have was a number for the appeal of the complaint made. The next day, Thursday the 26th of May, was supposed to be the day determined for the settlement of appeals. However, most complainants and appellants didn't find any answer to their complaints and appeals although article 24 of the Executive Regulations of Law no. 213 for 2017 stipulates that "all stakeholders from among the members of the trade union may challenge any of the nomination procedures, candidates' or voters' lists, or elections results by submitting a request to the competent commission on the date determined in the timetable of elections issued by a decision of the competent Minister. In all cases,

⁷ According to the statistics of the Ministry of Manpower.

the commission has to study the appeal and decide upon it within the period determined by the timetable referred to above and to notify the appellant of its decision and its reasoning”.

However, all this was not worth the paper it was written on. There was no means to know the outcomes of the appeals except waiting until final lists are announced (which was determined to take place on the 27th and 28th of May). This also was delayed to the next day similarly to what happened in the first phase. Final lists didn't include names of most candidates who were excluded from nomination and deprived of their right, and whose appeals were rejected without justification. According to the Ministry of Manpower, 975 appeals were made. Only 20 of which were accepted. It has to be mentioned that responding to appeals in such cases mostly included the exclusion of other candidates from final lists.⁸

The following are the irregularities that were observed:

- The Trade Union Committee of Workers in Minya Quarries

The President of the Union could not submit nomination requests of workers who wanted to run in elections and who delegated him to do so because they could not take any day off from their work. However, the Directorate of Manpower refused to recognize the delegations made by workers, and required that the delegated president submits official authorizations issued by an official notary at one of the offices of the Real Estate Registration and Documentation Authority.

It has to be noted that the condition that a nomination request has to be submitted in person or by an officially authorized agent is included in article 18 of the Executive Regulations of Law no. 213 for 2017. However, we demand the amendment of this article so that an authorization by the candidate is enough. If a worker cannot take a day off to submit his/her nomination request, s/he will not be able to go to an office of the Registration and Documentation Authority to make an official authorization which require a full work day as we all know.

The Trade Union Committee of Workers in Al-Nasr Company for Coke and Chemicals

- Abdel-Nasser Fayed Madkour (candidate to the presidency of the Union) was excluded.

The Trade Union Committee of Workers in the Clubs of Suez Canal Authority

- President of the Union was subjected to severe pressure and threats in order to prevent him from nomination. This led members of the Union to refrain from nomination to the presidency or the membership of the board of the Union.

The Trade Union Committee of Workers in Sono Cairo for Audio & Visual Co.

Ahmed Ibrahim Ibrahim (candidate to the presidency of the Union) was excluded.

The Trade Union Committee of Workers in the Arab Union for Touristic and Land Transport (SuperJet)

- Waleed Ahmed Mohamed Mostafa Al-Turky (candidate to the board of the Union) was excluded.

The Trade Union Committees of Workers in Public Transport Authority

- The Trade Union Committee of Workers in Public Transport Authority in Central Cairo (Al-Fath)

The following candidates were excluded:

- Magdy Hassan Ali (candidate to the presidency of the Union)
- Adel Al-Tayer (candidate to the board of the Union)
- Ahmed Abdullah (candidate to the board of the Union)

Candidate Atef Ibrahim Ahmed Nour (candidate to the presidency of the Union) was

⁸ This is an indicator of the number of candidates excluded from the electoral process.

included in the lists as a candidate for the membership of the board.

Candidate Sayed Nabeel Al-Laffie (candidate to the presidency of the Union) was included in the lists as a candidate for the membership of the board.

- The Trade Union Committee of Workers in Public Transport Authority in Southern Cairo (Athar Al-Nabie)
Tarek Mohammed Youssef (candidate to the board of the Union) was excluded.
- The Trade Union Committee of Workers in Public Transport Authority (Fom El-Khaleeg)
Hossam Mohammed Abdo (candidate to the board of the Union) was excluded.
- The Trade Union Committee of Workers in Land Transport in Cairo
Al-Sayed Abdel-Gawad (candidate to the presidency of the Union) was excluded.
- The Trade Union Committee of Workers in Misr Company for Reinforced Concrete
 - Hossam Shahin (candidate to the board of the Union) was excluded.
 - Atef Ibrahim Ahmed Nour (candidate to the presidency of the Union) was included in the lists as a candidate for the membership of the board of the Union.
- The Trade Union Committee of Tourism Professionals in Cairo
 - Omnia Mohamed Sabry (candidate to the board of the Union) was excluded.
 - Rasha Mohamed Heikal (candidate to the presidency of the Union) was included in the lists as a candidate for the membership of the board of the Union.
- The Trade Union Committee of Workers in Dar El Taawon Establishment For Printing & Publishing.

The following workers were excluded:

- Medhat Rizq Ahmed Abdel-Moneim (candidate to the presidency of the Union)
- Sayed Mohamed Youssef (candidate to the board of the Union)
- The Trade Union Committee of Workers in Dar El ShaabFor Printing & Publishing

The following workers were excluded:

- Mamdouh Mohamed Mostafa Youssef (candidate to the board of the Union)
- Bahaa El-Deem Lamloum Abdel-Basseir (candidate to the board of the Union)
- The Trade Union Committee of Workers in Helwan Cement Company
The following workers were excluded:
 - Mostafa Mostafa Mohammed Mahmoud (candidate to the presidency of the Union)
 - Abdel-Nabie Saad Ibrahim Khattab (candidate to the board of the Union)
 - Asmaa Mohamed Ahmed Saleh (candidate to the board of the Union)
 - Ayman Mahmoud Abdel-Haleem Ali (candidate to the board of the Union)
 - Maher Ahmed Awad Meeawad (candidate to the board of the Union)
 - Mohamed Mohamed Abdel-Raheem Hassan (candidate to the board of the Union)
 - Shereif Hamdy Abdel-Raouf (candidate to the board of the Union)
 - Mohamed Imam Abdel-Nabie Iman (candidate to the board of the Union)
 - Wael Al-Sayed Fathy Abdel-Wahed (candidate to the board of the Union)

- The Trade Union Committee of Workers in Memphis Company For Pharmaceutical & Chemical Industries

The following workers were excluded:

- Mohamed Al-Mohamady Al-Sayed (candidate to the presidency of the Union)
- Mervat Ali Helmy (candidate to the board of the Union)

- Emad Hamdy Soliman (candidate to the board of the Union)
- Mazhar Abdel-Azim Hussein (candidate to the board of the Union)
- Sameh Hashem Wahdan (candidate to the board of the Union)
- The Trade Union Committee of Workers in the Ministry of Manpower
Sayed Mahrous (candidate to the presidency of the Union) was excluded.
- The Trade Union Committee of Workers in the Ambulance Authority in Fayoum

The incumbent president of the Union was threatened so that he does not run in the new electoral term. So, none of the members of the Union was nominated to the presidency or the board of the Union.

- The Trade Union Committee of Workers in the National Distribution Company
 - Mohamed Mohamed Abdel-Hameed (candidate to the presidency of the Union) was excluded.
- Tanta Flax and Oil Company

The following workers were excluded:

- - Mohamed Youssef Abdel-Aleem Zanati
- - Reda Ibrahim Ayed
- - Bassem Salah Qonsowa

All of them were nominated to the membership of the administrative council of the Company.

- The Trade Union Committee of Workers in the General Egyptian Warehouses Company

The following workers were excluded:

- Ahmed Ibrahim Khamees (incumbent member of the board) – appeal no. 15
- Mohamed Shehata Mohamed (incumbent member of the board) – appeal no. 17
- Ahmed Abdel-Haleem Zaid (incumbent member of the board) – appeal no. 14
- Waleed Mohamed Khamees Khallaf
- Ahmed Mohammed Ibrahim – appeal no. 16
- Houda Mohammed Mahmoud - – appeal no. 39
- Nermeen Mohamed Zakareya
- Abeer Mohamed Ahmed
- Saad Abou El-Yazeed Ali - – appeal no. 37

Those nine unionists were excluded and deprived from nomination as punishment to their practice of their lawful right to peaceful protest. The General Egyptian Warehouses Company witnessed labour protests against the reduction of workers' share in profits to 25% which made workers unable to pay loans they took leading some of them to prison. Twelve workers were referred to the Prosecution for investigations starting from the 9th of May and they were accused of inciting workers to protest inside the port (report no. 67 – administrative/Al-Mina)

- The Trade Union Committee of Workers in the Central Bank of Egypt

The following workers were excluded:

- Mahmoud Abbas Mahmoud (candidate to the board of the Union)
- Hassan Mohamed Hassan (candidate to the presidency of the Union).

- The Trade Union Committee of Workers in Telecom Egypt (the Branch of the General Office and the Smart Village)

The following workers were excluded:

- Tamer Ahmed Hamed Mahmoud
- Abdel-Aziz Fawzy Ahmed
- Mostafa Awad Saeed

- The Trade Union Committee of Workers in Telecom Egypt (WE)

Mostafa Zaky Mohamed Khedr (candidate to the board of the Union) was excluded.

- The Trade Union Committee of Workers in Amiri Press

The following workers were excluded:

- Kareem Saeed Azab (candidate to the presidency of the Union)
- Mohamed Al-Afifi Afifi (candidate to the presidency of the Union)
- Abir Mohamed Mostafa (candidate to the board of the Union)
- Waleed Hosny Ahmed (candidate to the board of the Union)
- Hassan Fahmy (candidate to the board of the Union)
- Tarek Attia (candidate to the board of the Union)
- Mohamed Abdel-Hameed (candidate to the board of the Union)
- Abou El-Ella Mohamed Mo'bed (candidate to the board of the Union)

Then, the second stage of elections was conducted

Sunday the 29th of May was set to be the day for holding the elections of trade union committees of workers in the Ministry of Manpower and its Directorates. All boards of these unions were settled by acclamation (no contest) except for the Union of Workers in the Manpower Directorate of Alexandria which saw competition for the position of the president of the Union resulting in the victory of Emad Al-Hareth without any recorded irregularities or violations in the procedures of voting and counting.

Sunday the 29th of May also witnessed the elections of the Trade Union Committee of Workers in EPSCO for Petroleum. Elections had already been conducted in that Company in the first stage. However, the General Commission supervising elections in Cairo decided to hold it again on the pretext that Directorates of Manpower didn't send reports of voting and counting to it. These are clearly unacceptable justifications.

The process of voting was orderly. Counting of votes continued until Monday the 30th of May at 4 am. Results were not announced until the evening of the next day. It is worth mentioning that voting in the elections of the Union of Workers in EPSCO takes place in 88 polling stations distributed among several companies in different governorates. Workers of the Company amount to 16,750 workers. The Union of this Company is of heavy weight in the general assembly of the Sectoral Federation of Unions of Workers in Petroleum Industries as it has fifteen seats therein. This may explain the unusual decision to repeat its elections.

Then, on Monday morning voting process started for the elections of the boards of unions falling under the occupational classification of the second phase. CTUWS' Operation Room observed the following:

- In the Trade Union Committee of Workers in Telecom Egypt (WE), Howaida Al-Sayed Awad and Mohamed Abdel-Sallam Negm competed for the position of the president of the Union, while seats of the board were settled by acclamation.

The opening of counting stations in Al-Mansheya and Sidi Gaber in Alexandria was delayed because voters' lists were exchanged. Rectifying the situation took time. Voting started at around 12 noon.

Moreover, the Directorate of Manpower in Alexandria allocated one polling station (two ballot boxes) to both the Independent Union of Workers in Telecom Egypt (We) and the Union affiliated to the ETUF in Al-Mansheya and Sidi Gaber.

- In Tanta Flax and Oil Company, elections of the Board of the Company were held but no trade union elections were held. Five candidates were competing for one seat in the Administrative Board after the exclusion of three other candidates. The electoral process saw some interventions by candidate Sayed Ahmed Shalapy and Yasser Al-Dogsh.

By the end of voting and closure of polling stations at 5 pm, voters amounted to 325 out of 360 members of the general assembly who had the right to vote.

- In KIMA Aswan, voting for the election of the Union was delayed. Instead of starting at 9 am, it started at 11:15 am. This led the judge presiding over the general Commission supervising elections to extend voting time until 7:15 pm in order to make up for the time lost in the delay caused by an administrative mistake. Voting system was changed from requiring voters to prove their identity by the job ID to the National ID card which is a sound procedure.
- In the Trade Union Company of Workers in Land Transport in Shebein Al-Koum and Al-Bagour in the governorate of Menofeya, elections stopped and were postponed based on an appeal made by the candidate to the presidency of the Union (Yasser Al-Mehrat). It has to be noted that the Union of Shebein Al-Koum and Al-Bagour is the largest union of transport workers in the governorate. In its election, two lists were competing. The first list is that headed by Yasser Al-Mehrat, and the other one is the list headed by incumbent president of the Union Yasser Salah who is supported by Gebali Al-Maraghi who is the President of the quasi-official ETUF.
- The elections of the Trade Union Committee of Workers in Moharrem Press in Alexandria witnessed an unusual incident. Names of candidates to the administrative board of the Company were not put in alphabetical order as usual. Candidate Aziz Rasmi Tawfiq was put as no. 1 while candidate Saeed Al-Sayed Al-Sayed Qandil was put as no. 2 contrarily to what takes place everywhere. There were unauthenticated sayings that there were interventions by the management and security apparatus to support the former.
- In the elections of the Union of Workers in Al-Nasr Company for Coke and Chemicals, voting was delayed until 10 am. Elections witnessed the existence of supporters for candidates who don't belong to the Company at the work place.

After the end of the voting process, the judge presiding over the General Commission for supervising elections refused to allow candidates or their representatives to attend the counting process except for four representatives only (out of 17 candidates). Initial observation revealed that 743 members of the general assembly out of 1175 members who have the right to vote casted their votes.

- In the elections of the Trade Union Committee of Workers in the Arab Union for Touristic and Land Transport (SuperJet), candidates didn't have an opportunity to make sure that ballot boxes are empty. Boxes were closed wooden boxes. They were not transparent and were not opened in front of candidates before starting the electoral process. Presence of observers and representatives inside the polling station was restricted to one security guard and an

administrative employee. Moreover, names of voters were repeatedly found in more than one union.⁹

- In the elections of the Trade Union Committee of Workers in Public Transport Authority in Central Cairo (Al-Fath), voters crowded which effectively prevented workers of the first shift from voting. Some sources stated that a large number of members of the general assembly (320 members) were not included in the electoral lists.
- In Sheeni (the General Co. For Ceramic & Porcelain Products), some candidates complained to the membership of the Union complained that Ali Sabri (incumbent board member) used the help of security personnel of the Company to affect voters.
- In the elections of Delta Company for Fertilizers and Chemical Industries, it was observed that Ashraf El-Tahhan (who holds a leading position in the management of the Company) interfered in favour of Ashraf Saleh who was nominated to the membership of the administrative board of the Company.
- In the elections of the **Egyptian Warehouses Company in Alexandria, the judge presiding over the General Commission for supervising elections refused to allow candidates or their representatives the counting process.**
- **In the elections of the Trade Union Company of Workers in Omar Effendi (central department) in Cairo, voting stations didn't open until after 1 pm!**
- According to a number of candidates, in the elections of the Trade Union Committee of workers in Akhbar Al-Youm voters received by two candidates to the board of the Union were equal (each received 771 votes). Lots should have been drawn in order to determine who was the winner. However, the Commission decided to exclude candidate Gamal Abdel-Hameed in favour of candidate Shereif Abdel-Raheem Al-Zoheiri leading him to file a police report no. 1755 (administrative/Nasr City).

Moreover, the commission supervising elections excluded winning candidates Salah Mostafa Ali Al-Marzaie (834 votes) and Ossama Mohamed Abou El-Wafa (859 votes), and substituted them by Ahmed Hamdy Mosselhy (760 votes) and Mohamed Abou Bakr (753 votes).

Candidates didn't receive the results until after the passage of the time determined for the submission of appeals.

⁹ Voters' lists were submitted as part of the electoral project of each union then uploaded on the database of the Ministry of Manpower, and this is supposed to refuse any repeated names. So, it is hard to believe that such repetition was spontaneous.

Elections of Sectoral General Unions

Saturday the 11th of June was the date determined for starting submission of applications for elections in the administrative boards of general unions.

Needless to say, elections of a number of general unions were settled by acclamation before they even started. Membership of the general assemblies of these federations were controlled from the beginning by excluding contenders in the elections of unions in order to guarantee the victory of agreed-upon members and presidents of boards.

Nevertheless, and in spite of all violations and irregularities witnessed in elections since the beginning and the exclusion of at least 1500 candidates, elections of the sectoral general unions are no longer as easy as they used to be. It may be those who occupied the higher levels became too old to remain in their positions, or to perform the roles they are assigned; while majority of Egyptian workers encounter harsh economic conditions without their own unions. It maybe that the ETUF (the quasi official organization) is no longer the sole organization by the force of law; although it is the only nation-wide federation until now and in spite of all hardships encountered by workers who try to establish their unions away from it.

Although change (even if very limited) in the higher levels of the quasi-official ETUF remains improbable, Saturday the 11th of June which was the day set out for starting nomination was a very disorderly day.

The Commission supervising elections was moved to the premises of the Ministry of Manpower. It witnessed many altercations to the extent that the police was called. There were many people who wanted to run in the election of the board of the Sectoral general Unions of Workers in Health Sciences, as well as some people who wanted to run in the election of the board of the Federation of Unions of Workers in Social and Administrative Services and that of workers in public utilities, who were denied the certificates that confirm their membership in the general assembly of the sectoral general unions (Form no. 17 - one of the documents issued by the Ministry and required to be attached to the nomination request).

Those who control the sectoral general unions affiliated to the ETUF evoke the legacy of most notorious and common violations in the history of trade unions elections (especially that of the year of 2006) by excluding those who are not welcomed by the authorities and/or employers via denying them membership certificates. Membership of the applicant in the general assembly of the general union may be proven by several means including: the minutes of the meeting of the trade union committee in which the member of members of the general assembly was/were elected to the sectoral general union; the report of elected bodies of the trade union committee; or a certificate of the trade union committee stating the choice of the candidate to represent the it in the general assembly of the sectoral general union. So, members who wanted to run in the elections demanded that they attach to their nomination requests any of these documents which confirm their membership in the general assembly of the sectoral general union instead of Form no. 17 which incumbent members of the boards refused to give to them.

Because of continuous altercations regarding the acceptance of nomination requests with these documents or the necessity to submit Form 17 as a sole proof of membership in the general assembly, and rising tension (especially that candidates already exerted lots of time and effort trying to convince incumbent presidents of their unions to give them Form 17 (membership certificate); some of them called the police which arrived at the premises of the Ministry of Manpower around 1:30 pm and wrote police reports pursuant to the request of those who want to run in the elections.

At the same time, employees of the Ministry of Manpower reviewed the files of people who wanted to run in the elections who submitted their nomination requests attached thereto all required documents except Form 17 and including more than one document to prove their membership in the

general assembly. Review process included comparison of documents with information registered in the depositing report at the Ministry.

Thus, nomination requests were received from applicants to the elections of the general unions of workers in health sciences, social and administrative services, and public utilities without attaching Form 17. Those applicants were given receipts confirming the receipt of the application and attached documents, except candidate Mohamed Ragab Mohamed Othman (health sciences) that the employees of the Ministry refused to give him the receipt for no reason. This led him to make a police report to prove this incident no. 1872 for 2022 (administrative/Second Police Department of Nasr City). This also took place with candidate Ahmed Abdel-Akher Hamadon (Suhag Union), and Atef Shahat Mohamed who was nominated to the presidency of the sectoral general union.

Moreover, employees of the Ministry of Manpower refused to give a receipt confirming the receipt of nomination request and attachment to Insaf Abdel-Qader Morgan (president of the trade union committee in the Water and Sewerage Company in Minya), and Eman Gamal Abdel-Rahman Mohamed (member of the board of the trade union committee of Workers in the Water and Sewerage in Giza). This led both of them to file a police report to prove the summary of facts no. 1873 (administrative/Second Police Department of Nasr City).

At the end, all nomination requests were accepted from all applicants who submitted documents to prove their membership in the general assemblies of the sectoral general unions without form no. 17 and their names were included in the candidates' lists.

On the other hand, Gebali Al-Maraghi (incumbent president of the ETUF and the ETUF-affiliated general union of Workers in Land Transport) was removed from nomination following an appeal made by one of the other candidates against his nomination. Likewise, Adel Eissa (incumbent president of the Union of Workers in Land Transport in Beheira) and Mohamed Abdel-Kareem were also removed from the lists.

Abdel-Fattah Ibrahim, incumbent president of the general Union of Workers in Spinning and Weaving and one of the well known leaders of the ETUF, was removed as well.

Both of them were removed from candidacy because their employment contracts ended. It is worth mentioning that many of the leaders of the ETUF are still in their unionist positions although they retired from their jobs based on nominal employment contracts in companies under the occupational classification of their unions, according to the provisions of the afore-mentioned article 40 of Law no. 213 for 2017.

It is also worth mentioning that a new problem encountered those unionists regarding these contracts. Law no. 185 for 2020 (enacted in September 2020 to amend some of the provisions of the Law on Public Works Sector Companies no. 203 for 1991) added in article three new articles including the second paragraph of article 46 which stipulated that workers in the companies who were not holding leadership positions may not have their service extended after retirement age and may not be assigned or contracted for any job or under any title in any of the companies regulated by the provisions of this Law except with the approval of the competent Minister and for a maximum period of two years. So, leaders of the ETUF who had nominal or fake employment contracts at companies of the public works sector had to find other companies to contract them after two years of such fake employment.

The contract of Gebali Al-Maraghi (incumbent president of the general Union of Workers in Land Transport and president of the quasi official ETUF) came to an end. Thus, he was excluded by the Commission supervising elections although he managed to have a new employment contract from another company. Nevertheless, it seems that it was decided to abandon him so that this becomes a proof of the so-called change.

However, no decision was taken to abandon Abdel-Fattah Ibrahim (incumbent president of the general union of Workers in Spinning and Weaving in the 2018/2022 term). However, his contract ended on the 9th of June 2022. So, he was removed from nomination. However, cooperation on the part of the Ministry of Manpower helped him secure a new contract on the 10th of June so that there is no gap between the two contracts.¹⁰

The Executive Regulations of the Law state in article 21 thereof that a candidate to the membership of the administrative board of a union who retired and then joined another job under the occupational classification with no gap in time has to submit along with required documents an official certificate approved by the competent Social Insurance Bureau that confirms the date on which s/he joined one the new job and confirms that s/he is insured against work injuries. So, the certificate of the competent insurance bureau he submitted stated that he joined the new job (for which he got an employment contract) on the 16th of June. Thus, there was a gap in time between the two jobs. Moreover, the nomination request to the board of the sectoral general union, the appeal against it and the settlement of the appeal fall within the period of that gap.

So, the crisis of the Sectoral general union of Workers in Spinning and Weaving ensued and it was not resolved until now. It seems that some of the members of the general union closely follow up the situation and keep on leaking and publishing documents proving that Abdel-Fattah Ibrahim does not fulfill nomination requirements. Consequently, election of the Federation of Unions of Workers in Spinning and Weaving was suspended.

The other crisis took place in the general Union of Workers in Military Production in which three candidates submitted nomination requests for the position of president. The three are Saeed Al-Naqeeb (the incumbent president of the union), Nabeel Al-Azali (from the Military Production Factory 200),¹¹ and Khaled Hassan (from the Training Sector). Whereas conducting election among the three candidates was risky for Saeed Al-Naqeeb (who was desired to continue as president of the general union and member of the ETUF board) as it was expected that he will not win elections if conducted like this, several entities tried to interfere pushing other candidates to withdraw and make it easier for Saeed Al-Naqeeb. However, unionists in the Training Sector in particular insisted on seeing a change. So, election of the general Union of Workers in Military Production was suspended.

On the 16th of June, elections of the boards of sectoral general unions (29 union) were held including two federations that are not affiliated to the ETUF (the general union of Workers in the Ambulance Authority and the general Union of Workers in Transport), as well as 27 general union affiliated to quasi official ETUF. 18 presidents of these general unions won their seats by acclamation, five via competitive elections, and two unions had their elections suspended and results not announced as mentioned above.

General Unions in which presidents won by acclamation were: the General Union of Workers in Food Industries - the General Union of Workers in Finance, Taxes and Customs - the General Union of Workers in Air Transport - the General Union of Workers in Chemical Industries - the General Union of Workers in Utilities - the General Union of Workers in Petroleum Industries - the General Union of Workers in Metal, Electric and Engineering Industries - the General Union of Workers in Construction and Timber Industries - the General Union of Workers in Agriculture, Irrigation and Fisheries - the General Union of Workers in Education and Scientific Research - the General Union of Workers in Health Services - the General Union of Workers in Commerce - the

¹⁰ Article 40 of Law no. 213 for 2017 stipulates that a member who retired for any reason may continue his membership provided that s/e joins a job under the same union classification of the relevant union without a time gap as long as other membership conditions are met.

¹¹ He is the son of Abdel Moneim Al-Azalie who is the former president of the Federation of Unions of Workers in Metal, Engineering and Electric Industries.

General Union of Workers in Journalism, Press and Media - the General Union of Workers in Rail Ways and Underground Metro - the General Union of Workers in Mines and Quarries - the General Union of Workers in Social and Administrative Services - the General Union of Workers in Courts and Prosecution - the General Union of Workers in Marine Transport.

General unions in which presidents won via competitive elections: the General Union of Workers in banks, Insurance and Financial Affairs - the General Union of Workers in Land transport - the General Union of Workers in the Post Service - the General Union of Workers in Public Transport - the General Union of Workers in Tourism and Hotels - the General Union of Workers in Communications - the General Union of Workers in Health Sciences - the General Union of Workers in Transport and its Services (independent union) - the General Union of Workers in the Ambulance Authority (independent union).

70% of general unions witnessed competitive elections of their administrative boards. We think this is a high percentage comparatively to all previous elections. Although elections in the vast majority of cases didn't produce considerable change, this refers to the aspirations of members of boards of trade union committees who won elections (in spite of all exclusions and irregularities) to change the long-established situation of the quasi official ETUF.

Elections of the Trade Unions Federation

Then, names of candidates to the membership of the board of the ETUF were announced. Two unprecedented things happened for the first time:

- The list of candidates included 25 names who are the presidents of 25 sectoral general unions from among the 27 general unions affiliated to the ETUF. Two general unions were missing because elections were not held therein.
- Two of the presidents of general unions are nominated to the presidency of the ETUF. They are Hassan Shehata (President of the general Union of Workers in Air Transport and incumbent Secretary General of the ETUF) and Adel Abdel-Fadeel (President of the General Union of Workers in Finance, Taxes and Customs, incumbent Treasurer of the ETUF and head of the Manpower Committee in the House of Representatives).

Then, final lists of candidates were announced at 10 pm on Saturday the 25th of June without any change.

On Sunday, the 26th of June, elections were held for the position of the President of the ETUF for the first time in its history. It is inconceivable that government and security apparatuses are not interested in who occupies the presidency of the ETUF, but it seems that both candidates were equally acceptable for them. They might also be capable of expecting the result and found it satisfactory. Anyway, it was a convenient incident to try to beautify the ETUF and change the generally held bad perception about trade unions elections after all irregularities and violations that took place. It was a convenient moment to claim that there is change taking place in the leadership of the ETUF and competitive election is taking place.

Elections came to an end. The Commission supervising elections announced that 481 members in the general assembly of the ETUF had the right to vote; 61 were absent, and 420 took part in voting. Hassan Shehata won the presidency of the ETUF with 245 votes. Adel Abdel-Fadeel got 170 votes. Five votes were invalid.

Elections of the quasi official ETUF ended. However, two general unions are missing from the Board of the ETUF and this is a crisis that has to be settled not only because they are not represented in the membership of the ETUF but also because elections were not held therein.

Moreover, the composition of the board of the ETUF represents a dilemma. It is true that the Trade Unions Law no. 213 for 2017 didn't stipulate specific numbers or formation for the boards of trade union confederations. Likewise, the Executive Regulations don't include any such provisions. However, the constitution of the ETUF states that the board includes a number of seats that is equal to the number of its constituent general unions, and that every general union is represented by one member. The new board is missing the representatives of the general unions of Workers in Spinning and Weaving and in Military Production. Moreover, it should not include the representative of the General Union of Workers in Finance, Taxes and Customs who lost the elections for president and was not registered as one of the candidates to the membership of the board.

Certainly, all of them will seek solutions that may or may not be successful.

Finally, these were the most remarkable results of trade unions elections: mass exclusions, interventions by several bodies, and overall violation of the right of Egyptian workers to freely choose their representatives.

Main Conclusions

- The Legislative framework for trade unions elections is the fifth chapter of the Law on Trade Union Organizations and Protection of the Right to Organize no. 213 for 2017, and the fourth chapter of the Executive Regulations of the Law.

Law no. 213 for 2017 and its amendments included some positive points including the affirmation of some principles of freedom of association, as well as some important rules that guaranteed the establishment of independent unions and their legal personality. However, conditions and procedures of nomination and voting stipulated in the Law restrict this right.

The terms, conditions and procedures of nomination and election to the administrative boards of unions in Law no. 213 for 2017 are the most similar to the provisions of the repealed and notorious Law no. 35 for 1976. They force all trade unions to conduct elections at the same time under the full supervision of the Ministry of Manpower. Article 41 of the Law imposes seven conditions that have to be met by anyone who is nominated to the elections of the administrative board of any union. These seven conditions are detailed by the Executive Regulations into thirteen documents that every candidate has to attach to his/her nomination request. Issuing and preparing these documents require lots of time, effort as well as financial cost that exhaust workers.

This system, which was preserved by Law no. 213 for 2017, is still full of flagrant contradictions. New trade unions are supposed to be freely established every year. How the term of these unions should be calculated? Moreover, some unions didn't conduct their elections since 2018 and their situation is still suspended until now. New problems are added with the deprivation of more independent trade unions from conducting elections. Confusion in the implementation of the Law is renewed. We take several steps backward instead of achieving progress in freedoms of association.

- On the 24th of April, Ministerial Decision no. 61 for 2022 was issued and it included the formation of the High Commission for Trade Unions Elections which is constituted as follows: the Minister of Manpower as a president; and a representative of the Ministry of Justice, a representative of the Administrative Prosecution Authority, a representative of the Ministry of Finance, a representative of the Ministry of Local Development, a representative of trade unions nominated by the "governmental" ETUF, the legal advisor of the Ministry of manpower as the representative of the Ministry and the rapporteur of the Commission as members thereof. The Commission is assigned general supervision of the electoral process at the national level.

The formation of the High Commission is self-explanatory. This is a flagrant governmental intervention in the affairs of trade unions. The only member among its seven members who is supposed to come from the ranks of workers is also representative of the "governmental" Federation.

- We can confidently say that the most flagrant and prevailing violation in this election is the deprivation of people wanting to run in elections from their right to be nominated; and consequently depriving workers from their right to freely choose their representatives.

Workers who were excluded amount at least to 1500 candidates. In fact, actual reasons for exclusion varied – according to the people who were excluded themselves – and included security-related considerations that are mostly unjustifiable and incomprehensible; considerations related to the interests of the leaders of the "governmental" ETUF (whether by excluding candidates in independent unions or even excluding competitors in the elections of administrative boards of unions affiliated to the ETUF itself); and sometimes personal or vengeful considerations.

Reasons for excluding certain candidates remained unknown although these candidates tried for several days to meet the judge who is responsible for the Commission supervising elections in order to ask him why they were excluded.

- Similarly to what happened in trade unions elections of 2018, general commissions supervising elections decided (with no justification or basis in law) to cancel the elections of some independent trade unions which effectively suspended their situation. These unions enjoy legal personality and no one has the right to dissolve them, but cannot practice their activities as Directorates of Manpower refrain from giving them required letters to run their businesses.
- The time frame of the electoral process – including all its phases and steps – is restrictively tight. The time between nomination and voting is merely eight days in which preliminary lists are announced, appeals are made and final lists are announced. There is no room here to talk of electoral platforms or campaigning. Moreover, time was not sufficient for workers to get the many documents required from those who want to run in elections (certificate of completion of military service – educational degree certificate – toxicology screening by one of the laboratories of the Ministry of Health). What made things even more difficult is that nomination in the first stage started right after a ten-days long holiday in which all government agencies were closed.

This led many people who wanted to run in elections to try to get a copy of the documents available in their service-files giving employers greater ability to intervene in the affairs of trade unions by refraining from giving workers copies of the documents they have.

As expected, work places and the labour space were devoid of all forms of electoral campaigning which were seen in previous elections. There were no banners, posters, statements or electoral platforms. However, observers noted that candidates' use of social media is stronger this time than any previous election. This may be explained by the fact that these media prevail all aspects of life, and that it is impossible to perform any other form of electoral campaigning in light of the very tight schedule of the electoral process which hardly suffice to prepare required paperwork and documentation.

- The Law necessitates that an aggrieved person has to complaint to the commission supervising elections before resorting to courts. This effectively deprives many candidates from the right to litigation because the secretariats of the commissions refrain from giving the complainant a receipt affirming that s/he made the complaint. Although article 24 of the Executive Regulations of the Law stipulates that “in all cases, the commission has to study the appeal and decide upon it within the period determined by the timetable refereed to above and to notify the appellant of its decision and its reasoning;” the commission does not abide by this article and refuses to notify the complainant of its decision and reasons. So, it becomes difficult to resort to the competent court as the person does not have a proof of the complaint s/he made.
- Receipts given to candidates after they submit their documents are so badly designed as they state that the candidate submitted documents without specifying what these document are although employees responsible for receiving documents refuse to receive them if they are not complete. Moreover, those employees review files very carefully and compare them to information they have. Nevertheless, the last paragraph in the receipt states that in case documents are not complete, the request is invalid. So, in many cases certain documents were missed from candidates' files and it was claimed that candidates didn't submit them in the first place in order to justify the exclusion of these candidates.
- Trade unions elections received too weak media coverage. Although they lasted for three months, no reports or field investigations were seen in audio or visual media about their proceedings. Few and limited news about trade unions elections were confined to ministerial decisions or statements of the Ministry of Manpower, as well as statements by some top leaders

in the quasi official ETUF. Independent trade unions were completely neglected. Candidates who were excluded tried to express their grievance in the media but for no avail.¹²

- Political forces and parties also ignored trade unions elections. They didn't pay enough attention to the most important event in the world of work for three months. This may be explained by the fact that these parties don't include labour activists (apart from few exceptions); that parties don't have sufficient knowledge of the trade union movement and its realities and problems, or that the call for national dialogue got all the attention of political parties. Anyway, this is an unhealthy phenomenon that adversely affect both political parties and the labour movement.
- Directorates of Manpower continued to play an influential role in the two stages of the electoral process of trade union committees. They obviously interfered in elections especially by excluding people who are not welcomed by government and security agencies, and even people who are welcomed by the leaders of the quasi official ETUF who were "officially" present in commissions supervising elections. The role of the Ministry of Manpower (the Minister and the Central Office) was more evident in the elections of the sectoral general unions and the national confederation. The final announcement of certain results was postponed waiting for the opinion of the Minister. The Ministry directly interfered in problems encountered by candidates of high posts, and even took decisions relating to the results of the electoral process.
- However, we don't want to ignore any positive aspect that took place in the electoral process even if it was limited or had weak effect. So, we have to mention the following good practices of the Ministry of Manpower:

- the stage of submission of electoral projects didn't witness many violations. The most important problem in that stage was embodied in the third article of decision no. 47 for 2022 which stipulated that the electoral project is to be made in three paper copies approved by the Union and stamped by its stamp as well as the stamp of the competent administration (if any), in addition to an electronic copy on a CD, and submitted to the competent Manpower Directorate. Some managements of establishments refrained from stamping the electoral project of unions. It is needless to say that the condition to get all the documents of the union by stamped by the stamp of the administration of the enterprise (the employer) is a clear violation of ILO Convention no.98 which prohibits the intervention of employers in the affairs of unions. Independent trade unions held on to their right to submit their electoral projects without the stamp of the employer based on the phrase "if any" included in article three of the Decision which meant that it is not a must. However, directorates of manpower insisted that it is necessary for the project to be stamped with the employer's stamp.

However, it has to be said that this problem was solved after the positive intervention of the Ministry of Manpower in all cases in which it was difficult to receive the stamp of the employer as electoral projects were accepted without that stamp.

- The launching of a website by the Ministry of Manpower for candidates to use for the registration of their information is of course a positive thing, even if physical documentations are also required. It might be a pilot step towards electoral registration of trade unions and their candidates and also conducting the voting process itself electronically in the future. However, that electronic registration also witnessed the problem of the performance of some Directorates which refused to let some electoral projects be uploaded including lists of general assemblies of unions leading to the inability of some people willing to run in elections to make the electronic registration, and consequently the refusal to let them deposit their paper documentations and nomination requests resulting which means denying them the right to run in elections. So, it became one of the problems faced by people wanting to participate in elections rather than a step in the direction of minimizing violations.

¹² Especially Al-Youm Al-Sabei and AL-Wattan.

However, we have to mention in this regard that the Central Office of the Ministry of Manpower did very well when it responded to people who wanted to run in elections but failed to do the electronic registration because their names were not on the database or because there was something wrong in their data (like the case of a person who is registered in the membership of another union, unregistered at all or registered as if s/he was occupying a leadership position). Forms were prepared for such cases, and registration or amendment was conducted swiftly without obstacles.

- The administrative boards of existing unions affiliated to the “governmental” ETUF returned to the old game which was the only way available to deprive people from their right to run in elections, which is refraining from giving them a certificate from the Union that proves their membership therein and their payment of union dues. People who want to run in elections increasingly complained of such behaviour.

However, the Ministry of Manpower tried to solve this problem by issuing Periodic Book no. 17 for 2022 regarding the review of nomination requests and documentations for the elections of trade unions in the electoral term of 2022-2026. In item no. 7, the Book stated that a nominee has to submit a certificate from the competent union confirming his/her membership in its general assembly and the regular payment of union dues for the period determined by the internal regulations of the union; a statement of this effect meaning from the employer; or a statement confirming these information from the administrative authority. This means that anyone who wants to run in elections has to prove membership in the union by a certificate from the employer, any document proving the payment of union dues; or a certificate from the Manpower Directorate confirming membership based on the database of the Ministry in case the administrative board of his/her union refuses to give him/her a proof of membership.

This Periodic Book tried to solve an old problem. However, the administrative boards of existing unions - especially their presidents - continue to manipulate general assembly lists which are uploaded on the database itself.

This notorious method of excluding candidates was the dominant one in trade unions elections in 2001 and 2006 when direct exclusion by removing the name of the candidate from the candidates' list was not used except very rarely. Now as direct exclusion and removal from candidates' lists are taking place on a very large scale, combating this old method is of limited impact although it is a step in the right direction.

Cairo

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