



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

Honored the French Republic's Human Rights Prize

**A Draining Year:
Report about the Violations of Trade Unions' Freedoms
January 1st – December 31st 2019**

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Introduction

During the whole year 2019 the Egyptian government represented by the Ministry of Labor Force pursued its constant bluffing with both workers and international audiences, by pretending shamelessly its respect of trade unions' freedoms – which it abhors in fact - in compliance with the Egyptian Constitution and legislation as well as international conventions; all kinds of stubbornness and refusals were practiced on the belief that they remain above any accountability, dealing with laws as mere ink on paper.

Actually, when workers attempt to register their organizations according to the provisions of the Law, they are met by all types of obstruction such as postponement of their applications and threats including pressures to join the "governmental" General Federation. It was obvious to any perceptive person that the Egyptian delegation was not sincere during ILO Conference held in Geneva and the declarations expressed before the Committee on the Application of Standards (CAS) lacking any rational justification or reference to the Law; the speeches of this delegation were full of stratagems indicating that Egyptian officials consider themselves smartest than anybody else and that the big size of the world prevents others from detecting the demarcation between truthfulness and lies.

Egyptian officials declared that they endorse trade unions' freedoms and launched accordingly a legislative amendment reducing the minimum number of members required to establish a trade union committee or a general trade union, abolishing detention or sanctions depriving from liberty, encouraging trade unions incapable of obtaining a legal status to present their complaints, and expressed readiness to engage in negotiations. Nevertheless, only a very limited number of those who complained succeeded to resolve their problems even with the committee established by the Ministry to supposedly solving all pending issues!!

In parallel, the directorates of labor either refuse to receive the files of trade union committees that meet the condition related to the minimum number of members, even before the legal amendment (i.e. with a membership amounting to 150), or abstain from providing those who hardly succeeded to deposit their files the required letters enabling them to publish their credentials in the Egyptian Official Journal, or opening a bank account. Moreover, trade union committees seeking for formal registration are requested to prove property or renting contracts duly certified that they possess headquarters even before being granted the authorization of establishment!

The Ministry continued to use false pretexts and denied the information conveyed to ILO CAS about the violations that occurred during the process of legal registration, as well as the exclusion of candidates from the elections; it further requested CAS to make sure of the validity of this information confirming that no complaints were received about such issues and declared it was ready to solve all the problems affecting trade unions without even waiting to receive their complaints, but by taking the initiative of contacting them spontaneously.

In the meantime, the Ministry didn't mention the fact that forty trade union committees had presented a memorandum on May 8 2018 complaining from the obstructions they faced preventing the conduction of their activities, as well as the pressures exerted to force them joining the General Federation of Egyptian Trade Unions of Workers. The Ministry neglected also to indicate that in January 2019, 29 organizations presented the demand to have a meeting with the Minister of Labor Force who refused to see any of them; this led the delegation of workers to present an official memorandum to the Council of Ministers.

After listening to the Egyptian declarations, CAS expressed its worries about the obstacles impeding the right of workers to freely establish and join trade unions and federations, with the continued governmental intervention in both elections and activities. CAS called for the abolition of problems pertaining to the Law as well as those occurring in practice and depriving trade unions from formal registration; the Committee also asked to solve the pending cases, and to secure the right of all trade unions to conduct their activities and independently elect their executive bodies

according to the provisions of Convention 87. Furthermore, CAS recommended amendments to the Law on Trade Unions in order to guarantee that the minimum number of members requested does not impede the right of workers to freely create or join independent entities, and that workers won't be punished or exposed to imprisonment for conducting activities falling under the scope of the Convention.

After having exhausted all stratagems, the Minister of Labor Force and the representative of the "governmental" Federation expressed the will to cooperate with ILO by all possible means, and readiness to introduce additional amendments to the Law in order to become compatible with Convention 87 and the international standards. They also declared that the Egyptian government requests the technical support of ILO to help finalizing the legal modifications and take the necessary measures leading to avoid the comments presented about the case of Egypt, and promised to organize elections for trade unions whose case remained pending and for the newly established ones.

Following the International Conference, the government hastened to show good intentions and responsiveness to the recommendations received from CAS. On this base, Law 142/2019 was issued to replace some of the provisions in Law 213/2017; amendments included the reduction of the minimum number of members to establish workers' organizations, as well as the modification of Chapter 10 about sanctions by abolishing punishments depriving from freedom while increasing in parallel the amount of fines related to contraventions.

Last July, the Ministry organized an enlarged meeting with a delegation including around 30 representatives of trade unions. The meeting ended with a consensus about solving all the pending cases. The Minister in person attended the beginning of the meeting promising to resolve all the problems, and insuring that he was willing to deal equally with all trade unions and guarantee their autonomy.

However, this positive initiative that was welcomed by workers stopped at this point, and no progress was achieved on the ground until now. One more time, the Law appeared to be mere ink on paper for the Ministry which returned to play the same game and use the same stratagems.

Actually, by the amendments introduced in the Law the Ministry complied with CAS first comment but without implementing these changes in practice, ignoring thus the second part of the resolution.

In fact, all this game is not played smartly; it just indicates that the Ministry lacks a practical vision, an aware assessment of the present situation, a deep understanding of the changes occurring globally in the labor market and their impact at the local level; moreover, it seems to ignore that investment opportunities are closely linked to the existence of a decent work environment and a social dialogue conducted jointly with the social stakeholders, besides the importance of creating adequate work opportunities. The speedy governmental acceptance to adopt the draft Law replacing Law 213/2017 five days before the deadline is another proof that the government who was not really concerned by this issue before suddenly discovered it had to take rapid measures regarding the requests of CAS.

The disturbance shown by the Minister and other responsible in the Ministry of Labor Force from having Egypt put on the short list of individual cases to be discussed during the Conference indicates also that they did not perceive the obvious indicators as well as the warnings previously addressed by independent trade unions about such possibility; on the contrary, the Ministry was constantly showing an unjustified or understandable quietude while it never pro-acted with ILO experts' remarks formulated four months before.

This disorder was reflected by the positive voting of the Ministry regarding ILO budget and Egypt contribution, with a reversed vote later on; actually, the previously committed contribution was much lesser than the services and activities obtained by the Egyptian State from the international organization, in addition to the disastrous impression left by this attitude. If the matter was related to economic considerations and austerity requirements, how could be explained the onerous

expenses of a huge Egyptian delegation to ILO Conference, spending 14 days in Geneva without any valuable reason or outcome, as well as the cost incurred from renting a luxury "Mercedes" for the Minister and hiring body guards for a period of ten days?

This happens within a context of clear contradictory orientations among the various Egyptian ministries: while the Ministry of Investments is deploying efforts to increase the flow of foreign investment in the country, the practices of the Labor Force Ministry lead to jeopardize this endeavor; on the other hand, the State seeks to improve free markets while trade union freedoms are under siege; the persistence of these two opposites in any society can only cause a clash whose consequences are unpredictable.

Files of pending cases or those of under establishment trade unions remain imprisoned in the drawers of the Ministry and its directorates and the freedom of organizing endorsed by the Law is still surrounded by obstacles; this resulted in stopping the Better Work Program and caused other damages: examples include "Walter Disney Company" that has frozen its investments and activities in Egypt as the same happened also in the case of "Amazon" for internet marketing. If the procrastinations of the Ministry of Labor Force are to continue, the loss of foreign investments will definitely become higher.

All this happens because the Ministry is only concerned with the preservation of a Federation affected by senility, is not representing workers and is led by a gang of profiteers only seeking to extend the trade union cycle in order to keep the longer their positions and privileges. But the result of this was the inclusion of Egypt in the short list of individual cases.

At a more alarming level, we note the state of instability prevailing in the work environment and the problems encountered by workers due to the deactivation of trade union activities and the absence of a new Labor Law. This situation will definitely lead to the eruption of conflicts between the different actors in the labor market as a consequence of the obstructed channels of collective bargaining within the absence of efficient independent trade unions trusted by workers and reflecting their interests and demands.

We also note the repressive practices of security forces in violently breaking strikes, and arresting workers to intimidate their peers and stop any formulation of claims. Arrested workers are either prosecuted or fired from work, losing thus the means of survival in both cases.

Additionally, 532 websites were closed and opportunities for Civil Society Organizations frozen especially after the enactment of NGO Law 149/2019 prohibiting organizations and citizens to freely practice voluntary activities without the prior consent of administrative authorities entitled to either grant or refuse authorizations.

All these violations occur within governmental policies of economic austerity with the withdraw of the State from subsidizing basic goods, liberating the exchange rate of foreign currencies, imposing substantial increase in the prices of fuel and electricity, all these measures resulting in high rates of inflation; these conditions are affecting large sectors of Egyptian workers in a society where one third of the population lives under the line of poverty.

Jumbled visions, limited rule of the law, total absence of social participation, loss of decent opportunities of work under a strangling economic situation are factors resulting in a total exhaustion of time, resources and prospects.

CTUWS

December 31st 2019

I - Legislations

Theoretically, a legislative progress is noted during 2019 with the enactment of Law 142/2019 by the government to amend some of the provisions of Trade Union Freedoms Law 213/2017 according to the remarks formulated by ILO. The modifications introduced include the reduction of the minimum number of members to establish a trade union entity (Articles 11 and 12), as well as the modification of Chapter 10 about sanctions by abolishing punishments depriving from freedom with an increase in the amount of fines.

In practice, the Law has no effect on the ground, either before or after its modification. Law 213/2017 mentioned the right of trade unions to develop their own By-Laws and internal regulations without any external interference; in fact, the Ministry of Labor Force developed model forms that trade unions are compelled to use and prevented from introducing any modification in these forms.

Even with changes established by Law 142/2019 such as the reduction of the necessary number of members to create an organization and the abolition of detention in case of contravention, the right of organizing remains relegated in the drawers while this right is explicitly granted by the Law; many trade unions do not hold the status of legal personality yet; the right of general assemblies to elect their representatives or make a vote of non-confidence is still abstracted to remain the monopoly of the administrative authorities, and the right to stay independent is ravished through pressures exerted by diverse parties to join the "governmental" Federation of Workers. What is the use thus to amend the Law when its positive provisions are not enforced?

Finally, the Social Security Law include many defects affecting workers' rights and the draft Labor Law shows that it will not resolve the problems encountered by workers under the current Law.

1.1 Amendments to the Trade Unions Law

Intensive efforts to negotiate with the government in order to activate the Law

As usual, independent trade unions deployed constant efforts all over 2019 to engage in negotiations with the government through attempts to discuss with the Ministry of Labor Force, and presenting memos to diverse governmental bodies such as the Council of Ministers, the Ministry of Investment, and the Ministry of Commerce and Industry; the demands intended to obtain meetings in order to uncover the irrational stubbornness and unjustified practices of the Ministry of Labor and its directorates that could be considered an abstention from implementing Law 213/2017 and its Executive Regulation.

On January 15 2019, a group of twenty representatives of trade unions headed to the Council of Ministers to present a complaint against the administrative obstinacy they were facing by the hands of the Ministry of Labor Force: refusal of directorates to receive their files, refraining from delivering the necessary letters for trade unions established since May 2018 enabling them to conduct activities, prevention from holding general assemblies in order to elect their executive bodies; finally they complained about the abstention of the Minister of Labor the same day to meet representatives of 29 trade unions accompanied with a number of parliamentarians to find a solution to the pending problems under the pretext that the timing of the appointment was not suitable for him. No other appointment was set by the Ministry which looked like a categorical refusal to arrange a meeting with the Minister.

The Cabinet received the memorandum, promised to examine the question and arrange a meeting with the Minister of Labor Force in order to redress the situation, but no appointment was set either.

In February 2019, ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) issued its annual report about Egypt stating that it regretfully noticed despite all the efforts spent over the years to achieve compatibility between the Egyptian legislation

and Convention 87, that some of the provisions in the Law about Workers' Trade Unions and in its Executive Regulation included serious obstacles impeding the full practice of trade union freedom for all workers.

The report of this Committee enumerated also the facts it was informed of about the processes related to the formal registration of trade unions and their elections, including the cases of trade unions succeeding to readjust their legal status but prevented from organizing internal elections, leading thus to their actual deprivation from practicing unionist activities. In addition, the report noted the irrational requests of documents to accept applications for registration, delays in receiving application files or in delivering certificates of registration, imposition of model formats of internal regulations, refusal of registering trade union committees in settings where another trade union committee was already in place, putting aside specific candidates, and exerting pressures on independent trade unions to force them joining the General Federation of Egyptian Trade Unions of Workers.

Although the Ministry of Labor Force had the right of formulating answers to the remarks included in the Commission's report, its only reaction was to deny the majority of mentioned facts which are relying actually on a multitude of concrete proofs; on the other hand, the Ministry promised to introduce amendments to Law 213/2010 about Workers' Trade Unions.

Egypt put on the short list for incompatibility of the Law with Convention 87

On May 10th 2019, ILO issued a memorandum to all State members about the preliminary list of cases proposed to be discussed before ILO Committee during the Conference that was going to be held in Geneva; this list is known as the "long list" and comprised actually forty cases among which 24 would be selected to be examined in the Conference. The case of Egypt was included in the short-list in relation to contraventions in the implementation of Convention 87.

During its meeting on March 23rd 2019, CEACR decided to give a chance to the governments included in the preliminary list in order to provide additional information to the Committee. However, such information should be limited to any developments that were not previously sent or examined and was pending on their submission at least two weeks prior to the Conference, i.e. on May 27th 2019.

On May 22 2019, the Egyptian government approved the draft Law with amendments introduced to Law 213/2017 mainly for Articles 11 and 12 and in Chapter 10. Accordingly, Article 11 in the new Law stipulates that workers in an institution have the right to establish a trade union with a membership of at least 50 workers. In addition, workers in settings not including this number and craft workers have the right to create a professional trade union committee at the level of the city or the province whenever applicable, in cooperation with other workers belonging to the same profession, to similar or interconnected industries according to the international standards and provided their number is no lower than fifty.

Article 12 was also amended to indicate that the establishment of a general trade union should include trade union committees grouping at least 15,000 members; as of the creation of federation of workers' trade unions, it is requested to include not less than seven general trade unions to reach a total membership amounting to 150,000 or more.

The government was very indolent in developing the amendments to be introduced in Law 213/2017, a state of relaxation that lasted until May 22nd 2019 when the governmental decision of approving the new Law appeared to come as a race against time while it had promised ILO a year and a half before to introduce these amendments. The enactment of the new Law was announced three days after its approval by the Parliament.

On May 24th 2019, the Egyptian government delivered a memo to the Committee of Experts considering that its content pointed out to favorable developments in compliance with Convention

87; the memo included the following information: firstly, proposed amendments to Law 213/2017 that were approved by the Egyptian Council of Ministers on May 22 2019 regarding the reduction of the required number of members to form trade union committees, general trade unions, and federation as well as the abolition of sanctions depriving from liberty; secondly, a confirmation that all trade unions will be equally treated either being under the umbrella of the General Federation or not, and that the Ministry was committed to guarantee the representation of independent trade unions despite their limited number; thirdly, a statement that the Ministry of Labor Force requested from harmed trade unions to submit their complaints and informed the Committee about its readiness to enter into negotiations regarding this issue; however, due to the limited size of trade unions objecting the measures taken against their rights, these rare cases were resolved by a committee commissioned by the Ministry to solve all pending issues!!

In its answer to CEACR, the Egyptian government refuted the validity of all information conveyed about any form of arbitrariness in the processes of formal registration, and exclusion of candidates from elections; moreover, it confirmed never receiving any complaints and its readiness to solve all the problems without waiting for trade unions' complaints but rather taking the initiative of contacting them and discussing their grievances!!

However, it failed to mention that on May 8 2019 forty trade union committee presented a memorandum to the Ministry of Labor Force complaining from stubborn attitudes and practices they have to face as well as the pressures exerted to force them joining the official General Federation. They requested that their cases be examined in order to become enabled finalizing a formal status acknowledging the qualification of legal personality. However, the Ministry remained silent, exactly as it happened in the case of the 29 trade unions which requested a meeting in January.

The Egyptian government believed it had succeeded to bluff CEACR with the amendments to the Law and that its delegation (comprising 60 members) in Geneva Conference would avoid having Egypt remain included in the short list. Nevertheless, the provided set of information was not sufficient to prevent Egypt from being included on the final list of individual cases as a result of several deficiencies in the Ministry's performance since March 2018, such as neglecting many of the Law's provisions, misusing power, abstaining from playing properly its role without even providing justifications. Therefore, it was quite normal to find Egypt on the short list of individual cases to be discussed by CAS during ILO 108 Conference.

CAS session to discuss the legislative status of trade unions in Egypt

The session was held on June 14 2019 at 6:30 PM and witnessed abundant discussions during which the Minister of Labor Force representing the Egyptian government expressed his surprise and sadness to see Egypt on the short list, saying that it would have been adequate to honor the Egyptian government instead!! He pointed out to the efforts deployed since 2010 to comply with the standards of Convention 87 and stated that a big change had occurred with the enactment of Law 213/2017 granting for the first time a legal status to independent trade unions. He added that all applicants were treated equally, noting that while the "governmental" General Federation is the most representative of Egyptian workers, the delegation to the Conference includes organizations not affiliated to this Federation; he also referred to the amendments in Law 213/2017 adopted by the Council of Ministers on May 22 2019 and endorsed by the Higher Council of Social Dialogue!!! The Minister promised to comply with all the conclusions reached by the Committee after discussion and said that CAS should scrutinize the complaints it receives to make sure they are based on proofs and evidences.

Next, the vice-president of the Committee representing the group of workers examined critically Law 213/2017 considering that many of its provisions are not compatible with Convention 87. He was followed by the vice-president of the Committee representing the group of businessmen who

felt sorry for freezing the attempts to implement the Better Work Program in Egypt since March 2019, adding his hope that Egypt will meet the necessary conditions to resume the Program that has a positive impact on the flow of investments as well as on the economic situation; he also encouraged the Egyptian government to create an adequate work environment and promote a social debate in cooperation with the other stakeholders. He clarified that the Committee expressed its concerns about the observed obstructions facing independent trade unions such as request of documents not mentioned in the Law or refusal to receive applications; finally, he noted that Convention 87 gives the right of organizing for the two parties and requested the Egyptian government to promote a social dialogue and enable the two counterparts at work to freely establish their organizations.

Then came the turn of Mohamad Wahab Allah, secretary general of the General Federation of Egyptian Trade Unions of Workers, who begun by thanking the Committee about its concern with the status of Egyptian workers; however, he refuted the inclusion of Egypt on the short list and requested the withdrawal of this decision confirming that the "governmental" General Federation believes in the right of trade unions for freedom and autonomy and that he asked himself the amendment of previous Law 35/1976 despite this demand was going against the Federation's interests.

He added that many things have changed since the adoption of Law 213/2017 enumerating the following improvements: powers are not any longer concentrated in the organizational top level, trade unions have obtained a full status of legal personality, the right of withdrawal from organizations is now secured as well as the right to apply for candidacy to the top organizational levels. He informed the audience that the Federation was determined to organize elections in the forthcoming period to enable the trade unions where elections did not occur or the newly establish ones attaining a legal status. Finally, he requested ILO technical support to improve trade union freedoms and abolish all means of discrepancies with Convention 87.

A representative of Egyptian businessmen declared in turn that he was representing the Federation of Industries that includes 60,000 business owners. He added that there is finally today – after fifty or sixty years – a new law for trade unions that was amended two years after its enactment on the base of the lessons learned from the actual practice; on this base, he requested to be granted another chance as it is impossible to switch instantly from a state to the opposite.

Following these interventions, Rahma Refaat, legal expert and CTUWS program coordinator, referred to the worry of independent trade unions regarding the rigid restrictions included in Law 213/2017 and the repressive practices accompanying its implementation since 2017. Actually, this Law violates the autonomy of trade unions' general assemblies as well as the right of their members to develop their own regulations; moreover, the Law determines the duration of the trade union cycle, the number of members in the executive committee, and the conditions for conducting the elections, all of this under the monitoring of the Ministry of Labor Force.

She mentioned the actual efforts deployed by independent trade unions to regularize their status according to the new Law within repressive practices on behalf of the Ministry of Labor Force, in contradiction sometimes with the terms of the Law; this was reflected by the refusal of granting legal recognition to many independent trade unions, to name few: the general trade union of workers in the Authority of Real Estate Taxes, the trade union committee of workers in the Egyptian Company of Communications, the trade union committee of workers in Bibliotheca Alexandrina, and others. Refusals affected the majority of independent trade unions established after the enactment of the Law such as the trade union committee of workers in Alexandria Company of Ready Garments, the trade union committee of workers in Leoni Company, and the trade union committee of workers in hospitals and ambulances. By-Laws developed by trade unions were rejected and the model regulations produced by the Ministry imposed instead; in addition, the majority of these trade unions are exposed to repeated pressures by diverse governmental bodies to join the General Federation. She explained that governmental interventions

occurred in many cases to prevent holding general assemblies' meetings, and in case these meetings were held the Ministry abstained from accepting their resolutions; consequently, the status of several trade unions was frozen including among others the trade union committee of fishermen in the province of Damietta, the trade union committee of workers in the clubs of Suez Canal Authority and the trade union committee of workers in transportation services in the province of Qalioulia.

She also mentioned that 29 trade unions have conducted intensive efforts during the past six months (since January 2019) to enter in negotiations with the government, attempting to meet the Minister of Labor Force, submission of requests to discuss with diverse governmental bodies (Council of Ministers, Ministry of Investments, Ministry of Commerce and Industry, etc.), but none of these granted them any attention.

In her speech, Ms. Refaat referred to 2018 elections that took place under the new Trade Union Law after thousands of unwanted candidates were excluded and prevention of elections in the case of some other trade unions.

Following this, the floor was opened to discussion that counted 23 interventions from several bodies in the labor process (i.e., workers, business owners and governments). Some governments expressed their support to the Egyptian government, namely Sudan, Algeria, Bahrain and Brazil. On the other hand, the speeches of the business owners' group focused on encouraging the Egyptian government to adopt serious and rapid steps in order to settle the issue and comply with the terms of the Convention.

As of the workers' group, several federations critically tackled the Trade Union Law and its practical application, requesting the Egyptian government to enable workers of practicing their right to freely establish the organizations representing them.

After listening to the speeches of the government representatives and the following discussions, the Committee published its findings noting that despite the enactment of the Law and ministerial decree number 35, there are still several contradictory issues between the local legislation and Convention 87. The Committee expressed its worry about the obstacles impeding the right of workers to freely establish trade unions and federations or freely join these entities under sustained governmental intrusion in the electoral process and trade union activities.

The Committee called the Egyptian government to guarantee that the Law will be empty from any obstacles at both the legal and implementation levels preventing trade unions to gain a legal status, freely electing their governing bodies, or impeding their capacity of conducting activities. In addition, it appealed the government to speed the process of solving pending cases and secure the right of all trade unions to freely conduct their activities according to the provisions of Convention 87.

It also requested amendments in the Law as to avoid restrictions related to the minimum size of membership at all levels threatening the right of workers to freely and voluntarily create the organizations representing their interests. In addition, the Committee referred to the imperativeness of abolishing deprivation from liberty in retaliation of implementing activities falling under the scope of Convention 87.

Finally, it required that a copy of the Labor Law be sent to the Committee of experts before its next meeting scheduled in November 2019, and invited the Egyptian government to accept ILO technical support to help in the implementation of recommendations and present a progress report before November meeting.

It appeared clearly that ILO CEACR and CAS were pressing to reach realistic solutions instead of dealing with pure fiction laws.

The Season of Goodwill Intentions

In order to prove goodwill intentions, the Ministry of Labor Force organized an enlarged meeting on July 14 2019 attended by the Ministry legal advisor and two responsible of the trade unions' file in addition to a delegation composed of around thirty trade union representatives accompanied by CTUWS lawyers. The meeting lasted for almost three hours during which all representatives of trade unions had the opportunity to express their concerns.

The Minister in person inaugurated the meeting to show his concern about the pending problems and find adequate solutions; at the beginning of his speech, he stated that he was standing on an equal distance from all trade unions and that the Ministry was not biased in favor of a category to the detriment of the other. He added that the government felt no harm from the existence of more than one trade union federation and was ready to cooperate with all trade unions and secure their autonomy. However, he expressed his annoyance from the practices of some workers' leaders, particularly referring to those who pretend representing wide numbers of workers without any concrete proof confirming this assertion on the ground.

From their side, representatives of trade unions welcomed the amendments to Trade Unions Law considered as a positive step forward although requiring additional changes to consolidate trade union freedoms. They also confirmed that the most urgent issue to be settled was the fair implementation of the Law without coercion or detour by enabling all trade unions to finalize the readjustment process or register new ones, and freely conduct their activities.

The meeting with the Minister lasted for about fifteen minutes; once he left the room, the discussion was resumed about the status of participant trade unions whose representatives revealed the types of stubbornness and arbitrariness they were exposed to pointing out that many of such practices had no legal base and are, on the contrary in defiance to the Law. Finally, they requested to reach a fair solution as well as the accurate and fair implementation of both Law 213/2019 and its Executive Regulation.

At the end of the meeting, the Ministry's legal advisor and the responsible of the trade unions' file expressed their readiness to examine the problems raised during the meeting in order to reach a satisfactory solution, reiterating the assurance of good will and the sincere desire to settle things to the best end.

An agreement was concluded with the Ministry legal advisor that each trade union would present separately a memorandum according to the variety of cases - i.e. readjustment of legal status, registration, or removal of obstacles preventing the implementation of activities – including an explanatory note with all backing documents attached. These requests would be then studied consecutively until the correct implementation of the Law will be achieved and pending cases solved. A further meeting was scheduled after two weeks as a means to consolidate mutual trust and avoid any incidents jeopardizing the process.

On August 5 2019, new Law 142/2019 was enacted including some amendments to previous Law in accordance with the Egyptian government commitment; the changes introduced are related to Articles 11 and 12 about the minimum number of required membership to establish an entity and the provisions of Chapter 10 on Sanctions abolishing the detention clause but augmenting the amount of fines.

However, these initiatives that were welcomed by independent trade unions were never resumed back, and once again Law is dealt with as pure ink on paper!! After July meeting with all the promises expressed by the Minister and the agreements concluded with other representatives of the Ministry, trade unions presented their memos with the requested documents attached. Several other meetings took place between the Ministry responsible and a reduced delegation of three members as invited by the Ministry, but no practical progress was achieved.

Return of ILO Delegation within the Status Quo

With time passing, trade unions with a pending status became aware that the Ministry and its directorates were not willing to implement the Minister's promises and the enforcement of the Law turned in reality to be quite far from CAS recommendations. On 10-11 November 2019, an ILO official delegation composed of multiple expertise visited Egypt where it held meetings with the different parties.

During the trip, the delegation paid also a visit to CTUWS on November 10 2019 where it met representatives of independent trade unions whose status remains pending as a result of the Ministry abstention from registering them.

During this meeting, the delegation was welcomed by both CTUWS and other participants who praised the intention of implementing a Program of Developmental Cooperation and a subsequent return to the Better Work Program; however, they confirmed that it could not be achieved without the enjoyment by Egyptian workers of trade union freedoms enabling them to establish their independent organizations.

Before this meeting, CTUWS and independent trade unions had presented a memorandum to the office of the Prime Minister about the hindered process of negotiations with the Ministry of Labor Force; they also attempted to convey the issue to the maximum number of governmental bodies as an alert of the dangers resulting from the blocked process and the importance of achieving progress in terms of trade union freedoms in relation to the Better Work Program and the decision expected to be taken by the Program's Committee during its next meeting in Ethiopia on November 25 about the availability of adequate conditions for its return to Egypt. The memorandum pointed out to the importance of this Program and the negative impact its stopping might have on the flow of investments as well as on the creation of job opportunities.

During his meeting with ILO delegation, the Prime Minister showed great concern about this issue and confirmed the will of the Egyptian government to cooperate with ILO, fulfill its international commitments and conform to international labor agreements.

1.2 Unified Social Insurance and Pension Law

The Ministry of Social Solidarity has finalized the Executive Regulation of Social Insurance and Pension Law 148/2019 projected to enter into force on January 2020.

The legislation established a link between the minimum value of pensions and the minimum wages to guarantee that pensioners obtain an adequate amount compatible with the level of cost living; it developed a system to increase pensions relatively with the percentage of inflation (with a ceiling of 15%) and assumed by the scheme of social insurance coverage; it also initiated a new optional scheme of pensions based on specific subscriptions to be added to the basic pension.

According to the Law, the new system of social insurance will apply to the non-organized labor force and similar categories; pensions will be disbursed when the person reach an old age with the availability of subscribing to an insurance for ageing, disability and death; in order to be eligible for this insurance, the duration of service should not be less than 180 months (15 years) and payment of subscriptions not less than 120 months (10 years).

The Law stipulates also that the age of retirement might be lowered for those in difficult or dangerous fields of work by a decree of the Prime Minister; this will increase the share of employers in the subscriptions to meet the cost of the improved benefits and consequently raise the percentages served to account the pension provided it will fall necessarily between 65% (as a minimum) and 80% (as a maximum) of the subscription value at the date of maturity.

Firstly: Main advantages of the unified Social Insurance and Pension Law

1. It unifies the laws regulating the issues related to pensions and social insurance in a comprehensive set;
2. It is based on the philosophy of specific advantages under which are identified the due advantages for the beneficiaries of this Law;
3. It develops a mechanism to increase annually the pensions according to a relative percentage of inflation up to 15%;
4. It increases the ceiling of subscriptions leading to the raise of pensions.

Secondly: Main negative aspects of the Law

The government and the Parliament developed alone the unified Law solely aiming at reducing the public debt at the expense of subscribers to social insurance and pensioners without consultation with the society in general and the real concerned beneficiaries or the Central Agency of Accounting as a neutral body capable of identifying the available amount for social insurance in the State Treasury, the National Investment Bank and the Fund of Pensions for Military Forces. It is worth noting that Article 17 of the Constitution – confirmed by Article 109 of the Unified Social Insurance and Pension Law - stipulates that the funds of social insurance are private funds of the subscribers granted the same immunity of public funds.

Current subscribers to the social insurances amount to approximately 25 million including non-organized workers and around 10 million of pensioners; however none of those was consulted or invited to participate in the discussion of the Law; the government discussed it only with ILO, while it did not dare to discuss publicly a Law affecting the interests of businessmen or chambers of commerce without prior consultation with those. Actually, the government held over 13 meetings with business owners and their representatives before enacting the Added Value Tax Law which price was endorsed by the categories with low revenues. Meanwhile, the Labor Force Committee in the Parliament discussed it with governmental officials as if it was a military secret.

This raises the following comments:

1. At least 75% of the social insurance financial reserves are invested in treasury bonds and this percentage might be reduced to 65% in the case of agreement between the Ministers of Finance and of Social Insurance as they represent stable huge amounts adequate for long term investments; having tasted the flavor of this money, the government doesn't want to lose this money or return it back to its owners who do not possess the authority of decision-making. In case those find better opportunities of investment than the governmental bonds, they can use only 25% of the amounts in the fund; even when the Treasury reduces the rate of these bonds' interests, pensioners are unable to identify better alternatives. Despite the fact that the proposed Law mentions the nomination of a highly qualified committee of experts in the field of investment that will be generously remunerated, it is difficult to perceive its extent of autonomy and freedom of decision.

This confirms the government intention to abstain from returning back the funds of the social insurance to their legitimate owners under the pretext that the Treasury bonds bought amount to 75% of the reserve according to the provisions of the new Law and that the State Treasury disburses only the interests to the newly born trust fund seemingly created to legalize definitely the loss of social insurance and pensions dues. This way, directives of the President of the Republic to return back the social insurance funds to their owners turn into a fiction. It is worth recalling here that there serves of social insurances were used by prior Minister of Finance, Dr. Youssef Botros Ghali, to reduce the internal debt by inserting the amount as an income in the State General Budget similarly to the revenues of tax collection, a path scrupulously followed by the present Minister of Finance.

2. The Law is biased to businessmen at the expense of subscribers as the percentage of share in the social insurance subscriptions by employers have been reduced from 25 to 17.75% with reduction of the subscribers' share from 14 to 11%. This responded to the requests of the private sector and was simultaneously beneficial to the government as an employer who considers social insurance as a burden without awareness of its importance in keeping social stability.
3. The Law stipulates the annual increase of pensions of up to 15% assumed by the system of social insurance while it has been recently decided to grant pensioners a stable and regular annual increase of 15%; by putting a ceiling, the Law deprives pensioners from any raise of their pensions while the actual rates of inflation exceed sometimes 37% depriving pensioners with limited revenues from any additional subsidy;
4. The Law did not present any solution for the extension of social insurance coverage to the non-organized sector which has a limited awareness of schemes, is professionally instable and sometimes has a non-identified working location. Despite the repeated presidential directives to enact a legislation for the social and health protection of this sector, the government did not fill the gap in the new Law but contented itself to assume the share of business owners noting that it is the State General Budget that shoulders the deficit related to the non-organized labor force;
5. The State has definitively got rid of the 1% stipulated by Law 79/1975 as its contribution for all categories covered by social insurance;
6. The Law made it harder to obtain pension for early retirement as it augmented the years of subscription from 20 to 25 years; this happens within the governmental race to implement privatization through the resort to early retirement in order to get rid from unwanted workers;
7. The calculation of retirement pension will be based on the average totality of wages since the beginning of service, diminishing thus the amount of the pension compared to the current procedures implemented with the governmental, public and private sectors of accounting this value on the salary of the two final years of service;
8. The Law introduced the following new provisions:
 - a) An additional pension for those capable of paying amounts higher than the value of their subscription fees and not exceeding 100% of the maximum cost of regular subscriptions; this will create a discriminatory atmosphere between those who possess the means to pay more and those who do not;
 - b) The Law allows a retired person to request the partly exchange of its pension against a cash amount disbursed only one time provided it does not exceed 50% of the value of the pension; this encourages people to resort to this solution under the pressures of need; however, their suffering will remain with the reduction in the amount of the pension combined with the rising rates of inflation;
9. The Law proposes beginning 2034 until 2040 the gradual rise in the age of retirement from 60 to 65 years in order to meet the increased rates of life expectancy similarly to Western countries; however, our problem does not stem specifically in the higher rates of life expectancy but rather in increased percentage of youth accompanied by growing unemployment in their ranks. Moreover, this practically means that the social insurance fund will collect subscriptions for five additional years instead of disbursing pensions during these years; it is also odd to see the government extending the age of retirement and on the other hand encouraging early retirement in order to reduce the item of salaries in the State Budget;
10. The unified Law excludes divorced women from the beneficiaries although it states that it will cause no prejudice to the rights accredited by the current social insurance laws; this exclusion was strongly request by Dr. Youssef Botros Ghali and is today implemented by his successor Dr. Mohamed Mo'et;

11. The Law mentions that the minimum value of the pension should represent 65% of the minimum cost of subscription while it allocated the pension of ministers, governors, vice-governors, and head of the Parliament to a monthly minimum amount of ten thousand five hundred pounds disbursed by the social insurance fund despite the small size of their subscriptions compared to others with limited resources;
12. The Law accounts the coefficient of pensions at 1/45 while it is accounted for ministers, governors, vice-governors and president of the Parliament at the coefficient of 1/10;
13. The unified Law specifies allocations of unemployment by percentages varying between 75% and 45% according to the duration while the present Law specifies a uniform percentage of 60% for all the duration of unemployment;
14. The new Law allocated 1.5% of the subscriptions and 2.5% of the fund investment revenues for core funding; the State Treasury will assume the extra expenses representing a large amount allocated to salaries, bonuses, cars, travel expenses, and buildings especially if we compare it to the current situation where these extra expenses amount to 2.5% of the annual revenues; actually, all amounts deducted from the fund revenues will be to the detriment of improving the advantages for subscribers. Recently, the government retracted this proposal to avoid protests of MPs and commissioned the Social Insurance Authority board to specify the percentage that will most probably come not lesser than the one mentioned in the draft Law;
15. The Law stipulates the commitment of the Treasury to disburse annually 160,5 billion pounds with a compound interest of 5,7% for fifty years against the commitment of the fund to pay the current and future legal obligations of the Treasury mentioned in the Social Insurance Law; it is not quite clear how these amounts were accounted and whether experts in the field of insurance participated in this assessment or not in order to calculate the capacity of the fund to pay the monthly pensions and compensations from the governmental installments without resorting to the accumulated reserves in the fund that will enable meeting its commitments for a long period in all difficult circumstances; if this was not accurately calculated, who will pay the difference? Previous experiences indicate that the endorsement by the Social Insurance Fund of the Treasury obligations turned out to become under the form of mere registrars of debtor that are not paid depriving thus the Fund from the revenue of investments. The last budget of the National Authority for Social Insurance indicates the appropriation by the State of 213 billion pounds with no interests deposited at the National Investment Bank or the State Treasury.

There are doubts about the capacity of the government to commit itself continuing of disbursing the mentioned installments threatening thus the regular payment of pensions as well as exposing the entire social insurance system to collapse; this is especially worrying with a provision stipulating that if the government failed to pay its dues for three consecutive months or more, the Fund will prepare a memorandum addressed to the Prime Minister without granting the creditor any legal right enabling to take the legal measures against the Ministry of Finance and the debtor government; therefore, the Fund will become unable to fulfill its commitments related to pensions and compensations;

16. The pension of ageing is pending on subscriptions for no less than 15 years with an actual period of service not lower than 10 years, while the present Law requires 120 months of subscription only;
17. Weak representation of pensioners in the board of the Fund: the Law allocates two seats for pensioners in a board composed of 14 members selected on the base of candidacies proposed by the chairman of the Fund with no mention at all of other social insurance subscribers;
18. The Law does not mention either the composition of the board Fund for pensioners; consequently, there is no indication whether they will be represented or not and by how many number;

19. With reference to the resources of the Fund for pensioners, the Law enumerates the following:
 - a) Contributions allocated by the Treasury;
 - b) Allocations from the National Authority of Social Insurance Fund;
 - c) This means that the unspecified amounts and duration of allocations could be either disbursed or not;
20. The Constitution stipulates the autonomy of the Authority of Social Insurance while the Law affiliates it to the Minister of Social Insurance, i.e. under governmental control;
21. The Law does not include the three months compensation of families for the expenses incurred by funerals in the case of subscribers or pensioners' death as it is currently done; the Parliament modified this clause after being opposed by the President of the House of Representatives;
22. The unified Law abolished the end of service bonus;
23. The share of subscription to one month bonus per year was reduced from 2% to 1% for the worker and from 3% to 1% for the employer; these shares are deposited and invested in a special account for the subscriber; when retiring, the subscriber (or his/her family) is entitled to obtain the amount in addition to the revenue of investment instead of receiving the annual bonus; this way, the principle of bonus is turned into a system of savings rather than a system of insurance;
24. According to paragraph 2 of Article 103, the Law decided to stop the disbursement of pension in case the pensioner practice a commercial or non-commercial activity for a period of five consecutive or intermittent years without being bound by the amount of the revenue either equal, greater or lesser than the value of the pension;
25. There is a good trend in the new Law to reduce the cost of subscription fees; however, it is noticed that the reduction in the share of employers is comparatively noticeably greater than that of subscribers indicating the following:
 - a) The governmental bias for employers under the pretext that saving money will enable them to re-invest and provide additional job opportunities and this is a better option than taking money from them; this goes along with the pressures exerted by the International Monetary Fund, the World Bank, chambers of commerce and the private sector to the benefit of businessmen;
 - b) The narrow perspective of the government as an employer to alleviate the burden on its shoulders by reducing the percentage of allocations to the social insurance.

1.3 Draft new Labor Law

The draft new Labor Law is still pending in the Parliament and its future is ambiguous after it has been removed from the general assembly debates following the President of the Republic declarations about the importance of including non-organized workers.

After few sessions of hearing attended by a reduced number of participants, the Parliament Labor Committee issued a draft Law with some useless amendments without taking in consideration the comments formulated by workers, trade unions, and experts and most of the remarks expressed by the legislative department at the State Council, the National Council for Human Rights as well as ILO concerns.

As mentioned several times, the Labor Law represents a social legislation impacting the lives of millions of Egyptian workers, organizing the social relationships between diverse categories of people holding different positions and guided by various interests; therefore, such a Law should be subject to a wide and concrete social debate including all the diverse concerned parties through the adoption of a democratic mechanism allowing everybody to raise their voices without any form of exclusion.

Two years after the finalization of this draft that was conveyed to the general assembly of the Parliament nothing has moved; this period would have been sufficient to organize a social dialogue and a process of bargaining leading to an acceptable consensus and avoiding confusion and contradictions that can provoke legal appeals as it happened against the current Law.

This drop in enacting the Law might be due to the lack of a clear vision as the draft contains the majority of the provisions existing in the current Law although reorganized differently and the addition of a new chapter about the specialized labor courts.

By failing to address the crises and problems encountered in the labor environment during the last years in the absence of a different philosophy, it is legitimate to ask: what was the purpose of enacting a new Law?!

Main remarks about the final version of the draft Labor Law

Professional safety

Temporary work contracts

One of the main shortcomings of the current Law reside in Articles 104, 105 and 106 as well as in the overall approach of the Law in terms of temporary work contracts as it opened the door during the first decade of this century to represent the worst example of governmental practices against workers.

While the first draft Law proposed by the Ministry of Labor Force avoided this infamous provision by mentioning that individual work contracts are unlimited, and could be temporary in the case of seasonal services or others works which cannot be considered unlimited by their nature; however, in response to the claims by both the Union of Industries and employers who resort usually to unconditionally temporary work contracts, the clause was modified in the draft Law released on 22 November 2019 as well as in the final version to become "individual work contracts are of unlimited period with the option of contracting them for a limited period of not less than one year and renew the latter for similar periods upon mutual agreement between the two parties".

Article 70 of the draft Law mentions that a work contract is considered unlimited since its signature in the following cases:

1. If it is not a written document;
2. If the contract does not specify a duration;
3. If it is a temporary contract renewed upon mutual agreement for a period/periods exceeding four years;
4. If it is a temporary contract that the two parties continue to execute following the ending date without a written agreement between them.

In the first, second and fourth case, the working relation is unlimited if there is no different mention while the draft Law does not consider in the third case that renewing the contract for several period totaling four years is a cover way for employers to fire workers or abstain from renewing contracts after four years without any right to appeal. How can a worker in such situation feel safe, progress and develop his/her skills?

Termination of the work relation

Workers suffered in the past years from the confusion existing between chapters five and seven of the present Labor Law; Article 68 stipulates that termination of service is the competence of the Labor Court and Article 69 specifies the cases allowing termination of service; on the other hand, Article 110 mentions that if the work contract was for unlimited duration, each party is entitled to terminate it provided the other party is notified in written before the date termination and the

employer is not entitled to terminate a contract except within the limits mentioned in Article 69 or when it is proved that the worker's efficiency is not up to the accredited rules. As of the worker, termination should rely on valid justification related to health, social or economic conditions. The following articles (111 to 118) include the provisions organizing notification from either employer or worker to the other party.

The practical consequence of this ambiguity was clearly perceived in the Labor Courts where workers were gripping Articles 68 and 69 while employers referred to Article 110; judgments fluctuated between the illegality of termination and the right of employers to terminate service with no compensation except when they did not notify the worker before the ending date of service, in which case the compensation would vary between two and three months of salary.

It was assumed or expected that the new Law would overcome this confusion; however, Articles 129, 130 and following provisions of the draft Law are identical to Article 110 in the present Law.

We repeat here that work contracts are not similar to other civil contracts because of the difference between the two parties in terms of social and economic status otherwise there would have been no specific need to enact a Labor Law. This contract cannot serve alone as a referential between the two parties or refer to their equal right to terminate the working relation while the first party can easily replace a worker by another one from the long queue looking for a job opportunity and termination by the second party means simply losing one's means of living.

The need to devote a law for the organization of contracts and work relations is specifically due to the fact that one of the two parties is socially weaker to the extent that s/he deserves protection not only on the base of ethical considerations and the right of everybody to enjoy a dignified life but also to preserve the actors of the production process, secure their social stability, and contribute in the society progress and development.

Salaries

In its definition of salaries, the draft Law differentiates between basic salary and variable salary (i.e. the various stipends, allowances and compensations), considering the basic salary as the fixed amount permanently obtained by the worker against performing her/his basic tasks; on the other side, variable salary represents annexes to the basic salary which are not always permanent and are only due according to the achievement performed.

It is obvious that this new definition is an attempt to counteract the complexity of the current situation with the multiple ways of accounting salaries. Nevertheless, we do not consider this a tangible progress towards improving things, redressing the actual chaos of salaries, or solving the real problems leading to important numbers of conflicts at work. We also think that the definition should include a definition about minimum wages. i.e. the minimum amounts required to meet the basic needs of workers and their families that should remain observed without reduction but increased annually in line with the inflation rates.

Article 78 of the draft kept the National Council of Salaries - renamed as the High Council of Salaries – with the same composition and mandate existing in the present Law (Article 34 of Law 12/2003) in an attempt to avoid some of its defects; actually, the proposal in the draft is to have the Council composed of three equal shares: the government, businessmen, and workers; it has to hold meetings at least once every three months; however, we do not believe that these provisions will be sufficient to overcome the past bitter experience of paralysis that affected the said mechanism.

We also note that Article 78 regarding the composition of the Council includes an odd mention about workers' representation; according to this Article, their number amounting to four will be selected by the (quasi- official) General Federation of Egyptian Trade Unions of Workers granting this entity unjustified exclusive powers at the national level; and how comes that a draft Law identify the name of a specific entity as the only one concerned with the issue?!

Despite the provisions of Article 34 in current Law 12/2003, the National Council of Salaries was almost totally paralyzed with very few attempts to conduct meetings that never achieved results in the absence of a reasonable minimum salary applied to workers from all sectors. Therefore, we have to learn from the sixteen years lessons during which the Council of Salaries failed from organizing itself and mostly because it is irrational to leave the privilege of defining the minimum salaries between the hands of an entity whose performance was highly disappointing during the past years.

Regular raise of salaries

Article 12 of the draft Law mentions that workers falling under the umbrella of this Law are entitled to a regular annual raise not below 7% from the salary indicated at the social insurance; accordingly, the variable salary was exchanged with the salary registered at the social insurance.

Actually, this provision will negatively affect some sectors of workers whose basic salaries are higher than the basic salary declared at the Authority of Social Insurance; on the other side, accounting the raise on the basic salary will also affect workers in other sectors, especially youth working for the private sector; in all cases, we believe that the annual raise should be accounted on the base of the total actual salary or as defined by the Law "all what workers obtain against their work".

The share of workers in benefits

Article 42 of the Constitution stipulates that workers will have a share in the management and the benefits resulting from projects; we recall here that the share of workers in benefits was also one of the reasons of collective conflicts over the past years. Although some laws of companies define a percentage of shares for workers from the net benefits, the Labor Law should indicate the way of accounting these shares.

Agencies of employment

Important number of Egyptian workers suffered during the past years from the informal sub-contracting means of employment that extended from some sectors to others until becoming a prevailing phenomenon in the fields of petroleum, entrepreneurship, and services.

These facts happened by turning round the current Law which never allowed the establishment of employment agencies; accordingly, these companies registered themselves legally as service entities providing specific services to other companies such as personnel of security, guardians, maintenance, cleaning, etc. As these agencies are created from inside the mother entity, the relationship between the two is spelled on paper differently from the reality; moreover, this relation doesn't exceed in often cases fake documents as all the workers are employed by the mother company while distributing their legal affiliation between two or three companies representing a good way to go round the Law and depriving workers from legal rights.

The last version of the new draft Law succeeded to modify Article 45 mentioning in previous versions that these agencies had the right to lend their workers to other entities without prejudice to their salaries.

However, this is not sufficient according to the following remarks: Article 42 should be modified to comply with ILO Convention 87 as it mentions that the employment agencies will not grant workers any rights or benefits after joining the other entity and are forbidden to obtain direct or indirect amounts from the other employer.

The remaining problem that was not tackled by the draft is the explosions occurring in the labor market creating tens of work conflicts; Article 76 stipulated that any worker lend to another entity to conduct works in the same location with other workers should enjoy similar rights to those provided by the original employer who is responsible of showing solidarity in meeting the commitments prescribed by the Law.

While we praise this mention of equal treatment that already exist in the present Law and might enable workers to request their dues from the current employer; however, the fake companies of security services and others will remain sub-contractors according to the Law, and this is well known by the government and the legislator who try to ignore the actual facts.

Therefore, we propose to add a new Article to the draft Law before Article 76 defining the type of services that an employer could commission another employer to undertake provided they do not fall under its original scope of work of his/her entity and that the number of workers borrowed to the other employer do not exceed 10% of workers in the original entity.

General provisions

The scope of Law coverage

Article 3 of the draft introduction stipulates that this Law is considered as the general jurisdiction ruling work relations; this is intended to narrow the size of cases falling outside its scope as well as the necessity of having general provisions for all work relations; this text is identical to the first paragraph of Article 3 in the present Law reconfirming again the trend that arose to unify legislations related to labor in order to preserve the stability of work relations and narrow the gap between the various sectors. While Law 12/2003 exempted only three categories of workers from coverage (workers in the State sector including employees in local administration and public agencies, domestic workers who continue to be excluded from protection in the present draft, and the family members of employers), some units of the public sector remain outside its umbrella.

It is important to unify legislations whose diversity and discrepancies are often confusing to both beneficiaries and responsible of implementation. This unification was and continues to be the request of workers in several sectors that consider the current diversity one of the reasons that contributes in exposing their rights to violations and represents an illustration of inequality. Although it would be difficult for the time being to develop a unified Law organizing work relations and applied to workers in the State management apparatus, we propose the following minimum requirements in order to contribute achieving this objective:

1. Reformulating Article 4 of the draft to confirm that the Law applies to all workers with the exception of workers in the State bodies;
2. Application of the Law to civil workers in the State in the provisions related to minimum wages, collective work relations including the social dialogue, collective bargaining, strikes, etc. in addition to professional and health safety as well as the provisions about the employment of foreigners. It is worthy to mention here that the legislative department of the State Council considers it important that the Law organizes the right of striking for public servants regarding the void existing in Civil Service Law 81/2016 about this issue;
3. Apply the Law on domestic workers as their exclusion from this umbrella is no longer acceptable; how can we refuse considering the relationship between those and their employers as a work relation and persist considering it a relation of personal subordination? How this complies with the principles of human rights and international labor conventions or even with the Egyptian Constitution mentioning that dignity is a right for every human being that cannot be violated and that the State is committed to respect and protect this right (Article 51) in addition to other provisions stipulating the rights for equality, non-discrimination and protection of workers' rights.

Abstaining from applying the Law to domestic workers cannot be justified by the pretext of avoiding intrusion in private lives if inspectors were allowed to enter in houses to ensure that the Law is properly implemented. In order to overcome this concern, we propose excepting domestic workers from the provisions about inspections without depriving the rights of these workers in salaries, working hours, holidays and others rights and granting them the right of complaining.

Judicial fees and expenses

To make it easier for workers, the draft Law introduced a provision exempting them from the condition of having the document of legal proceedings signed by a lawyer; it also attempted to respond to their need for legal support by specifying in Article 158 that an office of legal assistance for workers will be established in each court of first instance and in each other setting where the labor court will be held. Nevertheless, the draft Law failed from addressing the most prominent problem facing workers since the enactment of Law 12/2003: in case the suit was refused, there is a provision forcing the worker to assume all judicial expenses.

Actually, workers do not resort to the Court to misuse the right of litigation but they often lose the case for incapacity of proving the sincerity of their allegations being in addition punished to endorse the judicial fees and expenses. Therefore, Article 8 should be amended by deleting this provision.

Non-organized labor

The draft Law contented itself by mentioning in Article 31 that the concerned Ministry will be responsible of developing a policy and following up the employment of non-organized labor; it also referred in Article 32 to the establishment of a fund conferred a legal status and affiliated to the concerned Minister in order to protect and employ non-organized workers; a decree of the Prime Minister will organize the composition of its board, By-Laws, fees and the modalities of collecting them from employers; these fees will not be lesser than 1% and no more than 3% of the salaries against services provided. On the other hand, it was mentioned that the Minister of Labor Force will issue a decree about the fund's financial and administrative regulations; the Labor Committee of the Parliament added to this clause the services provided by the fund.

We note that the system proposed here to protect and employ the non-organized labor is similar to that existing in the present Law, i.e. through the Fund, a mechanism that didn't prove to be effective above granting limited financial aid to very few workers compared to the overall size of this sector.

Once again, the government tends to solve the issue by collecting money from employers rather than proposing a solution to the main problem: how will it be possible to account the effective days of work provided by non-organized workers to grant them legal protection and coverage of social insurance if they are serving more than one employer?

Consequently, we propose the establishment of an entity (committee, department or other) at the Ministry of Labor Force to which are affiliated employees in labor offices and responsible of developing a mechanism to register non-organized workers; for example, by committing employers to keep registrars for workers and deliver the data of subscribed to the social insurance as well as the subscription fees.

The government should begin by itself to activate this mechanism by registering all workers (non-organized, seasonal, on a daily or temporary basis) who are in companies and contractors involved in governmental projects.

Provisions for non-organized labor should also take into account the necessity of complementarity with other social legislations, namely the Law of Social Insurance and Pensions and the Trade

Union Law in order to enable this sector of workers organizing in strong and effective trade unions defending their interests and adopting their requests.

The right of striking

In its first chapter, the draft Law presented by the Ministry of Labor Force defined peaceful strikes as a consensus among all workers or a group of them to stop working inside the work place to request what they consider fulfilling their professional interests after having failed to solve the issue amicably within the limits of measures legally approved.

This is the first time a Labor Law provides a definition of strike from the perspective that it represents one of the working relationships components. We propose to delete the expression "inside the work place" along with the comments of the legislative department of the State Council and because strike might occur simply by abstaining from going to work.

In Article 200, the draft Law mentions that workers have the right to enter into peaceful strike to request what they consider fulfilling their professional interests after having exhausted all amicable means of solving conflicts within the limits of measures legally approved; however, the draft includes paralyzing limits and conditions in front of practicing this right: Article 203 prevents strike in strategic and vital institutions identified by Prime Minister decree where stopping work could represent a danger to the national security or jeopardize the provision of basic services to citizens.

Article 194 of the present Law is identical to this provision and was activated by Prime Minister decree 1185/2003 about strategic and vital institutions including the following: institutions of national security and military production, hospitals, health centers, pharmacies, bakeries, collective means of land, maritime and air transports, transportation of goods, institutions of civil defense, authorities of water, electricity, gas and sewage, institutions of communications, ports, lighthouses and airports, in addition to workers in educational institutions, and what else?!!

But the report of experts in CAS about the case of Egypt expressed reservations about restricting the right of striking in institutions providing services that are not basic according to the proper definition of this term.

The legislative department of the State Council considered that the concept of such institutions should be defined and based on criteria set by the Law without relying solely on a decree issued by the Prime Minister as such decision is affecting the source of the right.

Article 201 stipulates that workers should notify by certified mail employers and the concerned administrative body ten days before the date set for striking, including the reasons of the strike, dates of beginning and end; this represents an irrational requirement because strike is not a show performed by workers but is expected to last until their claims are met and they are consequently unable to determine the exact duration of their action.

A slight progress noticed in this draft compared to the present Law is that it does not prohibit strike during the period of mediation; however, it retains the prohibition of inviting or advertising for strike with the purpose of modifying a collective work contract during the duration of its validity ignoring thus the emerging new conditions requiring such modification.

It is also worrying to find that Article 121 of the draft Law mentions that it is possible to fire a worker who did not comply with the limits of striking included in Articles 200 to 202 because:

- a) If we are referring to criteria and limits to the practice of an acknowledged right that cannot be violated, isn't it extremely repressive and unfair to adopt such a measure depriving a person from the means of living?
- b) The bitter experience of using this right during past years resulted in termination for hundreds of workers and members of trade unions and the misery of thousands family members;

3) Administrative practices representing violations of trade union freedoms

By the end of 2019, the Ministry of Labor Force administrative practices continue to represent an obvious violation of trade union freedoms including obstacles before the right of workers to freely establish or join the organizations representing them, flagrant governmental interventions in the activities of trade unions despite all commitments of taking the necessary measures to abolish obstacles and restrictions expressed before international forums.

Actually, these commitments should have begun with issuing clear directives from the Minister of Labor Force to the directorates of labor to accept trade unions' applications for a legal status as long as they conform with the Law and stop refusing their receipt, delaying files, requesting documents not mentioned in the Law or to the minimum respecting the terms of the Law instead of practically deactivating its provisions. However, this did not happen and the same practices are still prevailing creating problems related to opening bank accounts, membership in thematic international federations, prevention from holding general assemblies or approving their decisions, suing a trade union member under the false allegation that he submitted forged documents, in addition to the moral harm inflicted to those willing to organize.

Firstly: New trade unions

Founding members of new trade unions find themselves entrapped in an infinite vicious circle despite the provisions of Article 18 in Law 213/2017 that indicates unequivocally the procedures to be followed and documents to be deposited at the administrative body, i.e.: the founding assembly of the trade union "under establishment" has to elect the board of the organization that elects in turn its executive bureau by selecting its composition among board members within fifteen days of the founding assembly meeting. The documents to be deposited in the file include:

1. A list of the founding members with their full names, number of ID national card, age, personal address, profession, work place, and signature;
2. The trade union By-Laws with the signatures of the board members duly certified by the relevant real estate office;
3. Minutes of the elections of the board and selection of the executive bureau;
4. A list of the board and executive bureau members, with their title within these two organizational levels, age, profession, place of residency, and name of work place.

The relevant administrative body has to deliver to the trade union representative a copy of stamped minutes stating the deposition of the file as well as official letters addressed to the bank chosen by the organization, and the Authority of Civil Affairs authorizing the accreditation of the organization's stamp; another letter is addressed to the General Authority of the State Print House in order to publish the trade union By-Laws and the minutes of admission in the Official Journal.

Since the 14th of July meeting with the Minister of Labor Force where he committed himself to speed up the process of registration for new trade unions under the pretext that he considered the issues raised as "insignificant problems" that can promptly be solved; however, the new applicants were faced by justifications and demands unrelated to the provisions of the Law such as the formal approval of business owners backed by the official stamps of the enterprise where members of the trade union are employed on the documents accompanying the file which is in real contradiction with Convention 87 and a violation of the freedom of organizing. Moreover, a stamp was requested on every page in the By-Laws by the real estate office; nonetheless, employees in the public administration abstained from agreeing with the request because the practice is not compatible with their system of work.

After discussions during the negotiations had proved that these requests were unrelated to the Law, trade unions had to face additional demands such as: trade unions should hold new general assemblies as there was a gap exceeding fifteen days between the previous meeting and the

deposition of file. This demand was odd taking into account that we had presented evidence that representatives have attempted to deposit the files within the deadline mentioned by the Law but were confronted by the refusal of the Administration to accept them.

Needless to say that all these practices on behalf of the Ministry and its affiliated bodies do not merely deprive workers from their right to establish their organization, but also lead to totally abolish the enjoyment of such rights included in the Law. How workers would be willing to engage in these procedures when they know in advance that they will go through a dead end path?

Secondly; Trade unions with a pending status

The status of many trade unions remains pending and their procedures of registration are not finalized despite having applied within the legal delays and presented complete files similar to those of other trade unions that have been registered and granted the legal status, even sometimes despite missing documents in their applications.

During negotiations with the Ministry, the following cases were discussed

- The general trade union of workers in the Real Estate Tax Authority and eleven trade union committees of workers in the same Authority in eleven governorates;
- The trade union committee of workers in Bibliotheca Alexandrina;
- The trade union committee of workers in the Egyptian Company of Communication;
- The trade union committee of workers in the directorate of education in Eastern district of the city of Mansourah.

The pretext advanced by the Ministry of Labor Force was that these organizations had exceeded the deadline for applying (16 March to 15 May 2018) while they had actually all deposited their files in due time either by hand, by sending a warning through an official clerk, a certified mail, or a statement at the police station documenting the fact that the directorates refused to accept the application presented over one year and a half before.

However, the Ministry persisted to argue that the solution for these pending cases was to reapply in the capacity of newly established trade unions. Despite the problems it raises for their bank accounts and the prejudice caused to their moral rights, we agreed to comply with this request in order to contribute reinforcing the chances of success for the negotiations and upon the promise that the problems resulting from this solution will be solved successively.

Then responsible in the Ministry raised the issue of double membership for the trade unions of workers in the Real Estate Tax Authority (composed of a general trade union and eleven committees) and the workers in Bibliotheca Alexandrina despite being totally aware that the trade unions affiliated to the "governmental" General Federation use the name of workers – without informing these - in several settings to be included in the lists as part of their membership. This practice goes along with the long tradition of automatic quasi compulsory membership in trade unions that lasted for decades. Nevertheless, we reached the consensus of cleaning the list of membership presented by workers in the Real Estate Tax Authority from any duplicate affiliation in order to speed up the process of registering these trade unions and examine later the excluded cases.

As of the trade union of workers in Bibliotheca Alexandrina, we clarified that there was no problem of duplication in this case because the documents presented include individual membership applications in the organization for each member, duly signed and stating that its owner is member in this trade union only and not affiliated to any other one, and that in case his/her name was included with the lists of another trade union this should be considered null and void. While governmental responsible agreed at the beginning to consider these application forms sufficient, they got back on their word pretexting that the forms were too old (signed on March and April 2018) and some applicants may have joined meanwhile a trade union affiliated to the General Federation; therefore, they asked the members to fill new application forms. In order to support the

success of the bargaining process, new forms were filled, but this did not solve either the problem of registration.

Regarding the trade union of workers in the Egyptian Company of Communication, there was no problem of double affiliation because their file included a list of members extracted from the Company's payroll showing the data related to the deduction of membership fees in their selected organization. Here, the Ministry raised another legal problem pretending that as a professional trade union, it had not the right to include members from more than one governorate. We argued that this is not a professional trade union but categorized according to the Law as the trade union of an enterprise, but the Ministry requested to postpone the matter in order to re-study the case; the delay was never reached until now!

Thirdly: Freezing the status of number of trade unions prevented from holding general assemblies and having to wait indefinitely to hold the delayed elections

Article 30 of Law 213/2017 stipulates that the general assembly of trade unions is the supreme authority responsible of developing its policies and monitoring all aspects of its functioning according to the provisions of its By-Laws, and mainly: (e) electing members of the board through secret and direct ballot, (f) voting of no confidence against some or all members of the board or its executive bureau. The regular general assembly should be conveyed at least once per year; an extraordinary general assembly might be conveyed for emergency reasons upon request from the chairperson or by two thirds of board members or one third of the general assembly members.

Article 64 of the Law specifies that trade unions have the right to develop their own By-Laws, administrative and financial regulations, freely elect their representatives in compliance with the provisions of this Law, organize their internal affairs, conduct activities, and elaborate the consequent operational plan; moreover, public authorities should abstain from any intervention that might impede this right or obstruct its legal practice.

Article 7 of the Law Executive Regulation indicates that the administrative authorities or the relevant ministry are forbidden to dissolve a trade union or stop its activities, restrict the right to independently develop By-Laws, prevent from freely electing the workers' representatives, organizing the internal administration, conduct their activities or elaborate their plan of action.

While all the mentioned articles confirm the inalienable right of the general assembly to take decisions concerning the modalities of trade unions' internal life and freely elect its representatives, we find ourselves one more time confronted with ambiguous conditions preventing some trade unions from holding a general assembly meeting in due time as specified in the ministerial decree number 37/2018. This resulted in suspending the status of these organizations until now.

As general assemblies are the supreme authority in electing its representatives or dismiss them, trade unions that were prevented from conducting the elections proposed to convene an extraordinary general assembly to elect a board (even on a temporary base) enabling of assuming its responsibilities in order to conduct their activities and be able to achieve their mission. Nonetheless, the Ministry and its directorates prevented the organizations mentioned below from holding a general assembly or refused to sanction their decisions whenever they succeeded to convene a meeting:

- The professional trade union of drivers' services in the province of Qalyoubiah;
- The trade union of fishermen in the province of Damietta;
- The trade union of workers in the Real Estate Taxes Authority in the province of Fayoum;
- The trade union of workers in the Real Estate Taxes Authority in the province of Qalyoubiah;
- The trade union of workers in the Real Estate Taxes Authority in the province of Ismailia.

The status of these trade unions is kept pending by the Ministry and the related negotiations were also suspended under the pretext that the Ministry will organize complementary elections that remain in fact indeterminately delayed.

One of the important defects of Law 213/2017 is that the electoral system has been literally copied from the previous Law; this practically means that elections are conducted during a single day in all work places directly monitored by the Ministry of Labor Force with the presence of a judge in each general electoral committee. These rules have led to wide interventions during the ballots with hundreds of candidates disqualified and the abolition of elections in some committees especially when it came to independent trade unions. It is also contradictory to the terms of the Law that includes several articles confirming the legitimate right of general assemblies to elect their representatives beginning with the right to decide the timing of the meeting according to the rules set in the Law and its Executive Regulation.

Article 4 of Law 213/2017 stipulates that all workers without discrimination have the right to establish trade unions, freely join or withdraw from these organizations according to the conditions laid down in the Law and its Executive Regulation and in compatibility with their own By-Laws. Article 4 of the Law Executive Regulation mentions that each trade union holds a legal personality independently from other organizations; the inferior level of trade unions (i.e. trade union committees) has the right to join/or withdraw from another upper level, or to conduct activities individually without joining any other trade union.

While the decision of joining or withdrawing from an upper level of trade union is solely the right of the general assembly, in the case of the **trade union committee of workers in the Real Estate Taxes Authority in the province of Suez**, members were stunned by the unilateral decision of their board to join the general trade union of workers in finances, taxes and customs affiliated to the governmental General Federation. An extraordinary general assembly was conveyed upon request of over two thirds of its members to take a decision regarding this issue and adopt a vote of no confidence in the board. The meeting ended with the refusal of joining the general trade union mentioned above and withdrawing confidence in the board that violated the Law as well as the organization's By-Laws. Despite the fact that the memorandum of refusing a decision taken in their absence was signed by over two thirds of general assembly members, the directorate of labor force in Suez persisted of ignoring the will of the general assembly and refuses to enable the convening of a meeting.

The Ministry responsible suspended also negotiations about this case until they listen to both parties, a step again indefinitely delayed.

Fourthly: Established trade unions or having readjusted their legal status denied by the administrative bodies the receipt of necessary letters enabling them to play their role and run their activities

According to paragraph 3 in Article 18 of the Law, the administrative party is supposed to deliver to the representative of the organization an accredited statement proving the deposition of the application as well as the necessary letters to operationalize the trade union and enable the activities to take place; however, directorates of labor force refuse to provide these letters even though with trade unions that were duly established and deposited their applications in May 2018, i.e. over one year and a half ago.

At the beginning, the administrative party pretended it had to wait until the end of trade union elections in order to deliver the letters; then, the pretext was the absence of directives from the Ministry to deliver these letters until pressures reached the extent of attempting to force independent trade unions joining the governmental General Federation.

This happened with the following trade unions

- The trade union of workers in education in the province of Qena;
- The trade union of workers in Qus department of education;
- The trade union of workers in Luxor International Hospital

The Ministry didn't present any justification during the negotiations considering it was an "easy matter" that can be solved through direct contact with the directorate and conclude an arrangement with them; but this insignificant matter was never solved to date.

Fifthly: Trade union members prosecuted or threatened of being sued

Supposedly, during a bargaining process any aggressive measures should be stopped in order to prove good will and enable building mutual trust. To our stupefaction, Naga Hammadi office of attorney engaged an investigation against the president of the trade union committee of workers in education in the province of Qena on the base of an accusation sent by the labor office of the city. The office of attorney transferred the case to the Court of Misdemeanor and a court session was scheduled for November 16 2019 under the accusation of leading a non-registered trade union and without possessing the necessary letters to operationalize the organization.

It is important to note here that this trade union committee has deposited its application since May 2018 and obtained from the directorate of labor force a receipt but didn't succeed to get a stamped statement or the necessary letters to achieve the matters related to practical operationalization of the organization.

Simultaneously, the directorate of labor force in Ismailia sent a letter to the trade union committee of workers in Suez Canal Authority clubs threatening that it was preparing to send them to judgment upon request of the Ministry for producing false information.

This trade union committee had attempted to obtain the letters enabling to operationalize the organization, mainly in order to open a bank account; however, the directorate of labor force informed them that they wouldn't get these letters unless they become members of a general trade union which is a request in contradiction with the provisions of the Law. Consequently, the trade union committee applied to join the general trade union of workers in transportation and services (not affiliated to the governmental General Federation) through which it succeeded to obtain the needed duly stamped letters. The Ministry refuted this affiliation on the base that the two organizations belong to a different category of work. Although this represents an intervention from the administrative party, the trade union committee complied with the Ministry opinion and decided to revise its decision of joining this general trade union, by withdrawing from its membership.

This didn't stop the threats conveyed by both the Ministry and the directorate of labor against the trade union committee, with requests to return back the letters obtained from the directorate and accusation of providing false data. Thus, the pressures exerted against independent trade unions are reaching the level of prosecuting their members.

4) Arbitrary measures against workers and their leaders

2019 witnessed a series of persecution and harassment practiced against workers claiming to obtain their legitimate rights; tens of workers were arrested and sued before courts accused of instigating to strike and disturb the public order; many of them were punished by sentences of detention. In parallel, the pattern of conflicts between companies' administration and workers augmented as a natural consequence of the lack of dialogue and the negation of collective bargaining within the current economic crisis, rise of prices combined with modest salaries. In the meantime, the government and companies' management deal with these problems under the logic of negation and resort to violence for dispersion with the help of security forces without any attempt to learn the reasons or holding real intention to find solutions. During 2019, several crises emerged such as that of temporary workers, termination of workers without giving them their dues, forcing workers to move to other factories far from their place of residence without allowances for transportation or preservation of their rights for social insurance. Some workers also complained from attacks perpetrated against them (insults and in some instances beating) by chairmen of boards as in the case of the director of Minia El Qamh public hospital, besides the arrest of several workers without any legal support with totally irrelevant prefabricated political accusations.

Strike of workers in "El Beida" weaving and spinning factory in the county town of Kafr El Dawar for delayed salaries and raises

Tens of workers at "El Beida" weaving and spinning factory in the county town of Kafr El Dawar, province of Beheira from factories 1, 2 and 3 including the departments of ready garments and maintenance entered in an open-ended strike late December-beginning of January. They organized a sit-in on the ground of the factory and at the entrances inside the walls of the company to protest against the delayed disbursement of their salaries for the previous month as well as not obtaining the annual raise amounting to two months of salary disbursed at the end of each calendar year with the celebrations of Christian colleagues.

Workers requested State responsible, monitoring bodies, the holding company and the attorney office for public funds to investigate with the factory administration about the misuse of resources leading to the delay in disbursing salaries and share of interests on due time causing problems regarding their commitments towards banks. They also confirmed that they will pursue the strike inside the factory until receiving their financial dues.

Security forces arrests seven workers from "Hassan Allam" company and put them in detention for one month

Number of workers in Nasr General Contracting Company "Hassan Mohamad Allam" (a public sector company) organized a sit-in on January 2nd and 3rd 2019 to protest against the deduction of 20% of the salaries for around 400 workers employed in various residential settings located in "El Shorouq" compound. These events resulted from the fear of losing jobs as some of them were notified of termination.

On January 18 2019, engineers and workers of the Company in the new administrative Capital went into sit-in in protest against the delay in receiving salaries for three consecutive months. An agreement was concluded with the company management to pay half of their dues, i.e. the equivalent of one month and a half; however, the bad surprise was that the monthly allowances were reduced by 30% as punishment for having organized the protest sit-in in the headquarters of the company located in Abbassya district in Cairo and suspension of work.

On March 4, workers and executive supervisors organized a protest sit-in in front of the company headquarters causing traffic jam in the street.

On March 7 2019, security forces arrested seven workers in the Company and took them at El Wayli police station in retaliation of the protest, the names of arrested workers include: Mostafa Abdallah Mohamed, Mohamed El Sayed Mahmoud, Ahmad Abdallah Mohamed, Ahmed Labib Rashed, Rabie Massoud Abbad, Adel Mohamed Ahmed Omran, and Talal Atef Abul A'ta (board member of the trade union committee) who was threatened more than once because of his active trade unionist role inside the Company.

The Company administration had sent its financial officer to meet the protesters and reassure them that their claims were legitimate; in the meantime, the Company was filling official complaints against workers. The public prosecution decided to detain workers despite the absence of any proof confirming the accusations and the movement of protest lasted for three weeks between the work setting and the Company headquarters.

On April 30 2019, the Misdemeanor Court of Appeal in Sharabia district decided to jail the seven workers for thirty days on the base of instigating colleagues to protest.

However, Cairo Criminal Court decided on May 16 2019 to abolish the decision of the Misdemeanor Court of Appeal and release the workers.

Workers in "Ceramica Madrid" terminated with no rights

Workers in "Ceramica Madrid Company" located in the industrial zone of "Bayad El Arab", west bank of the Nile in Beni Soueif province, organized two sits-in in January 15 and 20 in front of the labor directorate to protest against the closure of the factory for over one month and termination of service for all workers with no clear reasons, and without giving them their financial dues since January 16 2018.

The vice-head of the labor directorate in the province met with a group of workers and learned that the employer had stopped work in the factory without giving them their dues while they request to return to the factory and resume work. The directorate then contacted the employer to enquire about the reasons of stopping work; he replied that it was due to economic reasons and pretended that he gave workers their full rights. The employer was requested to come to the headquarters of the directorate, but he didn't respond to the invitation; the vice Minister met with some representatives of the Company but no solution was reached.

Workers in the General Federation of Egyptian Trade Unions protest against the late payment of salaries

On January 28 2019, workers of the General Federation of Trade Unions in the provinces of Beheira and Gharbia organized a sit-in in the Federation headquarters located in Cairo protesting against not receiving their salaries and bonuses for four consecutive months since October 2018 in addition to the bonuses amounting to 20 months that were not disbursed in 2017 and 2018.

Workers from Beheira announced that they were heading to the headquarters and Gharbia workers showed solidarity with them and approved the decision of calling for protest in the headquarters as they didn't receive their salaries for two months and the bonuses since May 2018.

The request of the protesters was to be treated equally with their peers in the headquarters who are regularly paid on a monthly base.

Mohamed Wahab Allah, secretary general of the Federation promised the protesters that the salaries of Beheira workers would be paid during the period 20-26 February 2019 to be assumed according to the following distribution: two months by the president of Beheira Federation, two months by the head of the trade union of workers in education and scientific research, and the remaining month by the head of the trade union of workers in construction and woods.

On the other hand, workers in Ismailia branch of the Federation presented an official complaint to the President of the Republic on January 20 against the General Federation for not being paid five consecutive months beginning from September 2018, requesting an intervention by the President to solve the crisis and protect them and their families from hunger; consequently, the Federation headed by Gebaly El Maraghi decided to disburse two months off the five without bonuses.

Strike of drivers at the Company of potable water and sewages in Shebin El Kom

The strike took place on January 30 2019 to request adjustment of the professional status, increase in the bonuses of reward, benefits and contraventions collected; the governor of Menoufia province met several workers to get acquainted with their problems and requests. During the meeting that included the president of the Company and the head of the trade union, the governor asked workers to stop the strike with a promise of examining all the demands in light of the policing regulations and laws.

Strike in "Farm Frites" Company for the increase of raises

On February 1st 2019 workers in the International Company of agricultural production and processing "Farm Frites" for vegetables in the province of Sharqia begun a strike requesting the increase of regular raise of salaries from 12% to 18%. The directorate of labor force in the province moved to the Company headquarters in order to negotiate the issue with the workers and the Company's management.

Journalists in political party newspapers organize a sit-in

Journalists organized on February 3rd a sit-in on the stairs of the Syndicate of Journalists requesting to speed up the process of obtaining the authorizations allowing the creation of a website for them.

They chanted slogans against the head of the Syndicate accusing him to paralyze the creation of the website; the president of the Syndicate met the protesters who declared that their demands included the necessary authorizations to launch the website, a specific scale of salaries and the establishment of a trust fund in the name of political party newspapers.

Inflexibility of "Bedico International" Factory owner with workers

The workers in the Factory for weaving and spinning in the 10th of Ramadan city, province of Sharqia, organized on February 17 a sit-in to protest against the closure of the Factory, and their deprivation by the administration from getting the annual raise and the bonus of productivity.

The overall annual raise and the incentive of productivity amounted to 350 pounds for each but what they got instead was 90 pounds; this led them to initiate a strike until they will obtain their legitimate rights, but the Factory administration didn't comply with these demands, chased the workers away and decided to close the Factory without any concern about their living conditions.

Workers threatened to engage in a hunger strike in front of this stubbornness, and requested the intervention of the State.

Temporary labor force in "Magawish" village deprived from getting a permanent status

Workers in the touristic village of Magawish located in Hurgada organized a sit-in on February 17 2019 demanding to obtain permanent work contracts, and be informed about their status after the

closure of the village; they also informed the police of tourism to prove through an official document the peaceful character of the sit-in.

Misr Company for Tourism, owner of the village, had announced it did not need the temporary labor force after the complete closure of the village mid December 2018 in order to improve the compound; the Company declared it was unable to pay salaries during the period of closure and did not intend to transfer these workers to another setting.

These temporary workers have served for over ten years and remained with the same temporary status in addition to the decision of firing them.

Workers in "Magawish" village appealed the President of the Republic to intervene in order to solve the problem, arguing that they have families and children at school and that the measures of termination will result in the collapse of their homes and wandering for their children.

Workers in the Arab Company of Aluminum striking to obtain an improvement in the quality of health services

Over 350 workers, employees and engineers stopped working in the headquarters of the Company located on the desert road Ismailia-Cairo close to the principal industrial area. The strike took place on February 18 in protest against the deteriorated health services and the neglect of their claims by the administration.

Workers notified the responsible of labor force in the province who assigned a commission to move immediately to the factory in order to enquire about the complaint.

One of the workers had a surgery costing 90,000 pounds but the Company compensated him with 45,000 pounds only; moreover, workers do not receive any bonuses since two years and are exposed to difficult conditions; this pushed them to request the improvement of the health conditions and the compensation of the worker mentioned earlier according to the provisions of the Labor Law; finally, workers declared they will pursue the strike until their demands are met.

Sit-in of the collectors of commissions in the Company of potable water and sewage, Giza

A number of collectors of commissions in the Company organized a sit-in requesting work contracts after having failed several times to meet the chairperson in order to expose their problems.

Many of the workers have entered in service for two to three years and even for over four years in some cases; the lack of work contracts deprives them from any benefits while others who were on a training fellowship have obtained work contracts after only six month in the Company.

Sit-in of workers in North Delta Company for the distribution of electricity

Around 2000 workers joined a sit-in inside the Company on February 24 complaining from the delay in disbursing the allowance of operations and the reduction of incentives that used to exceed 75% and was lowered to 15% in addition to the policies of Mohamed Assal, new head of the Company, who decided to extend the working hours from 9AM to 8PM, and stop the purchase of necessary supplies for work resulting in fights between employees and subscribers.

On one side, the chairperson neglected these demands declaring that he will not accept them and on the other side employees requested his dismissal and the abolition of his decisions.

Forged accusations against workers in "Exon Mobil" Company for requesting their rights

Workers in the storehouse of the Company organized a sit-in in the garage located in "Gisr El Suez" on February 25 in protest of the administration refusal to offer a compensation of six months for each previous year of service at the end of the Company's contract with the intermediary company; in addition, the administration refused to give them equal rights of those directly affiliated to "Exon Mobil".

The day after, ten drivers and employees in the storehouse of "Exon Mobil-Egypt" declared the beginning of a hunger strike while seventy pursued the sit-in for the third day with the determination of others to join the hunger strike until obtaining their rights.

The administration filled a complaint against workers accusing them to perpetrate acts of destruction in the Company, retain cars and management team by force; on this base, police officers came to inquire about the situation.

The office of attorney initiated case 10374/2019 against the following names: Mahmoud Mohamed Mohamed El Sharkawi, Fayez Attia Farag Soliman, Amr Sayed Awwad Awwad, Sayed Awwad Mohamed Rawwash requesting to punish them according to Article 375 of the Penal Code issued by decree-law 10/2011 mentioning that "Subject to any more stringent penalty prescribed in another provision, a penalty of detention for a period not less than one year shall be inflicted on whoever, personally or through others, displays force in face of another person or hints at using violence with him, threatens him with applying violence or force with him or with his spouse or one of his ascendants or descendants, or threaten to accuse him or any of them maliciously, in order to disgrace and denigrate him, or to outrage the inviolability of his intimate life or that of any of them, in order to terrify the victim or intimidate him with harming him bodily or morally or assault him indecently, or steal his money, levy a benefit from him, affecting his will in order to control him or compel him to perform something that laws does not obligate him to do, or force him to refrain from performing a legal work, or hinder the enforcement of laws, or regulations, or resist the enforcement of self-executed judicial or legal rulings, orders or procedures, so long as such deed or threat is liable to plant terror in the heart of the victim, disturb his peace, serenity, or security, risk his life and safety or cause damage to some of his properties, or interests or affect his personal freedom, honor, dignity or integrity of his will. The penalty to be inflicted shall be that of detention for a period of not less than two years, the deed or threat is committed by two or more persons, or accompanied with an animal arousing horror, or if he carries an arm or sharp tool or a stick, or any solid body or electrical article or a scalding, caustic, gaseous, stupefacient, soporific, or any harmful material".

The case was examined in a court session held on July 24 where CTUWS lawyers assumed the defense of accused workers; in the next court session held on October 23 2019, Nozha Court of Misdemeanor acquitted the four workers considering there was not proof that they resorted to force, violence or threats.

Sit-in of "Electrostars" Company workers

Around 500 workers in the Company organized a sit-in on March 4 in front of the Company headquarters located in the 6th of October city. The reason was the delay in paying salaries as well as the deduction of allowances and shares in interests.

Workers accused the administration of stubbornness in disbursing the allowance for high cost of living and the interests' share besides cancelling the account of holidays. A delegation from Giza directorate of labor force moved to the Company to listen to the problems of workers and bargain with the factory responsible in order to reach a solution.

Workers' strike in "Regina" Company

Workers in "Regina" Factory for the production of pasta and nutrition goods in Sadat city initiated a strike during March 2019 to protest against the Company decision to fire an important number of workers and transfer others to Upper Egypt. The administration had terminated the services of 65 workers and arbitrarily transferred 18 others to the storehouses of the Company in Upper Egypt. These facts pushed workers to strike in order to pressure the company abolishing the unfair decisions.

Workers in the National Company of Cement request to re-operationalize work or obtain compensations

On March 31 a sit-in was organized by workers calling to return to work or obtain a compatible compensation with the harm resulting from the governmental decision to dissolve the Company.

The Administrative Court at the State Council retained the lawsuit of workers requesting to stop the implementation of the decision to liquidate the Company to be examined in the next court session scheduled April 27 2019. The complaint was directed against the Prime Minister and the Minister of Public Sector in their capacity, accusing the successive administrations to intentionally destroying the Company and causing immense losses of public funds resulting in the stopping of operations and the wander of workers.

Sit-in of protest against a hospital director beating one of the nurses

Nurses and workers at the Public Hospital in Minia El Kamh organized a sit-in on April 8 2019; they were condemning the aggression of the hospital director against one of the nurses. The vice-Minister of Health in the province of Sharkia as well as some security and executive responsible headed to the hospital where they found a tremendous wave of anger calling for the termination of the director and holding him accountable for his action against the nurse.

The vice-Minister held a meeting with some of the workers including doctors and nursing staff as well as responsible of the hospital management and conducted sessions of hearings with the concerned parties and some witnesses. The issue was transferred for investigation by the department of legal affairs at the headquarters of the governorate and ended with the dismissal of the director.

Workers in the National Authority of Media request their frozen financial dues

Tens of workers in the National Authority of Media organized a sit-in on April 10 2019 in the building of TV research, Faycal branch during which they refused to accept getting only four months of their dues related to the raise of salary; their request was to obtain all the retarded raises amounting to around 45 months for years 2016, 2017, 2018 and 2019.

The sit-in lasted for an hour and took place inside the building as protesters were prevented from standing outside; at the end, security workers in TV convinced workers to stop the demonstration until solving the crisis; however, workers in the center of research resumed the sit-in on April 14 about the same requests but they remained totally neglected by responsible in the building.

Workers in Sulfur Company in open sit-in

Workers in the Company of Sulfur and in the Modern Company of Sulfur launched an open sit-in on April 14 requesting the release of their salaries retained over four months. The sit-in was held

inside the factory in the 10th of Ramadan where workers were carrying banners claiming for their rights and requesting information about their professional future.

Actually, since August 2018 production stopped in the Factory and the administration decided to grant the workers amounting to 472 a paid holiday pretending the shortage of material.

By the end of 2018, some stakeholders' shares were transferred for the benefit of a businessman amounting at the time to 50% of the shares besides another 50% belonging to the Arab African Bank that quickly gave up; possessing the totality of shares, the businessman begun to sell some of the fixed assets besides the print house that was the property of the group of factories affiliated to the Company.

The new owner promised to solve the problem of salaries and schedule the months that were not paid; however, he never kept his promises.

Protest of workers in "Cleopatra Factory for Cement" for reduction of their financial dues

Workers organized a sit-in on April 15 2019 to protest against the reduction of their financial dues and the ambiguity about the insurance status of 172 workers.

"Minia Cement Factory" was recently sold to "Eemar Company of Industries" after being previously affiliated to Helwan Cement Company. Four month ago, it became "Cleopatra Factory for Cement".

The factory was sold five times before, and every time a collective agreement was concluded securing the rights of workers who obtained advantages even after the institution was sold by the State; however, things got differently this time.

The new management did not acknowledge previous workers' rights and reduced the monthly allowance of nutrition from 650 to 150 pounds. While health care of families was granted before, the new administration concluded an agreement with an insurance company who imposed paying some fees in order to obtain specific health services.

In addition, the regular incentive pending on the reports of performance evaluation as well as the 7% raise decided by the government were not disbursed; furthermore, the cost of daily meals for those working extra hours was reduced from 35 to 20 pounds per meal.

Two of the retired workers were struck when they went on pension and learned that they would not get their end of service due of 220,000 pounds as well as a document of joint responsibility because they were not found registered under the system of social insurance. They went to Helwan Factory of Cement to find out what was going on, but they never obtained their rights.

With regards to the issue of social insurance, the coverage of workers was made in the name of Torah Portland Cement Factory in the 15th of May city and they couldn't get a way to transfer their files to the new location of the Company. Cleopatra Cement Company proposed to open a new subscription of workers to the scheme of social insurance, but those refused as this meant for them the loss of previous long years of work benefits.

Through mediation of the Labor Force Ministry, negotiations were conducted with the participation of the factory trade union committee, the administration of Helwan Cement Company, and the administration of Cleopatra Cement Company. Workers raised the issue of their rights regarding the benefits of past years, the right to sell the houses of Agami, Gamassa, and in the residential compound of workers; they also discussed the social insurance status, but all this remained useless.

Workers notified the labor force office, the general trade union of workers in construction and woods, the national security services in Minia, and the governor of Minia ten days before the sit-in, but the chair of the Company decided a partial closing of the Factory in order to disburse only the basic salaries of workers while the factory is working with full potential.

The sit-in lasted ten days and the administration decided on April 20 to fire 88 workers on temporary contracts.

Open strike of workers in "El Amriya Pharmaceutical Company"

Workers entered in an open strike on April 17 2019 after 45 of them were arbitrarily dismissed with threats of dismissing others and dissolve the trade union committee.

In a statement, workers documented the facts and declared that their strike resulted from the administration practices conducted under the pretext of improvement; they also documented the attempts to lock up 45 workers in "Borg El Arab" branch after summoning them to leave "El Amriya" and present their resignation under threat of retaliation.

A delegation of El Amriya labor office went to investigate the complaint presented by workers; the administration requested from workers to resume work but they refused to comply before the return of their dismissed colleagues and obtain guarantees that no worker will be dismissed or forced to quit from work or arbitrarily transferred to other settings.

"Freecool" workers protesting

Workers in "Freecool" organized on the 1st of May 2019 a sit-in that lasted ten days in front of the Company headquarters located in 10th of Ramadan city; they were protesting against the management's refusal to allow them conducting their professional activities inside the factory in order to transfer them in another company affiliated to the same administration.

Workers were surprised to find the doors of the Company closed despite the ongoing negotiations between a delegation from the Ministry of Labor Force and the employers in order to solve the problem presented in a memo endorsed by 481 workers to the labor office.

Actually, workers refuse to be transferred fearing to lose their rights related to long years of service with the current Company, requesting their dues before leaving especially that the new company does not need this important number of workers.

Three victories achieved this year by "El Mehalla" workers

On May 8 2019, workers in "El Mehalla" Factory of Weaving and Spinning engaged in a strike to protest against the delay in disbursing their salaries that were due on the 5th of May as well as the one and a half month of incentive before the month of Ramadan and the 15 days of share in interests from last year.

Next day, the Factory administration concluded an agreement with the workers including the payment of a month and a half bonus and fixing the dates for the payment of salaries to 10 and 25 May. In addition, it was agreed that the delayed 15 days from last year will be disbursed on four installments every two weeks.

This strike was preceded by a strike of two days beginning 26 February 2019 to request the payment of salaries due since February 19. The administration gave directives to disburse the salaries and promised to never postpone payment of workers' dues. However, the same scenario was repeated with delay of payment from March 19 to March 25 when workers of factories 6 and 7 decided to enter in strike obliging the Company's administration to replicate what it was compelled to do in February.

Workers in "El Gawhara Ceramics" Factory present a memo to the directorate of labor force

On May 14 2019, eight workers submitted a memo to the directorate of labor force in Sadat city complaining from their termination under the pretext of instigation to strike and paralyzing work.

The complaint indicated that this was an arbitrary decision and confirmed that they never called for a sit-in or strike as argued by the Factory management.

Actually, after the second shift, these workers were discussing together the mediocrity of their salaries that were not raised for years, including the limited amount of productivity incentive covering few months instead of the whole year; next day the eight workers were fired for instigation to strike while there was no attempt to stop a single engine.

Strike of workers at "Alexandria El Zahran" Company

"Alexandria El Zahran" Company workers begun a strike on May 21 2019 for not receiving the incentives and the Feast bonus; meanwhile, they appealed the President of the Republic, the Prime Minister and the governor of Alexandria to help them recovering their rights.

The Company had contracted an agreement with another company to import tools and chains of production that limited the scope of work to aluminum only.

Striking workers were against the partnership with the other company; accordingly, "El Zahran" refused to give them their dues in addition to reducing their salaries.

Strike of workers in the Print House of the General Authority of Book

These workers went on strike in May 25 protesting against the behavior of the Authority's president who had insulted them and pronounced indecent words when they asked for raise of salaries.

They crowded together in front of the president's office headed by a number of trade union members to convey their demands regarding salaries and a revision of the regulation of allowances; but the president's reaction was intentionally offending leading workers to stop working for extra hours and grant the administration a delay ending on May 29 to respond to their demands, otherwise they would intensify their action.

It is important to note that the Authority's president continue to occupy his position in contradiction with the Law, as he has ended his four years of delegation in this institution and was practicing strong pressures on the workers to work more in order to bring important benefits for the institution.

Workers insisted to remain limited to the basic working hours and refused to perform extra work related to the private sector contracts that bring higher benefits.

They also requested to align salaries with the Ministry of Finance scale of salaries and remove the surplus of 85 additional days to the salary which is resulting in freezing raises.

During the partial strike observed, the management proposed the disbursement of 150 pounds deducted from the salary and incentives representing 175% of the basic salary but this proposal was refused by workers who stuck to their position.

In an attempt to disperse the ranks of the strike, the administration proposed to raise the salary of specific departments at lesser rates than others.

Meanwhile, the head of the printing sector sent a memo to the general director of operations requesting to speed up the production of some commercial books and magazines expected to be marketed soon.

The answer of workers was to provide the head of the sector with the copy of a previous memo signed by him when he was monitoring the general department of operations and production stating that commercial work should be performed only during official hours.

Strike of workers in Fayoum Company of Sugar

Workers in Fayoum Company of Sugar started an open strike on May 25 2019 in protest against the corruption of the administration, requesting the dismissal of its responsible leading the Company to incur substantive losses and claimed to obtain their share of annual benefits. This was accompanied by threats on behalf of the Company security chief to fill official complaints against some workers' leaders in case the strike was not stopped.

The determination of workers to pursue the strike was due to fear of experiencing the same destiny of other big companies that were liquidated because of losses or intentional policies of destruction.

Workers called for the termination of the factory director's service accused of squandering millions of pounds by reforming lands inside the factory, and plant it at the expense of external contracts of beetroots leading to the absence of contracts for the following year.

Accusations of workers are also addressed to the general director of agriculture who forced farmers to buy rotten agricultural herbicides against bribes from the Company of herbicides.

Additionally, workers refer to the neglect and corruption prevailing in the department of transportation engineering that hires seasonal drivers for derisory salaries and use workers below the requested standards causing the damage of tools, the most prominent example being the burning of an important vehicle which repair costs amounted to millions of pounds; moreover, the lack of maintenance services in the factory obliges resorting to outside purchases and repairs

In a statement, workers confirmed the following demands:

Dismissal of the responsible of squandering the Company funds and enabling loyal experts to play their role;

- Disbursing the entire share of workers from benefits estimated at 10% of last year total benefits;
- Dispossessing the administrative director from his post for his provocative attitude towards workers;
- Dismissal of the Company security chief for his lies about workers with security services, relying on his previous post and acquaintances in the Ministry of Interior;
- Return of all agricultural engineers to play their role in contracting farmers for the harvest of beetroots after their removal led to an acute lowering of contracts that might result in the failure of the Company next season;
- They also mentioned being threatened of retaliation by the Company security chief in case of interacting with the media and releasing news about the strike.

Sit-in of employees at "Top Business" Company

On 27 of May, employees of "Top Business" Company for Supplies at "Cement Portland" Factory southern Minia province organized a sit-in inside the administrative building to protest against being deprived from any annual raise since 2015. They did not receive either any bonuses in feasts and other events similarly to the other employees, are deprived from meals although working 12 hours per day, do not benefit from the cooperative of social housing affiliated to the Company, and receive only partial health coverage.

Strike of cleaning workers in the district of "Hadaek El Kobba"

Cleaning workers in the Company of Cleaning responsible of "Hadaek El Kobba" district in Cairo went on strike beginning of June 2019 when the Company abstained from releasing their salaries for over one month causing a problem of cleanliness in the streets of the district.

Two sits-in and arrest of 7 workers in the railways

Tens of workers in the Egyptian Company of maintenance and services of the railways organized on the first of June a sit-in to request the payment of an incentive of 1750 pounds in addition to 250 pounds annually granted. This led to the intervention of the head of the Railways Authority and the president of the general trade union of railways' workers who succeeded to convince workers dispersing the sit-in and an amount of 1000 pounds was given to everybody.

On the sixth of June seven workers were arrested, accused of instigation to demonstrate on the base of a statement filled at the police station.

On the other side, number of workers affiliated to the Railways Company for Comprehensive Services of Cleaning and Administrative Insurance had organized a sit-in on May 23 2019 requesting raise of salaries as to reach the minimum salary legally set and expressed refusal of the scale of incentives stipulated by the State laws.

Actually, the salaries of these workers amount to 850 pounds, the majority of them working 12 consecutive hours daily besides the lack of transportation allowances for workers living in other provinces. One of the main reasons behind the sit-in is the existing discrepancies between the salaries of workers, especially for those in administrative positions.

Sit-in of workers in the sector of school nutrition

On June 11 2019, workers in the sector of school nutrition protested in front of the Ministry of Agriculture requesting the application of minimum wages and be provided permanent positions.

The claims of the protesters were to cover 6000 workers in nine provinces working since 1998 and obtaining a salary of 900 pounds within the rising rates of inflation affecting any employee.

The police sent several buses of central security forces to secure the building of the Ministry as well as its main entrance where protesters were grouped.

Strike of workers in "Misr-Espania" Company

After the failure of the Ministry of Labor Force and the governor of Qalioubia to solve the conflict with the owner of the Company, workers in Shubra El Kheima branch of "Misr-Espania" for the production of blankets and textiles entered on strike.

The Company had notified workers of the closure of Shubra El Kheima branch and transfer of workers in its new branch located in the industrial zone of Sadat city.

The employer declared that the transfer was compulsory without any additional dues such as transportation allowances for travelling between two provinces, obligation of signing a resignation before moving and accepting a new temporary contract annulling the previous permanent contracts in contravention to the Law.

When some workers refused to move because of their old age and the lack of Company hostels to lodge them in the new setting, the employer refused to give them any of their dues. For these reasons, workers announced a partial strike before the employer stubbornness and his threat to

contact the National Security. From their side, workers filled a complaint at Shubra El Kheima police station and pursued the strike in order to recover their rights.

The arrest of the activist Hassan Barbari

Hassan Barbari, human right defender who raises workers awareness about international conventions and national legislations besides being the director of the Egyptian Forum for Work Relations (an advisory and technical company) and not accounted on any political group, was arrested on the eve of June 24 2019 by an invasion of security forces to his house; during his arrest, all electronic devices were confiscated (computers, cellular phone, etc.); he was then taken to his office where all the papers, documents and work contracts were sequestered in turn. Next day, he was accused under State Security case 930/2019 known in the media as the "Hope Alliance" with similar charges to all those arrested, i.e., joining a terrorist group and funding terrorism.

Arrest of the Labor trainer Ahmed Tamam

Ahmed Tamam, trainer of workers and human development who participated in several training activities with ILO in Cairo, was arrested on the 26th of June under case 930/2019 "Hope Alliance" with the same charges of others; the order of his detention continue to be renewed.

Workers in a touristic compound organize a sit-in

Tens of workers in the touristic village of "Magawish" organized a sit-in on June 26 for having been unpaid several months; they also filled a complaint at the police station as well as at the labor office of Sharm El Sheikh requesting the intervention of officials.

The touristic village was exposed to financial difficulties with the owner; this led workers to conduct several sits-in in order to obtain the disbursement of their salaries, especially that they were exposed to lose their residencies as a consequence of not paying the cost of rents due to landlords.

Sit-in of workers in the National Factory of Iron Industries

Workers in the National Factory of Iron Industries located in the 6th of October city organized a sit-in during the last week of June 2019 requesting the payment of retarded salaries.

The crisis had begun when the Egyptian billionaire Nassef Sawiris, owner of the Factory, decided to sell the Factory and transfer workers without compensation to his Factory in "Ain El Sokhna". He also threatened those opposing his decision to abstain from paying their salaries or any other benefit.

Strike of workers in the National Company of Printing and Distribution

Workers of the Company located in Misr-Helwan Road organized both a sit-in and a strike on July 1st after receiving a memo stating without any explanation that they will be paid half salary.

Around 270 workers out of 580 participated in the sit-in and some of the demonstrators made a statement at Dar El Salam police station while others headed to the general trade union. The vice-general director of the Company was present at the sit-in where he expressed his fear that the demonstration and strike would harm workers; however, the latter pursued their sit-in. Despite the directives of the vice-general director of payment, salaries didn't reach nor the Company's bank accounts or those of workers.

During Ramadan 2019, workers had received only one half of the Ramadan bonus after reiterated requests; at the end of the month they were deprived from the bonus of the Feast until they were informed about the decision of getting half salaries in July.

In May 2019, Ahmad Rashad, one of the workers in the Company, had collected from his colleagues signatures of non-confidence in the trade union considering that it does not show any solidarity with the demands of workers; this resulted in submitting Rashad to investigation by the trade union and suspending him from work for two months.

Workers are striking since July 16 2019 calling for the following:

- Increase the allowance for high cost of living from 10 pounds to 200 pounds;
- Add the social raise amounting to 200 pounds to the basic salary;
- Increase the share of benefits from five to six months and a half;
- Increase the daily net fees from 225 to 300 pounds;
- Retire workers over age of sixty;
- Adjust the salaries of graduates;
- Repair floors and lighting in the Factory;
- Grant holidays in due time;
- Apply to all workers the administrative incentive amounting to 75 pounds;
- Purchase good quality of cotton material;
- Account the fees of daily workers on the base of production;
- Implement contracts for daily workers or improve their fees.

Arrest of four workers from Minia El Kamh Factory of Weaving

Security forces arrested from their homes four workers in the Factory of Weaving on July 20 2019 on the base of the strike conducted by the Factory workers; the arrested people include Omar Farouk Saad, Emad Mansour, Islam Yehia and Ayman Othman. News was reported about two other arrests: Eid Fahim and Mohamed Shaaban Mohamed.

Sit-in against corruption

Workers and members of the administrative staff in "Dar El Helal" institution of journalism went on a sit-in in 5 August 2019 inside the headquarters of the organization to protest against the non-payment of their full dues; the sit-in took place after the seclusion of Magdi Sabla, president of the board, by the National Authority of Journalism; the man was submitted to legal investigation in financial contraventions that the National Authority considered as a major reason behind the losses incurred by "Dar El Helal" for journalism.

Protesters requested the implementation of the Authority's decision to disburse the salaries pending since April and the remaining 25% of benefits that were not paid in the first installment as well as the incentive for workers and the raise of salaries.

However, the surprising fact was that "Dar El Helal" for journalism disbursed only the amount of 600,000 pounds while the actual dues are evaluated to two millions and 100 thousand pounds, exacerbating the anger of workers and employees and leading to the sit-in.

The National Authority decided to address the demands formulated against dispersion of the sit-in by paying 12.5% of the retarded dues on benefits in addition to the sum of 500 pounds as bonus for the Feast.

Sit-in of journalists in "El Tahrir" newspaper

An open sit-in begun on September 10 by journalists in the newspaper "Al Tahrir" and is still lasting after 120 consecutive days. The reason of discontent is that they were forced to observe a maximum of eight hours per day for six days per week and the reduction of their salaries to 900 pounds.

Protesters announced the failure of negotiations with the owner of the newspaper, businessman Akmal Kurtam after commissioning journalist Gamal Fahmi and former board member in the Syndicate of Journalism to mediate the solution of the crisis over two months. A main reason of this fiasco was the information conveyed by the editorial board of the newspaper that Kurtam intended to liquidate "El Tahrir" Company for Publishing, Printing and Distribution and consequently liquidate the staff of workers.

This decision is on contravention with the terms of the Law by its attempt to deny all the rights of workers, especially the protesters, including the closure of their social insurance files, while keeping valid the newspaper license.

From their side, protesters took a number of legal measures on top on which comes their request to the Supreme Council Organizing the Media to prevent the transfer of the current license to a new owner before settling their case in accordance with the second paragraph of Article 36 in the Law organizing journalism and media stating that any concession either partial or total of a newspaper or merging with another institution requires prior written authorization by Supreme Council according to its definition of conditions.

Arrest of workers in "Urglu" Factory

Workers of "Uglu" Factory located in Ismailia investment zone organized a sit-in on September 14 to protest against the non-payment of the raise of salaries set for the month of July and the allowance of high living cost; this happens for the second consecutive year.

The Factory administration had resorted to the Ministry of Labor Force which negotiated with both parties without reaching a solution; this dead-end path pushed workers at the beginning to enter into a partial strike; then Ismailia governor and vice-governor hold a meeting of bargaining with the director of labor force and representatives of the Authority of Investment; however, workers or their representatives in the trade union committees were prevented to attend this meeting or even consulted before adopting a decision. While workers requested a raise of 300 pounds, the governor decided that the raise will amount to 10% of the current salary, i.e. amounting to approximately 75 pounds. Despite workers approval of this decision, they discovered by surprise that the buses to transfer workers at work were suspended, factory closed, and workers forbidden to enter in the factory; in front of these practices they decided to observe a total strike.

As factory doors were closed, workers chose to stand in the main street in front of the entrance as a means of pressuring the administration; however, management responsible called the security forces who introduced inside the factory workers who accepted this; nevertheless, few minutes later, cars belonging to the security arrived to arrest their colleagues. Arrests included 19 women and men workers sent to Ismailia prosecutor office that unconditionally released 13 of them while accusing the others of crowding, blocking traffic, provoking unrest in public road, striking and investigation to strike inside the investment zone, perturbing the economy, and obstructing a vital public utility (Cairo-Ismailia desert road).

The public prosecutor office decided to imprison the six remaining workers for 15 days under investigation: Iman Mohamed Abdel Meguid Abdallah, Samira Sayed Mohamed, Mohamed Essam Mohamed, Alaa Ibrahim Mohamed, Nader Mohamed Sayed Qandil, and Ibrahim Mohamed Ali.

We note here that among the two women detained, Iman Mohamed Abdel Meguid Abdallah is pregnant and Samira Sayed Mohamed suffers from a 5% percentage of disability.

On September 18, the judge of appeals at Ismailia court renewed the order of detention for the six workers; however, the court reversed its decision and released them on September 22 refusing the appeal by the prosecutor office.

Workers' leaders arrested in the wave of detention after the 20th of September demonstrations

Security forces conducted a campaign of random arrests against an important number of protesters following the popular demonstrations that happened on September 20 2019 on the base of the deteriorated social and economic conditions.

These demonstrations were violently repressed by the authorities without any favorable response towards the requests of demonstrators.

Among the workers arrested are Mostafa El Masri, Sayed Mostafa El Sayed El Dakrouri, Rashad Mohamed Kamal from Suez, and Mohamed Morad from Mehalla.

Arrest of the head of the Independent Teachers Union

Ali Abdel Nasser Ismail, president of the independent trade union of teachers and vice-president of the Popular Socialist Alliance Party was arrested from his home on the eve of September 23 2019; his family was unable to locate the place of his detention despite number of telegraphs sent and resort to all the possible legal measures; this situation lasted until he appeared in the prosecutor office on September 30 with the minutes related to his arrest holding the same date; he is currently convicted under State Security case 488/2019.

The accusations include joining a terrorist group created against the provisions of the Law, disseminating false rumors, and misusing one of the social media;

The prosecution office extended the order of his detention several times, but the case was not yet transferred to the Court.

Sit-in of workers in Eastern Company of Tobacco followed by arrests

On October 10, workers in Eastern Company of Tobacco organized sit-in inside the Company, requesting the following:

- Dismissal of Hany Aman, president of the Company and Emad El Din Mostafa, delegated member;
- Increase of the daily incentive to 220 pounds per month;
- Increase of the collective incentive to 900 days per year;
- Increase of the allowance for nature of work to 75% for workers and 50% for employees in the administration;
- Appointment of temporary workers;
- Preserve the program of health care after rumors about the intention of the Company president introducing a new scheme diminishing the current rights of workers;
- Adjust the salaries of graduates;
- Adjoin 2014 and 2015 raises to the basic salary.

After the end of the sit-in, unexpected security forces arrested a big number of workers taking them to an unknown destination before being submitted before the 6th of October office of prosecution that decided their detention four days under investigation; lawyers indicated that they were accused of crowding, instigation to strike and disruption of work.

Following the arrest of their colleagues, remaining workers announced entering into strike until they will be released as well as the implementation of their demands.

The Giza directorate of labor force called for a meeting on October 13 with members of the trade union committee during which workers reiterated their demand of releasing the arrested colleagues against stopping the strike as a proof of goodwill from their side; the delegation insisted on the immediate release of workers and the issuance of a statement from the administration mentioning the appointment of temporary workers according to the promise announced by the administration on October 9 2019 as well as opening the door for collective bargaining regarding the other requests in coordination with Giza directorate of labor force.

The 6th of October office of prosecution had decided to imprison four days 17 workers among those arrested after the sit-in; however, the decision was replaced by the release of some workers against a bail of one thousand pounds for each, while continuing to detain seven workers.

Strike of workers in "Universal" Company

Workers in "Universal" Company located in the 6th of October city engaged in a strike without any response from the administration.

Their claims included the regularity of salaries that were constantly retarded since 2012 accompanied by the deprivation from incentives, share of the Company benefits and other benefits. Previously, workers had submitted a complaint dated March 11 2012 to the Ministry of Labor Force about the harm caused by the administration attempts to unjustifiably reduce the number of workers stating that the scope of work had improved in the Company thanks to their efforts; this was translated by the development from one factory to eight factories exporting their production to several Arab and African countries.

Workers accused the administration of adopting the policy of getting rid of them by pretending shortages in raw material; in addition, workers were deprived from incentives and their share of benefits besides late payment of salaries that were sometimes scheduled in three installments; moreover, workers whose services were terminated did not get their legal right of two months compensation per year of service and two months of allowance for unemployment on the base of the agreement concluded with the administration. According to workers, things were moving very slowly without a noticeable change in the policy of the owner and director of the Company who did not fully meet their promises: half a month was disbursed for dismissed workers then the administration begun to get rid of workers without giving them any of the rights granted by the Law under the pretext of financial crisis.

Around one year and a half, the situation deteriorated and the intention of the owner to liquidate the business and dismiss workers without giving them any of their financial rights became obvious. Workers presented then another complaint dated May 5 2019 to the 6th of October city labor office including the following demands:

- 1) Regular payment of salaries in due time;
- 2) Payment of incentives without delay;
- 3) Payment of workers share of benefits.

The Company accepted the demands without implementation until now; this pushed workers to fill another complaint to the Ministry of Labor Force on October 8 2019 requesting the responsible to intervene in order to prevent wandering of 2000 workers; they also asked the Ministry to obtain photocopies of their contracts existing inside the Company that they were unable to get since their appointment, in addition to pressure the owner agreeing with the establishment of a trade union committee elected by workers to defend their rights and being secured from any retaliation resulting from its activity.

Twenty six workers in Alexandria Maritime Arsenal Company sentenced one year of jail with arrest of judgment, bail of 2000 pounds for each and firing from work

Alexandria Misdemeanor Military Court issued a judgment of detention of one year for 26 workers in the Maritime Arsenal with suspension of judgment, a bail of 2000 pounds for each and termination of work.

These workers had organized a peaceful sit-in on 22 and 23 of May 2016 requesting the application of minimum wages endorsed by the government; actually, the minimum salary was implemented in the Company for six months after which it was stopped; their demands included also to operationalize the inactivated workshops, provide the means of industrial safety to protect workers, implement the expected professional promotions, readjust the system of accounting incentives, increase the amount of bonuses granted for the month of Ramadan and the Feast, and pay the Company's debt to the fund of collegueship whose subscriptions are directly deducted from their monthly salaries.

The Company refused to negotiate with workers and persisted ignoring their requests; on the other side, workers notified the Company administration that they would pursue their peaceful protest movement as well as their intention to sit-down inside the work place beginning the 24th of May until the demands are met or a suitable solution is reached.

The next day, workers were stunned to find the gates closed and surrounded by forces of the Military Police preventing them to enter. This fact was documented in the minutes filled at "Mina El Bassal" police station on May 25 2016.

After the closure of the Company, thirteen people including workers, administrative employees and engineers were arrested followed by the arrest of thirteen additional ones by order of the military prosecutor and all of them judged under case 2759/2016 before Alexandria Misdemeanor Military Court.

Arrested workers include Abdel Razek Morsi Abdel Razek, Mohamed Tawfik Ali Moussa, Islam Zarif Abdel Aziz, Mohamed Bassiouni Ali, Ihab Sami Zaki, Ismail Mohamed Ismail, Mo'men Mohamed Mimi, Samer Ibrahim, Mohamed Gouda Mohamed, Farouq El Sayed Ibrahim, Ali Ibrahim Ali, KarimHemedaSoltan, Mohamed Mahmoud El Sayed, and Mohamed Morsi who surrendered on May 30; as of the other workers wanted for trial, they include Mohamed Hassan Awad, Shaaban Gamal, AmrHamdi El Shazli, Essam Ali Abdel Rahman Ali, Ahmed RasmiFarag, El SayedYassine Gebreel, Ahmed Morsi Abdel Razek, Mohamed Morsi Ramadan, Islam El Sayed Mahmoud, Mohamed Shaabane Mohamed, Ashraf Gad and Mohamed Adel; the only one released was the female worker Samar Abdu Hanafi against a bail and charged under the same case.

On the base of Article 24 of the Penal Code, the prosecution accused them in their capacity of public servants in Alexandria Company of Maritime Arsenal annexed to the Authority of Maritime Industries and Services adjoined to the Ministry of Defense to have instigated workers in the various department of the Company to abstain from work, called for grouping and organized a sit-in inside the Company with the purpose of paralyzing work in order to obtain their demands as was mentioned in the report of the Company's Security Department, causing thus a big trouble in all other departments to the detriment of the public interest.

Strike of workers in "Ibico" Company and arbitrary arrests

Workers in the Egyptian Company of Pharmaceutical Products located in the 10th of Ramadan organized a strike to request raise of salaries, disbursement of overtime prescribed by the Law, health insurance for families, promotion on the base of length of service, appointment of temporary labor force, organization of working hours and provision of transportation for workers.

Salaries range from 1800 to 3000 pounds according to the length of service that extends over 25 and sometimes 30 years.

The Company announced in turn the closure of factories 1 and 2 and granting workers unpaid leave for one week after the security forces arrested number of trade unionists as a means of bargaining the ending of the strike.

Arrest of the workers' activist Khalil Rizk

Khalil Rizk was arrested by security forces close to his house in "El Marg" district on November 17 2019 and detained 15 days under State Security case 1475/2019; order of detention was renewed on December 15 2019 after being accused of affiliation to the Moslem Brothers while he is Christian, with dissemination of false rumors through the social media.

Khalil Rizk - one of the leaders in the trade union of drivers – was arrested without any legal support and the reasons of his detention remain unknown. Khalil had taken legal procedures against the General Federation, and according to inner circles he received several threats during the last period to get away from workers and abstain from showing solidarity with "Ibico" workers.

Crisis in "Samanoud Fibers" Company

Workers in the Company amounting to 560 went into strike on November 30 protesting against the administration refusal to engage in negotiations about their requests including the payment of raises delayed since 2017, and implementing the minimum wages approved by the President of the Republic; these demands were met by the closure of the factory for indefinite period until the holding of a general assembly to decide about workers claims.

Workers stopped the strike two days later after getting a promise from the administration to solve all the problems following the sale of an unexploited piece of land annexed to the factory and evaluated to measure 16,800 square-meters.

The decision of workers to resume work and postpone their demands came to abort the administration plans reflected by the decision of closing the factory for an indefinite period the same day strike begun without any attempt to interact or negotiate with them.

The administration purpose is to reduce the number of workers to 260 only for the incapacity of the Company to pay the salaries. According to workers, it is the wrong management policies that led to all these crises while the Company was able to meet all its commitments when the labor force amounted to 1300 workers, and capable to achieve a good rate of benefits.

Concluding findings

- 2019 witnessed many events in the working environment on top of which comes the inclusion of Egypt on the short list of individual cases discussed by ILO CAS during the International Conference of Labor; the reason was the restrictions imposed on the right of workers to freely establish and join trade unions and federations, and the continued governmental interventions in trade union elections and activities in contradiction with the provisions of Convention 87.

The Egyptian government attempted this year to respond to the first remark formulated in CAS decision requesting to abolish the obstacles existing in the Law by enacting Law 142/2019 that amended some of the provisions of Law 213/2017; as of the second remark about the practices preventing registration of trade unions, finalizing the pending cases, and securing the freedom of all trade unions to conduct their activities, it was totally out of consideration by the government.

Law 142/2019 includes some modifications compared to Law 213/2017 such as the reduction of the necessary number of members to establish workers' organizations (Articles 11 and 12), as well as the modification of Chapter 10 about sanctions by abolishing punishments depriving from freedom while increasing in parallel the amount of fines related to contraventions.

However, these amendments did not result in any practical change: the right of establishing trade unions remains restricted in the directorates of the Labor Force Ministry, trade union committees do not possess yet the status of legal personality, the right of general assemblies to freely elect their representative or withdraw confidence is still violated as well as the right of workers' organizations to be independent through the pressures exerted by various actors to have them joining the "governmental" General Federation of Egyptian Trade Unions of Workers.

In addition, the unified Law 147/2019 for Social Insurance and Pensions accredited by the President of the Republic to be enforced in January 2020 includes many defects affecting workers' rights; on the other hand, the draft Labor Law proposed by the labor force committee in the Parliament did not deal with the problems and crises impacting the labor market in the context of the present Law defects.

- Year 2019 was also the scene of several administrative contraventions perpetrated by the Ministry of Labor Force against trade union freedoms; these violations included abstention from receiving application files, postponing registration, putting conditions not mentioned in the Law or its Executive Regulation, forcing pending cases to register as new entities despite all the resulting problems related to opening bank accounts, and membership in international thematic federations. In addition, the Ministry of Labor Force refused to enable trade unions holding general assemblies or endorse its decisions and consequently letters of accreditation are not provided, besides suing a trade unionist and threatening others of pursuing them legally for falsely accusing them of presenting forged documents.
- Finally, the series of repression against trade unionists and workers requesting their legitimate right was pursued during 2019 with tens of workers arrested and presented to judgments before courts under accusations of instigation to strike and perturbation of the public order; many of these were sentenced to jail. In parallel, conflicts between companies' administrations and workers exacerbated as a natural consequence of the lack of dialogue and collective bargaining in the context of the current economic crisis, the high rates of inflation and the low level of salaries. On the other side, the government and companies' representatives deal with these growing problems in a stubborn way by using violence without any real intention to reach solutions.

- Several issues emerged this year such are the temporary labor force, dismissal of workers without giving them their financial rights, forcing workers to transfer to other settings without transportation allowances or preservation of their previous rights related to social insurance gained through years of service. Number of workers complained from the heads of boards proffering insults and humiliating words reaching sometimes their exposure to beating; finally, we note the arbitrary arrest without legal support of several activists under prefabricated accusations totally away from reality.

Cairo, December 31st 2019