



CENTER FOR TRADE UNION & WORKERS SERVICES (CTUWS)

(Elmodrek for Training and Researche)

Two Federations but No Freedom of Association

It seems that we are witnessing a change in the trade union landscape. A change that is being hatched in the corridors of the Ministry of Labour and government apparatuses. We increasingly hear news and information about the formation of a new trade union confederation that is parallel - or actually complementary- to the already existing “governmental” Egyptian Trade Union Federation (ETUF). There is no indicator -or even a true intent- that this would-be confederation will enjoy independence from government apparatuses or perform the role that should be played by trade union organizations to express the voices of workers, defend their rights and adopt their demands.

Article 12 of the Trade Union Organizations Law states that “A trade union confederation should be established by at least seven sectoral federations including at least 150,000 workers.”

These Stringent conditions were included in the Law on Trade Union in order to prevent many workers from exercising their rights to form their own unions and federations. These numbers and conditions were inconsistent with the realities of existing sectoral federations that were already approved and registered by the Ministry of Labour while the number of all workers working in their establishments don’t amount to these figures, including the Federation of Unions of Workers in the Public Transport Authority and the Federation of Unions of Workers in Mines and Quarries which are affiliated to the current “governmental” confederation (the ETUF). These numbers may not be met except by a trade union organization that is similar to the long established “governmental” confederation which persistently kept on the automatic inclusion of workers of the government sector and the public sector and forcing workers in the irregular employment sector -like drivers- to pay membership fees as a requirement to issue their professional driving license.

Whereas the numbers required to form federations obstruct the new plan to change the existing situation of trade unions by adding a new confederation to the old governmental one, the government (Ministry of Labour) tends to amend the Trade Union Organizations Law to reduce the numbers required to form trade union organizations, thereby killing two birds with one stone: it will present this amendment as a response to the observations of the ILO Committee of Experts in accordance with international labour conventions on freedom of association, and at the same time it will be able to form a new federation without explicit violation of the Law.

In fact, several considerations drive the Egyptian government to change the historical arrangement for trade unions in Egypt and to allow for the pluralism which it attacked for a long time claiming that it leads to fragmentation of the trade union movement and that it is part of foreign agendas. Primary among these considerations is the government’s need to fulfill the promises it made for years especially under the Program “Strengthening Labour Relations and Their Institutions in Egypt” and its first component (promoting freedom of association and collective bargaining rights in both law and practice). These considerations also include the fact that the old “governmental” confederation (i.e. the ETUF) is internationally isolated and not recognized by the International Trade Union Confederation (ITUC) because of its violation of international labour standards, its adversary stances towards freedoms of association and the fact that it is imposed on Egyptian workers in a way that may not continue forever.

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The democratic labour movement has long demanded and struggled for ending this arrangement which was applied in Egypt for more than half a century in order to impose a sole government-affiliated trade union entity and to prevent workers from independently forming trade union organizations. However, the way in which this arrangement is being deconstructed raises several concerns as it indicates that the situation will be reproduced in a modified manner rather than changed. Instead of having one confederation, we will have two. However, both will not be expressive of the democratic labour movement and will not be able to organize Egyptian workers, voice their demands, lead their actions or represent them in collective bargaining regarding their economic, social and professional rights. There will be two trade union confederations while the vast majority of workers in the private sector are not unionized not because they don't want to join trade unions but because the formation of independent unions faces several obstacles including denied registration and dismissal, like what happened with the workers of Universal Group who were dismissed the morning after they formed the union although they were the same representatives of workers in the collective agreement made in the presence of the Ministry of Labour. The same happened with the workers of BituNil.

There will be two confederations while workers who exercise their right to strike are punished and abused in many ways including suspension and dismissal from work, like what happened with the workers of the companies of Samanoud Textile and Al-Shourbagy. Moreover, more than 15,000 workers in government institutions were dismissed pursuant to Law no. 73 for 2021 and its unjust implementation. The minimum wage decided by the National Wage Council is not applied to the vast majority of workers in the companies of the private sector in spite of their frequent demands, actions and protests.

Yes, the democratic labour movement struggled for long time to end that arrangement which was imposed for more than half a century not only for the sake of the right to pluralism -as pluralism is not a goal for its own sake- but because it is an embodiment of freedom of association, of the right of workers to freely establish their unions or choose from among them, and of the right to write their own constitutions and regulations and choose their representatives without intervention.

Reproducing the formula of the top-down trade union confederation that is imposed from above, and for which laws and regulations are tailored, will not contribute to improving the trade union movement. It will actually hinder its development. This is actually what we hope to draw the attention of the international trade union movement to, as well as the attention of the ITUC which kept its principled stance against the membership of the "governmental" ETUF which doesn't conform to international labour standards and contradicts principles of freedom of association. We hope -and actually believe- that it will continue to stick to these respectful principles in dealing with the arrangement of the two confederations.

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