

Egypt's rising labour movement wins significant government concessions

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With the dissolution of the government's trade union federation, trade unionists and labour activists look set to reclaim Egypt's long expropriated trade union movement.

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Egypt's Cabinet has approved new legislation on trade union freedoms, consenting to pass the law within days. The new law would eliminate many of the constraints imposed on workers' unions under Law No 35 (1976), which outlined the structural and electoral regulations of the Egyptian Trade Union Federation (ETUF) among other central organisations. The legislation will allow, for the first time since the 1950s, trade union pluralism and freedoms for workers and businessmen to form their own unions and syndicates respectively.

Activists and workers have been waiting impatiently for the final version of the law, hesitant to believe the new Cabinet's sincerity in advocating union freedoms, particularly after Prime Minister Essam Sharaf's government enacted legislation criminalising strikes and protests in March. "We are waiting for the new law to be promulgated or else the next trade union elections won't be serious and the steps undertaken against the state-controlled ETUF won't be very significant," says Ali Fatouh, president of the Independent Union for Public Transportation Workers.

"If there is no commitment to respect the new law, I'll resign immediately," said Ahmed Hassan El-Borai, minister of manpower, in a press conference to celebrate the establishment of the Syndicate for Importers of Medical Devices — the first independent syndicate for businessmen.

Dissolution of the ETUF

The hand of Egyptian labour was crucial in the lead up to the 25 January uprising, via waves of strikes beginning in 2006, and in the eventual ouster of former president Hosni Mubarak on 11 February, after a concerted strike effort in the final days of his rule. At the core of workers' demands has been the dissolution of the government-controlled ETUF, formed in 1957 under Gamal Abdel Nasser.

An important step forward came on Thursday 4 August when the administration of the ETUF was dissolved via a Cabinet decision to enforce the ruling of a 2006 legal case raised by federation unionists. The case called for the body's dissolution on grounds of illegitimate and fabricated results in its general election. The courts ruled in favour of the prosecution, but as was the case in Mubarak's Egypt, the ruling was ignored and never enforced.

A 25-member steering committee, appointed by the manpower minister, will run the federation until elections take place, as stipulated by Egyptian law. "According to the law, elections should take place within 60 days following the federation's dissolution, but can be postponed if more time is needed," says Saber Barakat, a unionist lawyer and the committee's vice president. Due to parliamentary elections, the poll, as they were for local councils, will most likely be postponed until afterwards.

The steering committee's first task will be the enforcement of other court rulings concerning the nullity of general unions (the umbrella union for each industry) as well as individual factory unions. This could potentially see 176 factory unions dissolved. Kamal Abou Eita, member of the Egyptian Independent Trade Union Federation (EITUF), among others, has insisted on this point, arguing that electoral and financial corruption is rife within the lower levels of the ETUF.

In the fight for union freedoms, many workers and union leaders, fed up with the state-controlled ETUF, began forming their own independent unions. The EITUF brought together the first independent unions during the 18-day uprising, announcing its official formation on 2 March.

Reaching an agreement, however, in a committee formed from traditional opponents isn't the easiest mission. The steering committee has an odd medley of members from across the political spectrum, including: former ETUF board members, EITUF unionists, leftist activists and lawyers, members of the Muslim Brotherhood and counsellors from the manpower ministry. "There will be resistance to such a decision from the old members of the ETUF, but it's all about enforcing court rulings," says Khaled Ali, a lawyer and manager of the Egyptian Centre for Economic and Social Rights.

The new committee looks to be trying to cut ties with the past. Last week the formation of a subcommittee was announced to negotiate demands with workers on strike. "We could protest with workers if needed," says Barakat.

Members of the ETUF's administration, Ali pointed out gibingly, never organised any kind of protest aiming to obtain any workers right. "The only protest they organised was the Battle of the Camel and the only sit-in was to defend their seats," he stated.

Frozen assets and the disgruntled old guard

Sharaf's decision to enforce the ruling saw the general union's assets frozen until a steering committee examines the entity's financial affairs. The committee is expected to review the reports by the Central Auditing Organisation that contains hundreds of infractions and financial remarks linked to the ETUF as well as other organisations under its umbrella. Unionists found to have illicit financial dealings will be turned over to the prosecutor-general's office.

The Sunday following the Cabinet's decision saw a small protest erupt at the ETUF's offices in downtown Cairo when a few hundred disgruntled members of the administration and other employees attempted to enter the building. The steering committee was in session, as Sunday and Monday were decreed official holidays in light of the sudden turn of events. Central Security Forces were deployed to cordon off the building's entrance, and soon the protesters dispersed. Some alleged that Sharaf and the minister of manpower, El-Borai, were pursuing foreign agendas, handing out leaflets showing the prime minister mingling with US officials.

Members of the deposed administration submitted a legal complaint to the administrative court. However, according to Ali, "Any legal action taken against the Cabinet's decision would most probably be defeated since the decision itself was an enforcement of a judicial ruling and not an

administrative decree.”

The old guard, however, see things in a different light. Abdel-Rahman Kheir, vice president of the ETUF, argues: “The decision is not the enforcement of a final judicial ruling.” In other words, according to Kheir, there is room for appeal. He also threatens to complain to the International Labour Organisation and even the UN against the minister’s decision.

The way forward

Deputy Prime Minister Ali Silmi held a meeting in the parliament’s offices last week, bringing members of the steering committee and various other workers’ and peasants’ representatives together to discuss their demands and the ETUF’s future. El-Borai joined the proceedings, stating that Silmi had urged his attendance.

Now that the government-controlled trade union’s authority has officially been shaken up, a debate over the future role of independent trade unions looms in the background. The government has, in the meantime, leant independent unionists a sizeable presence in the steering committee as a message of goodwill, with the hope of further inclusion and cooperation. Whether this cooperation entails co-opting independent unionists is yet to be seen, but a number of parties are wary of any government attempt to sideline the independent current. Silmi’s invitation for non-governmental unions to work through the ETUF’s office space could fuel these suspicions.

Certain workers’ activists have, however, taken a more moderate approach, arguing that the decades old union body, which includes a university, a bank and other structures along with a coffer full of workers’ fees and retirement funds, is too robust to be completely dissolved. Ali believes that the independent unions and federation as well as the government-controlled formal bodies should be allowed to thrive, leaving the choice up to the workers.

It is also worth noting that former proponents of a pluralistic union environment have adopted a unitary vision. Saud Omar, a member of the Suez Canal Authority’s union, posed the question: “If the reasons for multiple unions are no longer present, why should we not all work through the formal body?” The reasons, Omar clarified, were the years of organised corruption, electoral fraud and the overall authoritarian grip on the unions’ manoeuvrability.

Barakat weighed in: “If there is one formal union body, it would be easier to corrupt or defeat it.” The more manoeuvrability there is, and the more competition there is among unions vying for the right to represent workers, he added, the stronger the labour movement will be. “You can have more than one federation which could cooperate through coalitions or merely based on common objectives,” he stated.

Barakat also verbalised his stance against the ETUF’s pyramidal structure, arguing that in many countries such a structure does not exist, but instead trade unions choose which federation to join and can pull out of if need be.

Fatouh shares the same idea with Barakat: “Pluralism is a necessity for strong trade unionism; competition between unions is a main guarantor for workers’ rights. There should be more than one option for workers.”

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