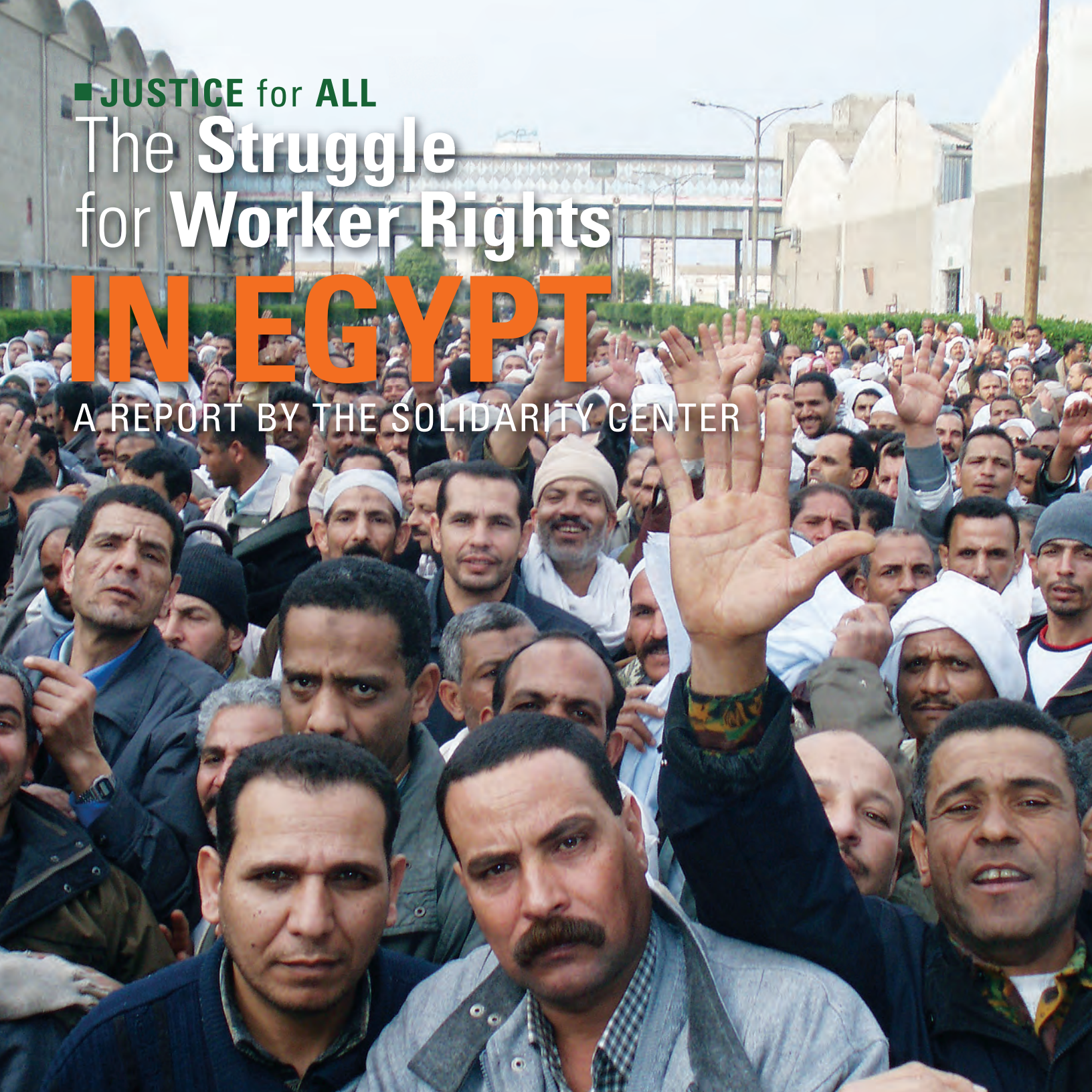


JUSTICE for ALL

The Struggle for Worker Rights IN EGYPT

A REPORT BY THE SOLIDARITY CENTER

ACKNOWLEDGMENTS

The Solidarity Center wishes to thank the principal author of this study, Dr Joel Beinin, Donald J. McLachlan Professor of History and Professor of Middle East History at Stanford University, who was an independent consultant on this project, as well as Research Assistant Marie Duboc, PhD candidate in Sociology at the School of Advanced Social Sciences Studies (EHESS), University of Paris and researcher at the CEDEJ in Cairo. The Center would also like to acknowledge Lance Compa, Senior Lecturer at Cornell University's School of Industrial and Labor Relations, for his ongoing guidance for these publications and his assistance in the review of this report; and Chantal Thomas, Professor of Law at Cornell University Law School (and former chair of the Department of Law at the American University in Cairo), for reviewing the content of this report and providing input.

Fay Lyle from the Solidarity Center's Global Outreach Office was the executive editor of this report in the Justice for All series on worker rights, and Michael Slackman was the copy editor. Michelle Woodward was the photo editor. We acknowledge the contributions of Solidarity Center staff Heba F. El-Shazli and Erin Radford, and Marian Fadel, human rights and worker rights activist, for their research and follow-up efforts to ensure accurate and timely results. We also thank AFL-CIO and Solidarity Center staff who reviewed content, provided substantive and editorial input, and made helpful suggestions.

Most of all, we express our gratitude to the workers in Egypt, whose daily struggle for fundamental worker rights and human rights is the reason for writing and publishing this report. Their courage and determination inspires us all.

This report is dedicated to the memory of Yusuf Darwish (1910-2006), a tireless fighter for the rights of Egyptian workers.

Note: This report discusses some situations and events in a general context. This reflects our foremost concern, which is to exercise sensitivity and discretion toward organizations and workers in Egypt. Field interviews were conducted throughout 2008 and 2009. Workers' requests for anonymity were honored.

Cover: Misr Spinning and Weaving Company workers celebrate their strike victory in the town of Kafr el-Dawwar in the Nile Delta province of Beheira, south of Alexandria. February 8, 2007

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A REPORT BY THE SOLIDARITY CENTER

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Washington, DC 20006
www.solidaritycenter.org

The Solidarity Center is a nonprofit organization established to provide assistance to workers who are struggling to build democratic and independent trade unions around the world. It was created in 1997 through the consolidation of four regional AFL-CIO institutes. Working with unions, nongovernmental organizations, and other community partners, the Solidarity Center supports programs and projects to advance worker rights and promote broad-based, sustainable economic development around the world.

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Funding provided by a grant from the National Endowment for Democracy

ISBN 0-9761551-9-2

TABLE OF CONTENTS

FOREWORD 3
By Richard L. Trumka

CHAPTER ONE 4
Egypt's Worker Rights History

CHAPTER TWO 26
Freedom of Association and the Right to Organize and Bargain Collectively
Freedom of Association
Right to Organize and Bargain Collectively

CHAPTER THREE 67
Discrimination in the Workplace
Discrimination Against Women Workers
Discrimination Against Migrant Workers

CHAPTER FOUR 86
Child Labor and Forced Labor
Child Labor
Forced Labor

CHAPTER FIVE 111
The Future of Labor Rights in Egypt

GLOSSARY 126

COUNTRY MAP 127

"Joel Beinin brings to the study of workers' rights in Egypt a lifetime of distinguished scholarship. In accessible prose, he provides just the right amount of historical background, as well as the political and legal framework, that affects workers. Egyptians are finally seeing their country's economy grow, but the distribution of wealth is becoming less and less equal. This will pose an enormous challenge as Egypt heads into a tricky transitional period. This study provides readers with a solid basis for understanding one of the key challenges that faces Egypt in the years ahead."

William B. Quandt
University of Virginia

"Joel Beinin is the leading expert on Egyptian labor issues. Here he has produced an excellent and comprehensive account of the status and condition—legal, economic and political—of Egyptian workers today. It is profoundly depressing. Beinin documents the sad state of Egypt's workers with precision. He looks closely at a whole host of Egyptian laws that relate to workers regarding unions, strikes, collective bargaining, child labor, etc. and examines them in comparison to international standards and conventions, many of which Egypt has signed, documenting where Egyptian law contravenes established international conventions as well as those cases—and there are many—where the laws are simply not enforced. This is essential reading for anyone who wants to know about the condition of Egyptian workers today. A tremendous achievement, Beinin covers it all, from the legal and political status of workers, the obstacles they face, unions, labor discrimination, child labor issues, the recent strike wave and many other issues—including sound recommendations for the American and Egyptian governments, US corporations and the international community that, if implemented, would profoundly improve the condition and rights of Egypt's workers."

Samer S. Shehata
Assistant Professor of Arab Politics, Center for Contemporary Arab Studies, Edmund A. Walsh School of Foreign Service, Georgetown University

FOREWORD

By **Richard L. Trumka**
President, AFL-CIO

If the global economic crisis has taught us one thing, it is that we are all connected. That's why it is more important than ever before to stand behind workers in Egypt who are trying to reinvigorate the union movement in their county.

Egypt played an important role in the history of workers: a three-day sit-in over pay grievances by pyramid builders in the twelfth century was the world's first documented strike. The situation for workers in Egypt today sadly bears all too much similarity to that conflict between Egyptian workers and their government so many centuries ago. Today's Egyptian government maintains an iron grip on power, harshly punishes dissent, and plays a central role in a system that keeps workers powerless and poor.

There are some hopeful signs for Egyptian workers however. A new workers movement is starting to take root. A little over a year ago, municipal real estate tax collectors staged a nationwide strike and a 12-day, 10,000 people sit-in in front of the prime minister's office in Cairo. Its success has inspired Egypt's postal workers and education administrators to mobilize as well.

If Egyptian workers are to be able to take advantage of this unprecedented opportunity, they need our support. We will give it to them. So should other players in the international community.

The example of these brave trade unionists has served as inspiration for others in Egypt as well. Egyptians from all walks of life are increasingly raising their voices—often in the streets—for government transparency, fair elections, the rule of law, and democratic reform.

We call on Egypt's government to honor its obligations as an International Labor Organization member state to workers' rights, to encourage the growth of unions, to reconsider its policies that impoverish workers and their families and to make its political process truly inclusive. We hope that this book encourages many others to join us in that call.

Egypt's Worker Rights History

An Introduction to Egypt

Egypt has been a unified political entity in the Nile Valley for 5,000 years. However, for half its history it was ruled and exploited by foreigners. In 1882 British forces invaded and occupied Egypt, then part of the Ottoman Empire. For the next 70 years the demand to expel the occupiers dominated political life. A semi-independent constitutional monarchy with extensive powers reserved for the British and the king ruled from 1922 to 1952.

Colonel Gamal Abdel Nasser led a group of young army officers known as the Free Officers in a military coup that ended the monarchy on July 23, 1952. He was the first indigenous Egyptian to rule the country in 2,500 years. Despite the authoritarian character of the regime, it was popular due to Nasser's personal charisma, the successful evacuation of British forces, significant improvements in the standard of living of industrial and agricultural workers, and a foreign policy calling for Arab unity and nonalignment in the Cold War, which made Egypt important in regional and global affairs.

Egypt today is formally a republic with a multiparty system and apparently competitive elections. But the fundamentally autocratic character of the regime has not changed since 1952. The ruling National Democratic Party cannot be removed from power.[1] The last reasonably free and fair election was in 1950. The president and the security apparatus exercise extensive powers with few checks and balances. Opposition political figures and journalists are often tried in military security courts whose verdicts cannot be appealed (for more details see Chapter 2).

Egypt's population is about 80 million.[2] Greater Cairo, the capital, is one of the most densely populated and polluted cities on the globe with a population exceeding 16 million. While Egypt is known for its long history as a fertile agricultural country, most Egyptians now live in cities. Manufacturing is the second largest sector of the economy



Laborers piece together small sheesha pipes in an Islamic Cairo factory.

after agriculture and fishing, employing 12.9 percent of the labor force and producing 16.2 percent of its gross domestic product (GDP). Per capita GDP (based on purchasing power parity) was US$5,500 in 2008. The market labor force is over 22.3 million and the extended labor force (which includes those producing goods for the market, barter, or their own consumption) is over 26.8 million.[3] Sixty percent of all workers are employed in the informal economy.[4] They do not receive minimum wages, health insurance, pensions, sick leave, paid vacations, maternity benefits, or trade union protection.

Egypt's working class and labor movement have been historically shaped by several factors. First, the government or occupying armies have often been the largest employer of nonagricultural wage labor. The government has often established wages and working conditions applicable to public-sector employees and sometimes to all workers in firms above a certain size.

Second, European capital dominated the Egyptian economy from the mid-nineteenth century to the 1950s. Foreign-owned firms often employed European supervisors who felt no need to disguise their racism and contempt for Egyptian workers. Such firms were nationalized in the 1950s and 1960s, but foreign capital has become significant again in the twenty-first century.

Third, during the British occupation the nationalist and labor movements became closely intertwined. Strikes and other workers' collective actions were often understood as part of the political struggle against European dominance and the British occupiers.

Fourth, explicit or implicit coercion by employers in recruiting and controlling labor and extensive child labor have coexisted with unions, labor legislation, and other institutions associated with a modern market economy.

The Formation of a Modern Working Class and Labor Movement

Many workers from the Mediterranean basin—Greeks, Italians, Armenians, Syrian Christians, and Jews—resided in Egypt until rising nationalist sentiment in the 1950s led to their gradual replacement by indigenous Muslims and Copts. One such group, the Greek cigarette rollers of Cairo, launched the first modern-style industrial labor struggle when they struck from December 1899 to February 1900 to resist the deskilling of their jobs. At the strike's conclusion they formed the first trade union in Egypt. Shortly thereafter, associations and unions comprised entirely or mainly of indigenous Egyptians were established.[5]

During the first decades of the twentieth century, railway and tramway workers in Cairo and Alexandria were the best-organized and most militant fighters on economic issues. Because racist treatment by foreign supervisors and equal opportunity in the workplace were prominent issues for these workers, their unions were often closely associated with the nationalist movement against the British occupation.

One of Egypt's first nationalist political parties, the National Party, organized actively among urban workers. The party's second leader, Muhammad Farid, was influenced by European trade union and socialist figures, including Keir Hardie, a leader of the Scottish Miners Federation and a founder of the British Labor Party. In June 1908 Farid became one of the first to publicly criticize the lack of labor legislation and the poor conditions in many workplaces. The nationalist campaign around this issue contributed greatly to the passage of the first protective labor legislation, a 1909 law prohibiting the employment of children under the age of nine in cotton ginning, tobacco, and textile factories.

The National Party also sponsored the first organization that sought to organize all urban working people, the Manual Trades Workers Union.[6]

Workers and the 1919 Nationalist Uprising

At the end of World War I a group of prominent lawyers and political figures formed a delegation (*wafd*) led by Sa'd Zaghlul. They sought to attend the 1919 Versailles Peace Conference and to present Egypt's demands for national independence and an end to the British occupation. As a continuation of this effort, what became the leading nationalist party from this time until 1952 adopted the name Wafd. Although the social roots of its leadership were among large land owners and its activists were urban professionals, the Wafd claimed to represent the entire Egyptian nation.

The British refused to negotiate with the Wafd or allow its members to travel to Versailles. Instead, in March 1919 they arrested and deported Zaghlul and two of his colleagues. This crackdown incited a nationalist uprising in which workers and trade unions participated actively.

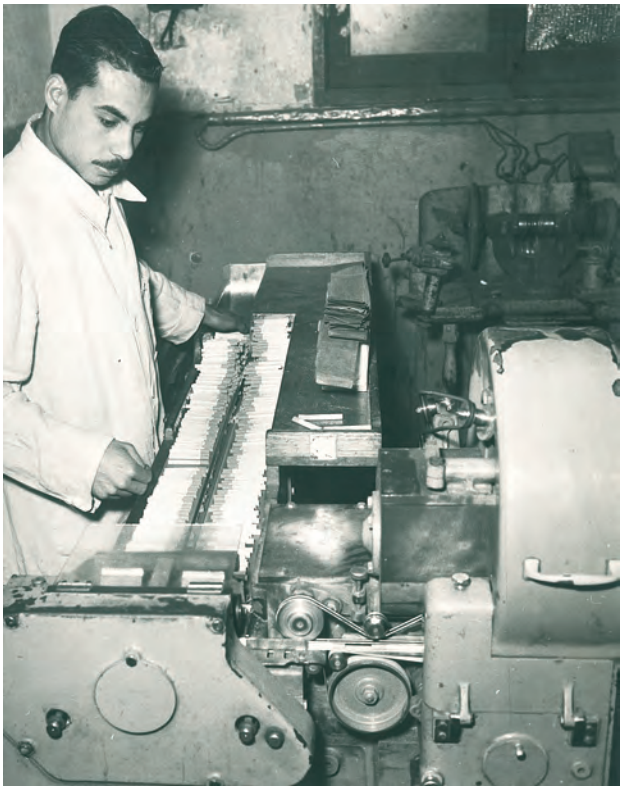
There were 24 major strikes from August to December 1919 and 84 more strikes during 1920 and 1921. Unable to stem the strikes through mediation, in January 1921 the anti-nationalist government banned payment of dues to unions or cooperative associations. Nonetheless, by 1921 there were 38 unions in Cairo, 33 in Alexandria, 18 in the Suez Canal region, and 6 others throughout Egypt. Their total membership was perhaps 20,000.[7]

Workers, Trade Unions, and the Nationalist Movement, 1922-42

The Wafd refused to accept limits on Egyptian independence, so in 1922 Britain unilaterally declared Egypt's limited independence as a constitutional monarchy. In January 1924, after an overwhelming electoral victory, Sa'd Zaghlul and the Wafd formed the first government of semi-independent Egypt. The constitution gave the king (Fu'ad, 1923-36; Faruq, 1936-52) extensive powers, such as the right to unilaterally appoint a new government, dissolve parliament, and call an election. However, the British remained the final authority in the country.

For the next 20 years political operatives of the Wafd and its rivals competed to establish trade union federations under their patronage. None of the educated professionals and aristocrats who participated in the trade union movement imagined that relatively uneducated working people could determine their own interests and organize themselves to realize them. As trade unions were not legally recognized, the protection provided by individuals with political connections sometimes supplied an essential umbrella for workers. But this meant that workers and unions with political leanings not approved by their political patrons were marginalized and even ruined.[8]

Trade union federations sponsored by the Wafd or other political forces usually collapsed when governments led by rival parties came into office. Partly, this was due to repression. In addition, these were top-down organizations created and sustained by political operatives rather than workers. Thus by mid-1925, only months after King Fu'ad dismissed the Wafd government elected in 1924, the Wafd-affiliated General Federation of Labor Unions in the Nile Valley, which claimed to represent more than 100 unions with a membership of 150,000, was defunct.[9]



Boustani manufacturer of cigarettes, 1930s

An autocratic, anti-labor government led by Prime Minister Isma'il Sidqi ruled from 1930 to 1933. As a former president of the Egyptian Federation of Industries, Sidqi was aware of the significance of an emergent working class and sought to keep it under control; he viewed labor as a police matter rather than a social issue.[10] Concerned by reports of repression of Egyptian labor, in October 1931 the British Trades Union Congress requested Walter Schevenels, general secretary of the International Federation of Trade Unions to undertake a fact-finding mission to Egypt.[11] Schevenels' report stressed the importance of establishing the independence and unity of trade unions.[12]

In an effort to limit the potential damage, even before Schevenels' delegation arrived in Egypt, the Egyptian government invited the International Labor Office to send an advisory mission to study industrial conditions and propose social reform measures. The 1932 International Labor Office mission accepted draft legislation proposed by a government-appointed committee, as well as the government's claim that Egypt was too underdeveloped to consider anything beyond minimal protective legislation for women and children and accident compensation.[13]

Law 48 of 1933 established minimal protection for women and children in line with the ILO mission's recommendations and the government's prior inclinations.[14] Employment of minors and women in conditions that endangered their health or at night was prohibited. A nine-hour work day was established for women (extended to men in 1935), although two hours of overtime were permitted. Women were guaranteed a weekly day of rest. Employment of pregnant women in activities requiring great physical exertion or that might cause harm to them or their babies was banned. The legislation also banned employment of minors below the age of 12 unless they were directly supervised by their parents or a close relative or worked in an industry exempted from this provision by a decree of the Minister of Interior. Exempt industries included textiles, carpet weaving, and furniture. A maximum eight-hour working day for minors aged 12 to 16 was established unless they were assisting adults, in which case their workday could be extended to nine hours.

As the first labor legislation since 1909, these measures represented a certain advance. The government acknowledged a limited obligation to protect the welfare of at least working women and children. But the legislation had little practical effect. It had many loopholes

favorable to employers. The agency responsible for enforcing it employed only six people, allowing employers to widely ignore the law—as is the case with similar legislation today.[15]

The Wafd returned to power and negotiated an Anglo-Egyptian treaty in 1936 that enhanced, but still limited, Egypt's independence.[16] Despite its campaign promises, the Wafdist parliamentary majority refused to pass a law recognizing trade unions. It achieved only two minor labor policy reforms before being dismissed in December 1937. Egypt joined the International Labor Organization (ILO) in June 1936.[17] Later that year a weak employee-accident compensation law was enacted.

Disappointed with the Wafd, a number of Cairo's veteran trade unionists established the Commission to Organize the Workers' Movement (COWM) in early 1937. They sought to organize new unions, strengthen existing ones, and establish the basis for a politically independent union federation. The ouster of the Wafd government in February 1938 paved the way for unions to pursue consolidation of a new form of trade unionism, and in March 1938 representatives of 32 Cairo area trade unions established the General Federation of Labor Unions in the Kingdom of Egypt (GFLUKE). The GFLUKE had no link to the Wafd or any political party. This marked the maturation of the labor movement and its reorientation towards Egypt's leading modern industrial sector, textiles, which employed more than one-third of all manufacturing workers.

In spring 1939 the lower house of parliament, the Chamber of Deputies, began discussing a draft law allowing commercial employees and workers to form unions. However, it banned women from membership (on the pretext that their exclusion was required by religious law) and prohibited trade union federations.[18]

As even this inadequate legislation seemed unlikely to pass, the GFLUKE initiated a well-organized hunger strike on June 12 demanding legal recognition of trade unions. The first eight hunger strikers attracted substantial press coverage and support from the public, while political figures of all stripes urged them to back down.[19] The hunger strike ended on June 15 when the Chamber of Deputies agreed to consider a law legalizing unions.

While this was a potentially significant victory, the outbreak of World War II on September 1, 1939, allowed Egypt's political elite to relegate labor's agenda to the back burner. When martial law was declared in 1940, the government shut down the GFLUKE. Nonetheless, its new style of politically independent, militant trade unionism centered on the mechanized textile industry reemerged more strongly after the war.

Legalization of Trade Unions and its Limits

In February 1942 the German army was only 100 miles from Alexandria. British authorities were alarmed that some members of King Faruq's court and some Egyptian army officers hoped that the Germans would oust the British from Egypt. On February 4, British tanks surrounded the royal palace while the British ambassador demanded the dismissal of the cabinet and the appointment of Wafd leader Mustafa al-Nahhas as prime minister. The king complied, restoring the reliably anti-Nazi Wafd to power.

To regain the initiative on labor policy, the Wafd government enacted Law 85 of 1942, explicitly legalizing trade unions for the first time. Trade unionists celebrated the law. But it was a double-edged sword because it gave the state extensive powers to regulate trade unions; powers which it still retains in a different form. National industrial unions and a national union

federation were prohibited. Therefore, most unions represented workers in one workplace, even when employers operated factories in more than one location. All unions were to be registered and supervised by the Ministry of Social Affairs. (Today the Ministry of Manpower and Migration has this responsibility.)

Nonetheless, Law 85 allowed the trade union movement to expand dramatically. By May 1944 there were 350 registered unions with approximately 120,000 members.[20] Many union members had little experience or knowledge of trade union principles and practices, and most unions were small and had no organizational apparatus. In contrast, in the early 1940s the General Union of Mechanized Textile Workers of Shubra al-Khayma and Cairo had elected shop stewards in at least 16 mills, while as many as 3,000 workers attended its annual general assemblies.[21]

The Labor Movement and the Demise of the Constitutional Monarchy

The urban working class grew substantially during World War II, stimulated by the needs of the allied armies based in Egypt. At the war's end, about 623,000 factory workers were employed in nearly 130,000 enterprises.[22] But industrial employment and real wages declined between 1945 and 1952.[23] Therefore, unemployment and adequate wages were the leading items on the agenda of the postwar labor movement.

Workers and trade unions participated actively in three waves of nationalist and social protest: October 1945 to July 1946, September 1947 to May 1948, and mid-1950 to January 1952. They used these periods of political mobilization to try to form representative trade unions and union federations and to press their demands on wages and other workplace issues.

Rival Egyptian delegations participated in the founding congress of the World Federation of Trade Unions, which convened in Paris in September-October 1945. Upon their return to Egypt, they formed competing preparatory committees to establish a national trade union federation. In May 1946 the two factions attempted to unite and establish a single federation. This effort failed due to organizational weakness, political overreaching, and sectarian factionalism inspired largely by Marxist intellectuals. Consequently, Isma'il Sidqi, as prime minister for a second time, was able to dissolve the federation on July 11, 1946, close all Marxist and labor newspapers and associations, and arrest many leftist trade union and political leaders.[24]

Despite Sidqi's repression, a second upsurge in the labor and nationalist movements was sparked by the September 1947 strike of 26,000 workers of the Misr Spinning and Weaving Company in the central Delta city of Mahalla al-Kubra. Misr Spinning and Weaving (colloquially known as Ghazl al-Mahalla) is the emblem of Egyptian economic nationalism. It was established in 1927 as the first Egyptian-owned mechanized textile mill and soon became the largest industrial enterprise in Egypt. The immediate cause of the strike was fear of large-scale layoffs and a new schedule of fines for infractions of discipline. But the underlying issues were two decades of management's harsh and arbitrary labor control methods and its imposition of a pro-company, or "yellow" union on the workers.[25]

After a month-long strike, the Labor Department[26] agreed to hold elections for a new union. The pro-company union executive committee conducted an anti-Semitic election campaign claiming that Jewish communists had instigated the strike. Before the balloting, police arrested or interrogated nearly 300 workers. Unsurprisingly, the yellow union remained in office.[27]

To mollify textile workers, in January 1948 the government announced recommended national standards for the textile industry, including a minimum wage, an eight-hour day, and a six-day work week. Although the recommended standards for working conditions were far better than those in force at the time, the recommended wages were actually about half the prevailing wage. Most importantly—and this is typical today as well—there was no effective enforcement mechanism. This prompted several additional strikes at large textile mills in Alexandria.[28]

The final wave of trade union struggle under the monarchy unfolded after the Wafd government unilaterally abrogated the 1936 Anglo-Egyptian Treaty on October 8, 1951. The resulting national exhilaration prompted a coalition of communist, Wafdist, and independent trade union leaders to establish the Preparatory Committee for a General Federation of Egyptian Trade Unions. By December 1951, 104 unions representing some 65,000 workers had affiliated. After additional unions affiliated, the Preparatory Committee announced that a founding congress for a General Federation of Egyptian Trade Unions would be held in Cairo on January 27, 1952.[29] The congress never convened, because a wave of repression descended after unknown arsonists set fire to the European section of Cairo on January 26. Martial law was declared, the trade union congress was banned, and many political activists were jailed.

Workers and the "Revolution" of July 23, 1952

The Cairo fire was the death knell of the old regime. On July 23, 1952, Gamal Abdel Nasser and young army officers calling themselves the Free Officers toppled the monarchy and established a Revolutionary Command Council (RCC). Many workers enthusiastically supported the military regime because the Free Officers promised full Egyptian independence, social justice, and the abolition of "feudalism" (meaning the economic and political dominance of large agricultural landowners).

However, the Free Officers were not willing to tolerate a militant, independent trade union movement. The armed forces and workers clashed in Kafr al-Dawwar, 15 miles south of Alexandria. On August 12 and 13, 1952, the 9,000 workers at the Misr Fine Spinning and Weaving Company conducted a strike and demonstration seeking a freely elected union (a pro-company, yellow union had been established in 1943), removal of several managers considered particularly abusive, and the satisfaction of economic demands. Despite the workers' proclaimed support for the new regime, the army quickly intervened to crush them. A rapidly convened military tribunal convicted 13 workers. Eleven received prison sentences; Mustafa Khamis and Muhammad al-Baqri were sentenced to death and executed on September 7.[30]

Shortly thereafter, the RCC enacted significant reforms in labor legislation (Laws 317, 318, and 319 of December 1952). This legislation made layoffs more difficult and improved fringe benefits. It also imposed compulsory arbitration on all labor disputes and banned strikes. Despite these negative aspects, most workers and trade union leaders viewed the legislation favorably and attempted to work with the new regime.[31]

In 1956 Colonel Nasser, the sole candidate on the ballot, was elected president with 99.9 percent of the vote. Although a republic by law, Egypt was, and remains, an authoritarian state in practice. Nonetheless, Nasser became wildly popular in Egypt and the Arab world after he announced the nationalization of the Suez Canal on July 23, 1956. France, Great Britain, and Israel

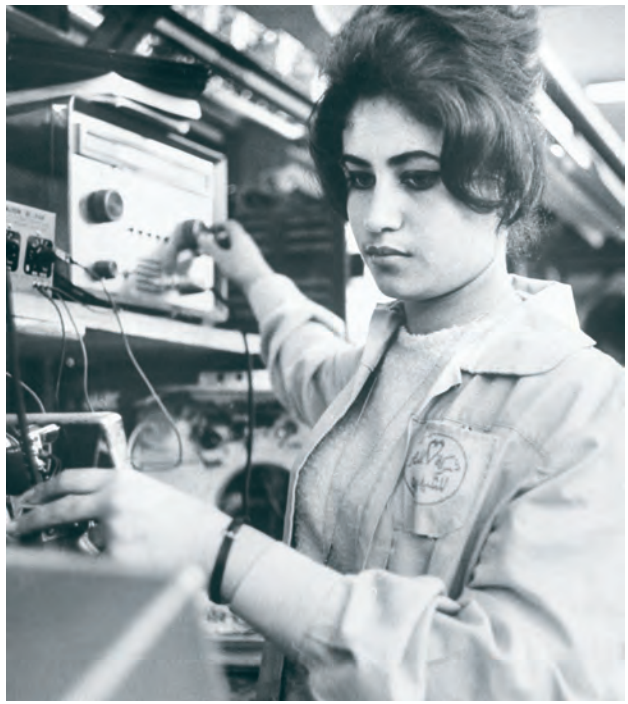
attacked Egypt in October 1956, hoping to reverse the nationalization and depose Nasser from power. Despite its military defeat, diplomatic support from the United States and the Soviet Union enabled Egypt to sustain the nationalization of the Suez Canal and forced Israel to evacuate the territories it occupied in the war.

During the conflict, the International Confederation of Arab Trade Unions (ICATU), established in 1956 and headquartered in Cairo, called on Arab oil workers to embargo shipments of oil to Great Britain and France. This forced a change in labor policy on the reluctant Egyptian regime. While Nasser appreciated this display of solidarity, the regime was embarrassed because there was no Egyptian trade union federation.

Consequently, the government authorized establishment of the Egyptian Workers Federation (EWF) on January 30, 1957. However, the regime took no chances with the political composition of its leadership. The government submitted the names of the 17 members of the executive board to the founding conference. Nominations from the floor were not accepted, and there was no election.[32] The government appointed the EWF executive board for several subsequent terms. In 1961 the EWF was reorganized and became the Egyptian Trade Union Federation (ETUF), but it remained essentially the same organization.[33] From 1962 to 1986, the president of the ETUF usually served simultaneously as Minister of Labor (today the Ministry of Manpower and Migration). Although this practice has been discontinued, the ETUF remains an arm of the state (see chapter 2). It is the only legal national trade union structure in Egypt, and all local unions must be recognized and affiliated with it (for the sole exception, see below and Chapter 5).[34] Today the ETUF claims 4,431,290 members organized in 1,751 local unions.[35]

Arab Socialism

From the late 1950s to the early 1960s Nasser gradually consolidated a new social-economic system known as Arab Socialism—a form of authoritarian populism and import-substitution industrialization similar to the regimes of many former colonial and semi-colonial countries. All foreign enterprises and large and medium-sized Egyptian enterprises were nationalized. Their workers became state employees whose standard of living, along with many middle class Egyptians, improved markedly.[36] Public-sector workers received extensive social benefits, such as health care; access to consumer cooperatives, which sold subsidized food and other basic commodities; subsidized housing; pensions;



An Egyptian state owned TV set manufacturing plant, where out of 600 employees nearly 1/2 were women. 1963.

the right to elect representatives to management boards of all public enterprises; and an annual cash distribution of 3 percent of the profits of public-sector firms. The minimum wage of many workers was doubled. Real wages increased by one-third from 1960 to 1964, while the number of weekly hours of work declined by 10 percent. The government guaranteed all university graduates a white collar job and all high school graduates a blue collar job. Firing a public-sector worker required a review by a committee including representatives of the union, the Ministry of Labor, and management.[37]

The role of workers under Arab Socialism was succinctly articulated by former President Nasser: "The workers don't demand; we give."[38] This comment expresses the deep suspicion of all Egyptian governments since 1952 of initiatives by workers and trade unions, even as they granted workers higher wages and social benefits. The explanatory note to Law 35 of 1976 (the basic law governing trade union organization) sees unions as forums for workers to express their opinions and vehicles to promote production. Unions were not meant to be organizations that made demands on employers, and they were certainly not envisioned as organizations that would lead strikes or other protests.[39]

As noted above, long before Nasser came to power Egyptian political parties and governments sought to organize labor unions under their patronage. Workers are a highly concentrated urban group. Organized in unions, workers are much easier to mobilize for political activity than peasants in many small villages. Every Egyptian nationalist party or government since 1909 has sought to do so, with varying degrees of success.

Arab Socialism substantially alleviated the most persistent fears of workers—low wages and unemployment—and was at first a great success. Therefore most workers accepted its limitations on the scope of trade union action. The five-year plan of 1957-62 generated 1 million new jobs and high annual GDP growth rates of 6 percent. But, ultimately, efforts to expand consumption and production simultaneously failed. The five-year plan of 1962-67 was abandoned due to lack of investment capital.[40] Real wages declined sharply in 1965 while the average number of work hours per week rose.[41]

The Open Door Policy

Presidents Anwar al-Sadat (1970-81) and Hosni Mubarak (1981-) reversed Nasser's economic and political orientation and turned towards free enterprise and alliance with the United States. Sadat's 1974 "Open Door" economic policy encouraged foreign direct investment and local entrepreneurs, and it sought to cut back the public sector following the neoliberal "Washington Consensus" economic policies promoted by the U.S. government, the International Monetary Fund (IMF), and the World Bank. Washington Consensus policies undermine fundamental worker rights by seeking to create a "flexible labor market," making it easier to fire workers, weakening unions, and reducing public expenditures on health care, education, pensions, unemployment benefits, infrastructure, salaries of government workers, and labor regulation agencies. [42]

After an IMF mission visited Egypt in the fall of 1976, President Sadat implemented its recommendation to dramatically reduce subsidies on basic consumer commodities. The announcement of the new policy prompted nationwide "bread riots" on January 18-19, 1977. The government backed off and restored the subsidies.[43] Almost all subsidies have been gradually eliminated since then.

The oil boom of 1974-82 created opportunities for workers and peasants to migrate to the Arab oil-exporting countries and earn many times what they could in Egypt. The money they sent home to their families became the largest source of Egypt's hard currency.[44] The fall in oil prices after 1982 reduced labor migration and contributed to an economic contraction that exposed Egypt to increased pressure to adopt neoliberal economic policies. Higher prices, falling real wages, and a sharp rise in workers' collective protests in 1984-89 accompanied the implementation of Washington Consensus policies.[45]

For example, the government doubled public-sector workers' mandatory wage deductions for their health and pension plans. When the new law was applied to them in October 1984, tens of thousands of textile workers in Kafr al-Dawwar and their families erupted in a three-day urban insurrection, cutting telephone lines, setting fires, blocking transportation, and destroying train cars before a massive crackdown by security forces restored order.



Ohanian steel factory, 1960s

At the Iron and Steel Company in the southern Cairo industrial suburb of Helwan, where 25,000 workers were employed, the local trade union committee refused to support their demand for a raise in the incentive pay rate. Activist worker representatives on the company board of directors led the fight. They were fired, provoking two sit-in protests in July and August 1989. The second was dispersed by security forces, which killed one worker and severely injured hundreds more in the process.

During the 1984-89 wave of collective protests, several alternative newspapers and organizations emerged to give workers a voice outside the framework of the state-dominated ETUF.[46] Most of these publications and organizations did not survive the 1990s, when the Mubarak regime became even less tolerant of labor dissidence, an aspect of its generally more repressive character.[47]

Wages and Working Conditions in the Neoliberal Era

In 1991 Egypt concluded Economic Reform and Structural Adjustment Program (ERSAP) agreements with the IMF and World Bank. The ERSAP was implemented through Law 203 of 1991, which listed 314 public-sector enterprises eligible for privatization.[48] The ETUF had resisted privatization since the proclamation of the "Open Door" economic policy in 1974. However, the ETUF and its president, Sayyid Rashid, approved the 1991 legislation.[49] By mid-2002, 190 firms were privatized.[50]

Law 203 forbade mass layoffs after privatization of a firm. But public-sector managers commonly made their enterprises more attractive to buyers by reducing the workforce before the sale. Moreover, many newly privatized firms did reduce their workforce (see Chapter 2).

In July 2004 President Hosni Mubarak appointed a new cabinet headed by Dr. Ahmad Nazif. The Nazif government accelerated the sell-off of the public sector, privatizing a record 17 enterprises during its first year in office.[51] This policy was identified with the western-educated Ph.D.s and businessmen in the cabinet close to the president's son, Gamal Mubarak.

Since 1984 the basic minimum wage has been E£35 a month (about US$6.50). With an annual cost-of-living raise, the minimum wage reached E£108.50 a month (about US$19.75) in 2008. The numerous allowances, bonuses, incentives, and profit shares make actual wages difficult to predict or calculate precisely.[52] According to the American Egyptian Chamber of Commerce, the average basic monthly wage for textile and clothing workers (historically the largest, now the second largest, manufacturing sector after food and tobacco processing) before the strike wave that began in 2004 was E£250 (about US$44.50).[53] In the public sector, additions to the basic wage raised the gross monthly wage to E£400-450 (about US$75.00).[54] Public-sector employees legally work daily shifts of eight hours, six days a week; overtime on Fridays, the official weekly day of rest, (at a 135 percent premium) is common. Private-sector textile workers typically work twelve-hour shifts, six days a week and also commonly work overtime.

Anxieties about unemployment and other possible consequences of privatization prompted a renewal of strikes and collective action in the mid-1990s.[55] These were not idle fears. The rate of unemployment climbed from about 8 percent in the 1990s to 12 percent in 2002-03.[56] It declined to about 9 percent by early 2008 but began to rise again due to the global financial crisis that erupted in the second half of 2008. Most observers believe that the actual unemployment rate is considerably more than—perhaps double—the official figures.

The Protest Wave of 2004-2009

Fears about the loss of jobs and the unwillingness of new private investors to pay fringe benefits, such as dividends on shares of firms owned by workers or contributions to retirement funds, motivated a wave of strikes and collective action that began in the early 2000s, accelerated soon after the Nazif government took office in July 2004, and continues at the time of this writing. While public-sector workers have been the main force in strikes and other protests since 1971, private-sector workers have comprised as many as 40 percent of the participants in recent years.

The current wave of protests is erupting from the largest social movement Egypt has witnessed in more than half a century. Over 1.7 million workers engaged in more than 1,900 strikes and other forms of protest from 2004 to 2008 (see tables). These labor actions have been amplified politically, because they coincided with a campaign for democracy organized by Kifaya (Enough)—The Egyptian Movement for Change—and other groups comprised mainly of the urban middle classes and intellectual workers. However, there are only weak links between the workers movement and other democratic and oppositional forces in Egypt, such as the Muslim Brothers. Moreover, Kifaya has been declining since 2006 due to repression, internal divisions, and its limited capacity to engage people beyond the educated, urban middle classes.[57]

During 2007 strikes spread from their center of gravity in the textile and clothing industry to encompass building materials workers, transport workers, the Cairo underground Metro workers, food processing workers, bakers, sanitation workers, oil workers in Suez, and many others. In the summer the movement broadened to encompass white collar employees and civil servants. The largest and politically most important collective actions since this

wave of worker protests began were two strikes (December 2006 and September 2007) at Misr Spinning and Weaving (Ghazl al-Mahalla), now a public-sector firm employing more than 25,000 workers. The workers won substantial economic gains, but as of April 2009, their negotiated gains were not yet fully implemented.

In the process, workers also challenged the exclusive status of the ETUF enshrined in the 1976 Trade Union Law by electing strike committees to lead and represent them in negotiations. The December 2007 strike of 55,000 municipal tax collectors not only won its economic demands, but it also resulted in the 2009 formation of the first trade union completely independent of the government-mandated ETUF structure since 1957 (more details in Chapter 5).

Conclusion

Since 1952 Egypt has pursued two very different economic development strategies: Arab Socialism under Nasser and free market neoliberalism under Sadat and Mubarak. Despite the sharp policy differences between these strategies, the governments of the three presidents have shared the belief that economic development required controlling workers so that their demands and potential collective protests did not disrupt economic growth. The difference is that, as noted above, Nasser believed it was necessary to "give" something to workers, and he did. In contrast, the history of labor under Sadat and Mubarak is largely one of takeaways, making it even more necessary for the government to exercise control over workers and unions.

Worker protests of all kinds have increased since 2000, and even more dramatically since 2004. This movement is motivated by the impoverishment of large numbers of Egyptians as the neoliberal agenda advances. As Table 2 indicates, the proportion of protests consisting of strikes (idrabat)—as opposed to sit-ins while continuing production (i'tisamat)—reached record levels. The official ETUF institutions have rarely supported these protests, although in some cases individual members of local trade union committees have done so. A larger proportion of workers' collective actions than ever before occurs in the private sector, which has very few trade union organizations. As has been the case since the late 1930s, textile workers have generally been the most militant and active in the protest movement, along with the municipal tax collectors. Workers in transportation and communications (especially railways), building materials and construction, and food processing have also been prominent.[58]

The upsurge of worker protests since 2000 is unorganized on a national or regional scale. Strikes and other actions have been locally initiated, with some copycat actions following major successful actions that receive national publicity. Although some Egyptian activists do not consider them "workers," the militancy of tax collectors, school administrative personnel, and teachers is a new and significant phenomenon, since they occupy strategic locations in the government apparatus.

The government of Egypt is facing a crisis of legitimacy, because its neoliberal economic policies have not delivered promised benefits to the great majority of the people, and its much-advertised democratic reforms have lacked substance. After the 2005 presidential and parliamentary elections, which were considerably less free than the regime promised, the government escalated its repression against oppositional elements of all stripes. The workers movement offers the government an opportunity to listen to the voice of its people and implement long-overdue political and economic policy changes. Failure to do so may well undermine Egypt's internal security, prosperity, and regional influence.

Table 1 *Estimated Number of Protesters, 2004-2008*

	Strikes	Gatherings	Sit-Ins	Demonstrations	Total
2004					
Governmental Sector	585	11,541	5,577	16,597	34,300
Public Business Sector	3,551	7,237	12,514	7,238	30,540
Private Sector	637	16,465	303,016	1,388	321,506
Subtotal	**4,773**	**35,243**	**321,107**	**25,223**	**386,346**
2005					
Governmental Sector	6,082	4,001	4,741	13,150	27,974
Public Business Sector	2,032	66,498	13,855	1,040	83,425
Private Sector	11,450	15,692	1,834	800	29,776
Subtotal	**19,564**	**86,191**	**20,430**	**14,990**	**141,175**
2006					
Governmental Sector	67,188	7,341	13,317	7,390	95,236
Public Business Sector	12,466	24,599	45,569	62	82,696
Private Sector	5,355	2,289	12,108	404	20,156
Subtotal	**85,009**	**34,229**	**70,994**	**7,856**	**198,088**
2007					
Governmental Sector	17,269	41,658	35,688	3,889	98,504
Public Business Sector	112,583	56,519	47,429	1,120	217,651
Private Sector	93,178	18,545	34,340	12,620	158,683
Subtotal	**223,030**	**116,722**	**117,457**	**17,629**	**474,838**
2008					
Governmental Sector	15,554	217,602	12,829	8,642	254,627
Public Business Sector	17,896	65,830	29,297	15,020	128,043
Private Sector	29,341	80,825	44,348	4,239	158,753
Subtotal	**62,791**	**364,257**	**86,474**	**27,901**	**541,423**
Total 2004-08	**395,167**	**636,642**	**616,462**	**93,599**	**1,741,870**

Note: Data compiled by Marie Duboc.

Source: Markaz al-Ard li-Huquq al-Insan (Land Centre for Human Rights), Silsilat al-huquq al-iqtisadiyya wa'l-ijtima'iyya, *no. 34 (July 2004); no. 35 (February 2005); no. 39 (August 2005); no. 42 (January 2006); no. 49 (July 2006); no. 54 (February 2007); no. 56 (July 2007); no. 58 (February 2008); no. 65 (March 2009), www.lchr-eg.org/.*

Table 2 *Protests, 1998-2008*

	Strikes	Other Forms of Protest	Sit-Ins	Demonstrations	Total
1998					
Sector not mentioned	40	42	18	14	114
1999					
Governmental Sector	13	21	4	2	40
Public Business Sector	10	10	7	1	28
Private Sector	15	4	4	1	24
Sector not mentioned	16	25	17	14	72
Subtotal	**54**	**60**	**32**	**18**	**164**
2000		Gatherings			
Governmental Sector	3	NA	3	8	14
Public Business Sector	6	NA	10	10	26
Private Sector	9	NA	6	11	26
Sector not mentioned	22	NA	29	18	69
Subtotal	**40**	**NA**	**48**	**47**	**135**
2001					
Governmental Sector	6	NA	3	12	21
Public Business Sector	8	NA	13	21	42
Private Sector	5	NA	16	31	52
Subtotal	**19**	**NA**	**32**	**64**	**115**
2002					
Governmental Sector	8	NA	3	14	25
Public Business Sector	3	NA	11	8	22
Private Sector	13	NA	12	24	49
Subtotal	**24**	**NA**	**26**	**46**	**96**
2003					
Governmental Sector	6	13	5	2	26
Public Business Sector	3	6	3	3	15
Private Sector	16	14	14	1	45
Subtotal	**25**	**33**	**22**	**6**	**86**

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	Strikes	Gatherings	Sit-Ins	Demonstrations	Total
2004					
Governmental Sector	24	37	45	20	126
Public Business Sector	10	26	22	14	72
Private Sector	9	24	23	12	68
Subtotal	**43**	**87**	**90**	**46**	**266**
2005					
Governmental Sector	21	31	21	7	80
Public Business Sector	13	25	29	5	72
Private Sector	12	25	9	4	50
Subtotal	**46**	**81**	**59**	**16**	**202**
2006					
Governmental Sector	17	26	24	13	80
Public Business Sector	13	27	33	6	79
Private Sector	17	16	24	6	63
Subtotal	**47**	**69**	**81**	**25**	**222**
2007					
Governmental Sector	36	121	80	18	255
Public Business Sector	31	63	47	4	145
Private Sector	43	80	70	21	214
Subtotal	**110**	**264**	**197**	**43**	**614**
2008					
Governmental Sector	37	133	67	30	267
Public Business Sector	17	43	38	9	107
Private Sector	68	77	69	21	235
Subtotal	**122**	**253**	**174**	**60**	**609**
Total	**570**	**889**	**779**	**385**	**2,623**

Note: Data compiled by Marie Duboc.

Note: According to the Sons of the Land Association for Human Rights, in the first half of 2009 there were a total of 284 worker protests: 83 strikes, 106 sit-ins, 41 demonstrations, 36 brief work stoppages, and 18 rallies.

Source: Markaz al-Ard li-Huquq al-Insan (Land Centre for Human Rights), Silsilat al-huquq al-iqtisadiyya wa'l-ijtima'iyya, *December 1998; no. 14 (April 2000); no. 18 (May 2001); no. 22 (March 2002); no. 28 (March 2003); no. 31 (January 2004); no 34 (July 2004) no. 35 (February 2005); no. 39 (August 2005); no. 42 (January 2006); no. 49 (July 2006); no. 54 (February 2007); no. 56 (July 2007); no. 58 (February 2008); no. 65 (March 2009), www.lchr-eg.org/.*

Appendix 1

Constituent Members of the Egyptian Trade Union Federation (ETUF)

The general unions/federations of the ETUF are distributed according to the three sectors of the national economy as follows: 1 for agriculture, 8 for industry, and 14 for services. The 23 constituent general unions/federations of the ETUF are:

1) Administrative and Social Services Workers' Federation
President: Shawqi Kamal Ahmad Muhammad al-'Itar

2) Agricultural Workers' Federation
President: Mohammad 'Abd Halim Ahmad 'Abd al-Hafiz

3) General Union of Air Transport Workers
President: Shahata Muhammad Shahata Salim

4) Bank and Insurance Workers' Federation
President: Faruq Shahata Muhammad al-'Awady

5) General Union of Building and Wood Industries Workers
President: Sa'id Taha Hasan Salim

6) Commercial Workers' Federation
President: Muhammad Wahab Allah Muhammad 'Ali

7) Communications Workers' Federation
President: Farghaly Bakri Ahmad Salim

8) General Union of Educational Services Workers
President: al-Sa'id Abu al-Magid Ahmad Hamzi

9) Electrical, Engineering and Metal Workers' Federation
President: Salah Hasan 'Abd al-Khaliq Haykal

10) Food Processing Workers' Federation
President: Muhammad Nagib Mahni 'Abd Allah

11) General Union of Health Service Workers
President: 'Abd al-Hamid 'Abd al-Gawwad Isma'il Khadr

12) Hotel and Tourist Workers' Federation
President: Muhammad Hilal Husayn al-Sharqawi

13) General Union of Land Transport Workers
President: al-Sa'id Radwan Masih Maghrabi

14) General Union of Maritime Transport Workers
President: 'Adil Muhammad Husayn al-Sabihi

15) Military Production Workers' Federation
President: 'Ali al-Gawhari 'Ali al-Gawhari

16) Mining and Mineral Workers' Federation
President: Ba'ziq Rifa'i Ahmad Matuli

17) Petroleum Workers' Federation
President: Fawzi 'Abd al-Bari Husayn Sulayman

18) Pharmaceutical and Chemical Workers' Federation
President: Muhammad Ahmad Muhammad 'Afifi

19) General Union of Postal Workers
President: Nasr 'Abd al-Hamid Nasr Talima

20) Printing, Publishing and Media Workers' Federation
President: Tal'at Muhammad al-Munsi Nada

21) General Union of Public Utilities Workers
President: Muhammad al-Sa'id Mursi 'Ali

22) Railway Workers' Federation
President: Ramadan 'Abd al-Hamid Muhammad al-Gindi

23) General Union of Textile Workers
President: Sa'id al-Sa'id Muhammad al-Gawhari

Appendix 2
Highlights of Egyptian Labor Legislation

Law 85 of 1942
Granted explicit legal recognition to trade unions for the first time.

Law of 91 1959 (Unified Labor Code)
Established 65 federations

1961: Egyptian Trade Union Federation (ETUF) established

Law 111 of 1961
Gave public-sector industrial workers a 3 percent cash annual distribution of the profits of their enterprises.

Law 24 of 1972
Fixed minimum wages and sick leave of workers in industrial enterprises and established equal conditions for public and private sector-workers.

Law 35 of 1976 (Trade Union Law)
States: "Not more than one general union may be formed for workers engaged in a common profession or industry." Established a hierarchical national union structure under the oversight of the Ministry of Manpower and Training (today Manpower and Migration). Authorized the minister to issue model standard bylaws for local union committees and national ETUF affiliates and gave the ministry the right to object to the formation of a trade union. Authorized the Minister of Manpower to issue the decrees defining and regulating the elections and candidacy rules for trade unions.

Law 1 of 1981 and Law 12 of 1995 (amendments to Law 35 of 1976)
Stripped legal authority from local trade union committees and transferred it to the ETUF and national general unions.

Law 12 of 2003 (Unified Labor Law)
Replaced all previous legislation governing employee-worker relations. Legally limited the right to strike. Only after a two-thirds majority vote of the executive committee of a national general union can a local union be authorized to strike. Introduced indefinite temporary contracts and eased dismissal procedures.

Appendix 3
International Conventions Ratified by Egypt

International Covenant on Civil and Political Rights (signed April 8, 1967; ratified January 14, 1982)

Universal Declaration of Human Rights (adopted October 12, 1948) and **African Charter on Human and Peoples' Rights/Banjul Charter** (signed November 16, 1981; ratified March 20, 1984)

Both documents affirm the right to freedom of association and that no one may be compelled to join an association.

Arab Charter on Human Rights (ratified April 2004)

Member states guarantee the right to form trade unions and to strike.

International Covenant on Economic Social and Cultural Rights (signed April 8, 1967; ratified January 14, 1982)

Affirms the right to strike and other labor rights and that the armed forces or the police should not restrict the exercise of these rights.

ILO Conventions Ratified by Egypt

Egypt has ratified the 1998 ILO Declaration on Fundamental Principles and Rights at Work (adopted June 1998) in which ILO member states renewed their commitment to:

- Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and Right to Organize and Collective Bargaining Convention, 1949 (No. 98).
- Forced Labor Convention, 1930 (No. 29), and Abolition of Forced Labor Convention, 1957 (No. 105)
- Minimum Age Convention, 1973 (No. 138), and Worst Forms of Child Labor Convention, 1999 (No. 182)
- Equal Remuneration Convention, 1951 (No. 100), and Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

Other ILO instruments

Convention No.11 Concerning the Right of Association and Combination of Agricultural Workers (ratified March 7, 1954)

Egypt has ratified more than 60 other ILO conventions. It has *not* ratified Convention No. 141, 1974, Concerning Organizations of Rural Workers and Their Role in Economic and Social Development; Convention No. 151, 1978, Concerning Protection of the Right to Organize and Procedures for Determining Conditions of Employment in the Public Service; or Convention No. 154, 1981, Concerning the Promotion of Collective Bargaining.

Endnotes

1 For a study of one of the many mechanisms keeping the NDP in power see Human Rights Watch, "Monopolizing Power: Egypt's Political Parties Law," January 2007, www.hrw.org/legacy/backgrounder/mena/egypt0107/egypt0107web.pdf.

2 The 2006 Egyptian census enumerated 76.5 million Egyptians; 80 million is the figure according to the *CIA World Fact Book,* April 9, 2009, https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html (other figures in this paragraph come from the same source); *Doing Business in Egypt: A Country Commercial Guide for U.S. Companies* (Washington, D.C.: U.S. & Foreign Commercial Service and U.S. Department of State, 2005), pp. 25 ff., www.amcham.org.eg/BSAC/ustrade/PDFFiles/CCG07.pdf ; *Demographia World Urban Areas: Population & Density* (4th comprehensive ed., August 2008), p. 29, www.demographia.com/db-worldua.pdf; American Chamber of Commerce in Egypt, *Egypt, Economic Profile* (Cairo, March 2009).

[3] Ragui Assaad, "Labor Supply, Employment, and Unemployment in the Egyptian Economy, 1988-2006," pp. 8-11, in Ragui Assaad (ed.), *The Egyptian Labor Market Revisited* (Cairo: American University in Cairo Press, 2009). Statistics are based on the Egyptian Labor Market Panel Survey 2006.

[4] Ibid., "Preface," p. xvi. According to the 2006 Census, a less reliable indicator, the informal economy employs 30 percent of all workers.

[5] Joel Beinin and Zachary Lockman, *Workers on the Nile: Nationalism, Communism, Islam, and the Egyptian Working Class, 1882-1954* (Princeton: Princeton University Press, 1987), pp. 49-53.

[6] Ibid., pp. 66-72.

[7] Ibid., pp. 83-120.

[8] Ibid., pp. 128-54.

[9] Ibid., pp. 157-169.

[10] Sidqi established a Labor Department under the auspices of the Public Security Department in the Ministry of the Interior.

[11] The IFTU, established in 1913 and reorganized after World War I, was the first international trade union organization. It was comprised of national trade union federations, primarily European, but including the AFL.

[12] Full text in TUC Archives, London, file T1903 "Egypt."

[13] Beinin and Lockman, *Workers on the Nile*, pp. 204-5.

[14] For more details on early labor legislation see Yunan Labib Rizk, "Birth of Labour," *Al Ahram Weekly Online*, May 8-14, 2003, weekly.ahram.org.eg/2003/637/chrncls.htm.

[15] Beinin and Lockman, *Workers on the Nile*, p. 205.

[16] The Wafd won every reasonably fair election conducted from 1923 to 1952.

[17] Text of invitation and acceptance of membership at http://untreaty.un.org/unts/60001_120000/19/5/00036244.pdf.

[18] Beinin and Lockman, *Workers on the Nile*, p. 235.

[19] Ibid., pp. 235-36.

[20] Ibid., p. 293.

[21] Ibid., pp. 290, 293-94.

[22] Ibid., pp. 260-61.

[23] Ibid., pp. 262, 267, 268-69.

[24] Ibid., pp. 330-35, 344-49.

[25] See Joel Beinin, *Workers and Peasants in the Modern Middle East* (Cambridge: Cambridge University Press, 2001), pp. 99-113.

[26] Established by Isma'il Sidqi in 1933 during his first term as prime minister.

[27] Beinin and Lockman, *Workers on the Nile*, pp. 353-59.

[28] Ibid., p. 359.

[29] Ibid., pp. 409-12.

[30] Ibid., pp. 421-26.

[31] Ibid., pp. 432-33.

[32] Marsha Pripstein Posusney, *Labor and the State in Egypt: Workers, Unions, and Economic Restructuring, 1952-1996* (New York: Columbia University Press, 1997), pp. 60-63.

[33] The literal translation of the Arabic name of the organization is the General Federation of Egyptian Trade Unions. The official English translation is Egyptian Trade Union Federation. Readers may come across both.

[34] The Trade Union Law (No. 35 of 1976) established the hierarchical structure of the ETUF. The prominent labor lawyer Khalid 'Ali 'Umar argues in "The Right to Form Trade Unions and Related Rights as Core International Labor Standards, the Case of Egypt," unpublished paper, 2006, that Amendments No. 1 of 1981 and 12 of 1995 effectively removed all jurisdictional authority from local trade union committees and transferred it to ETUF.

[35] ETUF Web site, www.etufegypt.com/Sec_Pages/Sec_P02.htm.

[36] Mahmoud Abdel-Fadil, *Development, Income Distribution, and Social Change in Rural Egypt: (1952-1970): A Study in the Political Economy of Agrarian Transition* (Cambridge: Cambridge University Press, 1975); Abdel-Fadil, *The Political Economy of Nasserism: A Study in Employment and Income Distribution Policies in Urban Egypt, 1952-1972* (Cambridge: Cambridge University Press, 1980).

[37] Posusney, *Labor and the State in Egypt*, pp. 70-72.

[38] Ibid., pp. 73-74.

[39] Text quoted in Center for Trade Union and Worker Services, "Declaration of Principles: The Legislative Framework of Trade Union and Labour Action: Criteria for Suggested Amendment," (November 2008).

[40] Mike Mason, *Development and Disorder: A History of the Third World Since 1945*, (UPNE, 1997), pp. 171-73.

[41] Abdel-Fadil, *The Political Economy of Nasserism*, pp. 33.

[42] *Justice for All: A Guide to Worker Rights in the Global Economy* 3rd ed. (Washington, D.C.: Solidarity Center, 2008), pp. 36-39, and 108, endnote 32, www.solidaritycenter.org/files/pubs_jfa2009.pdf. John Williamson gives the orthodox definition of the Washington Consensus in "What Washington Means by Policy Reform" in John Williamson, ed. *Latin American Adjustment: How Much Has Happened?* (Washington, DC: Institute for International Economics, 1990). He emphasizes policies such as: balancing government budgets, reducing government subsidies on consumer goods, promoting free trade, encouraging foreign direct investment, privatizing state-owned enterprises, and deregulating business.

[43] Beinin, *Workers and Peasants in the Modern Middle East*, p. 157.

[44] Until 2003 the Egyptian pound was not freely convertible to dollars or other hard currencies. Since then, it has fluctuated from a low of US$1.00 = E£7.30 (in 2003) to a high of US$1.00 = E£5.35 (in 2008). From the mid-1960s to 1975 the exchange rate was US$1.00 = E£.59. In 1979 multiple exchange rates were adopted, the most important was US$1.00 = E£.70 (the free market rate was then about US$1.00 = E£ 3.00). From 1994 to 1998 the rate was US$1.00 = E£ 3.40. See "History of a Hard Hit Currency," *Al-Ahram Weekly On-Line*, January 13-19, 2005, http://weekly.ahram.org.eg/2005/725/ec3.htm.

[45] Posusney, *Labor and the State in Egypt*, 221; Omar El Shafei, "Workers, Trade Unions, and the State in Egypt: 1984-1989," *Cairo Papers in Social Science 18* (no. 2, Summer 1995).

[46] Joel Beinin, "Will the Real Egyptian Working Class Please Stand Up?" in Zachary Lockman, ed. *Workers and Working Classes in the Middle East: Struggles, Histories, Historiographies* (Albany: State University of New York Press, 1994).

[47] Eberhard Kienle, *A Grand Delusion: Democracy and Economic Reform in Egypt* (London: I.B. Tauris, 2001).

[48] Arabic and unofficial English texts of recent laws relating to economic and social issues are available at, www.egyptlaws.com/companies.html for payment of a fee.

[49] "El Sayed Rashed: Equity Shop," *Al-Ahram Weekly On-line*, April 30-May 6, 1998, http://weekly.ahram.org.eg/1998/375/people.htm.

[50] CARANA Corporation, "Privatization in Egypt Quarterly Review, April-June 2002," (Cairo), p. 8.

[51] American Chamber of Commerce in Egypt, *Egypt Watch Bulletin*, September 15, 2005, www.amcham.org.eg/BSAC/WatchBulletin/Issues/sep1505.asp.

[52] Sabr Barakat, *al-Haqq fi al-'amal wa-huquq al-'ummal* (Cairo: Hisham Mubarak Law Center, 2007), pp. 170-80.

[53] American Chamber of Commerce in Egypt, *The Textile and Clothing Industry in Egypt* (Cairo: The Chamber, August 2004), p. 33.

[54] Based on Muhammad al-'Attar's monthly pay stub for February 2007. Interview, March 9, 2007.

[55] Nicola Christine Pratt, *The Legacy of the Corporatist State: Explaining Workers' Responses to Economic Liberalisation in Egypt* (University of Durham, Centre for Middle Eastern and Islamic Studies: Middle East Paper no. 60, November 1998).

[56] IndexMundi, "Egypt Unemployment Rate" (historical series compiled from *CIA World Factbook*), http://indexmundi.com/g/g.aspx?c=eg&v=74.

[57] For details see Joel Beinin, "A Workers' Social Movement on the Margin of the Global Neoliberal Order, Egypt 2004-08," unpublished paper delivered to the 10th Mediterranean Research Meeting, Montecatini Terme, Italy, March 25-28, 2009.

[58] Fatma Ramadan et al., *al-Taqrir al-sanawi al-awwal lil-marsad al-niqabi wa'l-'ummali al-misri: su'ud al-haraka al-'Ummaliyya wa'l-niqabiyya al-misriyya khilala 'amm 2007* (Cairo: al-Jama iyya al-Misriyya lil-Nuhud bi'l-Musharaka al-Mujtama iyya, 2008), p. 26.

Freedom of Association and the Right to Organize and Bargain Collectively

The Legal and Political Framework for Egyptian Worker Rights

A Democracy in Name Only

Egypt is formally a constitutional republic with an elected president and parliament (the People's Assembly). In practice, Egypt is an authoritarian state.[1] The president has vast powers. Apparently democratic institutions have little substance. Since 1956 the parliament has been overwhelmingly dominated by the ruling party (today, the National Democratic Party, or NDP) and it has largely done the bidding of the president.

The judiciary is constitutionally autonomous of the executive, and some judges have issued brave and bold independent rulings. But the government has a history of seeking to suppress reform-minded judges.[2] Many courts do not apply the law impartially and render judgments tailored to the needs of the government. Executive authorities often do not implement judicial decisions they find inconvenient. One labor lawyer asserted that employers also often ignore court orders with impunity.[3]

A brief examination of relevant articles of the Constitution; Law 84 of 2002 regulating nongovernmental organizations (NGOs); the Trade Union Law (No. 35 of 1976) and its amendments, Law No. 1 of 1981 and Law No. 12 of 1995; and the Unified Labor Law (No. 12 of 2003) indicates some of the many ways the government uses, manipulates, and ignores the law in order to undermine the rights of workers and all citizens.

Article 54 of the Constitution guarantees citizens the right to hold public meetings, processions, and gatherings "within the limits of the law." But advance permission from the Ministry of the Interior is required and rarely given.[4] Demonstrations and other public gatherings are routinely surrounded by large numbers of Central Security Forces and, more recently, plainclothes thugs who beat and harass demonstrators and journalists, especially women.[5] Private meetings do not require prior notification but are occasionally disrupted by security authorities. The Emergency Law, in force continually since 1981, bans distributing leaflets and posters and similar activities. In May 2008 the People's Assembly extended the Emergency Law for two years.

Article 55 of the Constitution guarantees freedom of association. Severe restrictions limit this right in practice. The formation of political parties is, by law, regulated by the government. All forms of political opposition are closely policed. Unions are barred from engaging in political activities.[6] The government's tolerance for opposition has diminished since the election of 88 Muslim Brothers to the People's Assembly (nearly 20 percent of the body) in December 2005.[7] Opposition political figures and independent newspaper editors have repeatedly been detained without trial or hauled into court on spurious charges.[8] When opposition figures are tried, they are often brought before State Security Emergency Criminal Courts or military courts, which rarely rule in favor of defendants and from which only procedural appeals are possible.[9]

Law 84 of 2002 requires NGOs to register with the Ministry of Social Solidarity. The government commonly denies registration to organizations that it finds inconvenient. The executive branch has ignored or delayed implementing court orders directing the registration of certain NGOs (see below) or threatened them with closure if they go beyond permissible boundaries of dissent.[10] Under these circumstances exercising freedom of association or the right to organize and bargain collectively, or indeed any worker rights, is extremely difficult.

Intent to Control, Not Liberate, Workers

In 1957 Egypt ratified ILO Convention No. 87 (1948) on Freedom of Association and Protection of the Right to Organize. In 1954 it ratified ILO Convention No. 98 (1949) on the Right to Organize and Collective Bargaining. However, compliance with these conventions was undermined by national legislation, close links between the Egyptian Trade Union Federation (ETUF) and the state apparatus, and intervention in trade union affairs by the security authorities (typically State Security Investigations, which is comparable to the United States' Federal Bureau of Investigation) in resolving strikes or other labor protests and in impeding independent labor organizations.

As noted in chapter one, in 1957 the government permitted the establishment of the Egyptian Workers Federation, which subsequently became the ETUF, under the supervision of the Ministry of Labor (now called the Ministry of Manpower and Migration, or MOMM) and the security forces. The government's acquiescence came only after it had repeatedly blocked the efforts of rank-and-file union members and democratically elected trade union leaders to form an independent federation.[11] Many trade unionists accepted government supervision of the labor movement in 1957—either because they recognized that there was no other realistic option or because they sincerely believed that this was the best way to secure worker rights. Union leaders of that era and their successors were sometimes able to achieve gains for workers beyond those that the government was inclined to give or to resist policy initiatives that would have undermined workers' standards of living and fundamental rights.

Egypt's economic and political policies have changed substantially since the 1950s, and the ETUF's organizational structure has been modified several times. Although the ETUF is not formally part of the government, it has always been closely aligned with the state. Its leadership has always been firmly in the hands of the ruling party, whatever its ideology or name. Nonetheless, there have sometimes been policy differences and bureaucratic turf battles between the ETUF leadership and other factions of the ruling party.[12]

Under Presidents Sadat and Mubarak in the 1970s and 1980s, the ETUF leadership, along with many other trade unionists and citizens, resisted efforts to privatize the public sector.[13] However, the ETUF leadership eventually went along with the Egyptian government in accepting the 1991 Economic Reform and Structural Adjustment Program (ERSAP) proposed by the IMF and World Bank. During the 1990s the ETUF leadership and many other Egyptians also opposed efforts to create what neoliberal economic theory calls a more "flexible" labor market—e.g., the enactment of laws and regulations cutting social benefits and making it easier to fire workers.

The ETUF executive committee or one of its 23 national general union affiliates sometimes stand up for worker rights; local union committees and individual members of local committees sometimes do so as

well. But in the great majority of the struggles since the passage of the Unified Labor Law, the ETUF as an organization and its affiliates have, effectively failed to defend worker rights. As the examples below demonstrate, in many instances they have posed obstacles to workers seeking to exercise their fundamental rights.

Unified Labor Law of 2003: No Labor Rights for the Many

In 2003 the government enacted a "Unified Labor Law," which replaced all previous legislation dealing with employer-employee relations.[14] ETUF resistance delayed the passage of the Unified Labor Law for nearly a decade, but it ultimately agreed to the legislation. The law preserved the ETUF's legal monopoly on trade union organization, its hierarchical structure, and the supervision of the ETUF by the MOMM enshrined in Laws No. 35 of 1976, No. 1 of 1981, and No. 12 of 1995.[15]

One of the Unified Labor Law's most important new provisions permits workers to be hired on fixed-term (often called "temporary") contracts that may be renewed indefinitely.[16] Previously, employers were required to grant workers permanent status after a probation period or dismiss them. Workers on fixed-term contracts are not eligible to join trade unions that may exist in their places of employment or vote in trade union elections. The government no longer routinely appoints workers to permanent positions in public-sector enterprises. In some public-sector enterprises the number of workers on fixed-term contracts is now larger than the number of workers on permanent contracts, even though many of these "temporary" workers have been employed full-time for years. Consequently, the local union committee may not legally represent a majority of the workers in some workplaces.[17] This exclusion gives employers a legal tool to deny fundamental worker rights to a large and growing proportion of their workforce.

The Unified Labor Law has been criticized by many domestic and international rights advocates. According to the Egyptian Organization for Human Rights, it "contravenes both the Egyptian Constitution and international treaties ratified by Egypt. It constitutes a blatant attack on the working class, particularly with regard to contracts, dismissal, wages, workers' right to take strike action, and their representation on the Supreme [Higher] Council for Wages."[18] A 2005 report of the International Confederation of Free Trade Unions (ICFTU) prepared for the World Trade Organization criticized the law in detail, noting its limits on collective bargaining, provisions granting administrative bodies the right to refuse to register a collective agreement, and limits on the right to strike.[19] The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has criticized several aspects of the law, including its limits on freedom of association, collective bargaining, and the right to strike. The CEACR has repeatedly requested that the Egyptian government modify the law.[20] But no substantial changes have been made.

Due to its failure to uphold its commitments regarding Convention No. 87, Egypt was one of 25 "individual cases" discussed by the Committee of Experts on the Application of Standards (CEACR) at the ILO's 97th conference in May-June 2008. The Committee noted that the CEACR

> was concerned [about] serious allegations of government interference and violent intervention by the security forces against trade union members during union elections, as well as a

number of discrepancies between the labor legislation and the provisions of the Convention [No. 87], in particular as regards the institutionalization of a single trade union system through a variety of means.

The Committee [also] noted with deep concern certain elements of the Government representative's statement which appeared to show a lack of commitment to the fundamental principles consecrated in the Convention, in particular with respect to the most basic right to form and join organizations of one's own choosing, even if outside the existing trade union structure. It regretted that *no progress had been made on these fundamental points since the ratification of this Convention over 50 years ago* [italics added]. It also expressed concern at the references made by several speakers to ongoing, grave violations of the Convention. In this respect, the Committee recalled that basic civil liberties and fundamental rights must be respected during strike action. [21]

An ILO official in the Cairo field office told the local press that Egypt was given until November 2009 to respond to these comments.[22]

Other Laws Limiting Freedom of Association

The Trade Union Law (No. 35 of 1976) and amendments embodied in Law No. 1 of 1981 and Law No. 12 of 1995 establish an organizationally and financially hierarchical and centralized union structure.[23] Article 63 of Law No. 12 of 1995 specifies that local union committees must pay 25 percent of their income to their national general unions and 10 percent to the ETUF. The ILO CEACR has noted that this undermines the autonomy of local unions.[24] Strike funds are controlled by the national general unions (sector unions).[25] The law also stipulates that the ETUF's finances be audited by the MOMM.

Certain categories of workers are not permitted to unionize. Higher administrative officials in the government and "domestic service workers and the like" may not join unions. This exclusion is a violation of ILO standards. Numerous ILO interpretations of Article 2 of Convention No. 87 establish that the right to freedom of association applies to all workers "without distinction whatsoever"[26] (although the ILO allows governments to prohibit the military and police from forming or joining unions, classifying them as essential services).[27]

After a wave of international criticism, the Egyptian government announced in August 2008 that it was considering further changes in labor legislation. Presumably, it would address the concerns articulated by the ILO CEACR. As of November 2009, prospective changes had not been announced. Leading members of labor-oriented NGOs expect that no changes will be made until just before the next nationwide elections for local trade union committees in 2011, and they anticipate that the changes will be cosmetic.[28]

There have been no reports that the ETUF executive committee is pressing the government to reform labor legislation. In fact, based on their response to efforts to form independent Egyptian trade unions for the first time in over half a century, the ETUF and its affiliates seem reluctant to relinquish their legal monopoly over trade union organization.

Case Study: Repression of Independent Trade Unionism at Ghazl al-Mahalla

The most egregious consequence of the Trade Union Law is that it requires all unions to be affiliated with the ETUF. In response to the efforts of Ghazl al-Mahalla textile workers to organize an independent trade union, Sa'id al-Gawhari, president of the General Union of Textile Workers (GUTW), an ETUF affiliate, reaffirmed that it is illegal to organize a union independently of the single trade union center recognized by the Egyptian state.[29] The ILO CEACR has repeatedly stated that laws requiring all trade unions to belong to a single federation infringe on the freedom of association and violate Convention No. 87.[30]

Strikes in December 2006 and September 2007 at Ghazl al-Mahalla (Misr Spinning and Weaving)—a public-sector firm and one of the largest industrial enterprises in Egypt with about 25,000 employees—were high points in the recent protest movement and inspired many other workers.[31] As the ultimate employer, the government is directly responsible for repression of independent trade unionism there.

The local trade union committee did not support the December 2006 strike. Therefore, workers demanded that the ETUF executive committee impeach the committee. When the ETUF ignored this demand, some 14,000 workers signed a petition declaring "no confidence" in their trade union committee and demanding its impeachment. About 3,000 went further and sent formal letters announcing their resignations to ETUF headquarters. The ETUF bureaucracy ignored the workers' resignations and continued to deduct dues from their paychecks.



Workers from the Misr Spinning and Weaving Factory in the northern industrial town of Mahalla al-Kubra beat on makeshift drums as they protest on the final day of a week-long strike for unpaid bonuses, Sept. 28, 2007.

During the September 2007 strike, five members of the elected strike committee were arrested and pressured to reach a settlement behind the backs of their colleagues.[32] They agreed only to submit the proposed agreement to a meeting of workers, who rejected it. After his release from jail, Muhammad al-'Attar told journalists, "We want a change in the structure and hierarchy of the union system in this country. . . . The way unions in this country are organized is completely wrong, from top to bottom. It is organized to make it look like our representatives have been elected, when really they are appointed by the government."[33]

"In the past they dealt with us as if we were not humans"

"We want[ed] to shut down the factory and make the employer feel the scope of the problem. . . . Eventually six of us sat with the Chairman of the Board and the head of Human Resources. The real gain, before any material gains achieved, was that they felt that they had a company with human beings working in it. In the past they dealt with us as if we were not humans."

Source: Worker, Suez Company for Fertilizers, in Hisham Mubarak Center, "Worker Protests in Egypt, 2007" (video), Cairo, 2009.

The Struggle for Independent Trade Unions

The 55,000 municipal real estate tax collectors are the only workers so far to have succeeded in establishing an independent union, the result of a protracted struggle that began over economic issues. Their wages were considerably lower than their counterparts employed directly by the Ministry of Finance. So they demanded wage parity and affiliation with the Ministry of Finance instead of the local municipalities.

During the fall of 2007 they organized escalating protests, including demonstrations and refusal to collect taxes. In December they went on strike. About 3,000 municipal real estate tax collectors and their family members sat for 11 days in front of the Ministry of Finance and other government offices in downtown Cairo. The strike ended when Minister of Finance Yusif Butros Ghali granted the municipal tax collectors a bonus equal to two months pay and raised their wages by approximately 325 percent, giving them wage parity with those employed by the General Tax Authority. The campaign of collective actions that led to this victory involved the largest number of workers in the entire wave of protests since 2004 and was the first coordinated mobilization of civil servants across Egypt.

The General Union of Bank, Insurance and Finance Employees (GUBIFE), an ETUF affiliate, did not support the struggle of the municipal tax collectors. Out of 11 local union committees of municipal tax collectors affiliated with the GUBIFE, only the Daqahliyya governorate (province) committee and half of the Giza governorate committee supported the protest.[34] Therefore, the tax collectors elected representatives from each governorate to form a Higher Committee for the Real Estate Tax Collectors' Strike.

After the December 2007 sit-in and strike, the strike Higher Committee decided to remain in existence. Led by Kamal Abu 'Eita, its members resolved to build on their success and create an independent union.[35] During 2008 the committee and its supporters gathered about 30,000 signatures of tax collectors who endorsed the creation of an independent union.[36] Local union committees were elected in the governorates. On December 20, 2008, more than 1,000 municipal tax collectors from all over Egypt met in Cairo and declared the establishment of the Independent General Union of Real Estate Tax Authority Workers (IGURETA). Kamal Abu 'Eita and most of the members of the strike committee, including one elected from each governorate, became the IGURETA Constituent Council.[37]

On April 21, 2009, the Constituent Council, supported by a demonstration of 300 union members, submitted an application to form a union to Minister of Manpower

and Migration 'A'isha 'Abd al-Hadi. After intense negotiations, she accepted the application and did not act during the 30-day period during which she could have contested the legality of the new union.[38] The creation of the first independent Egyptian trade union in over half a century was confirmed. The independent press and labor activists believe that 'Abd al-Hadi made this extraordinary decision as a result of her personal feud with ETUF President Hussein Megawer and that the rest of the government supported her in this because it was embarrassed over criticism of Egypt and the ETUF at the 2008 ILO conference and other international forums.[39]

The tax collectors have several advantages over industrial workers like those of Ghazl al-Mahalla. They temporarily suspended collecting taxes and thereby directly threatened the government's revenues. Their independent unionization does not threaten the privatization of public-sector enterprises, and they are not employed by an institution with as much national political symbolism as Ghazl al-Mahalla.

Nonetheless, the ETUF has sought to impede the formation of their union at every step. After ETUF President Hussein Megawer failed to prevent the establishment of the new union, he proposed that the IGURETA affiliate with the ETUF. But the IGURETA leadership rejected this offer and insisted on maintaining their independence.[40] In response, the ETUF pressured the Real Estate Tax Authority to suspend the activities of the IGURETA, and it filed legal complaints with the Public Prosecutor against IGURETA President Kamal Abu 'Eita and IGURETA leaders in the governorates of Qalyubiyya and Bani Suwayf. It accused them of calling for the establishment of the union (this charge is, of course, factually correct).[41]

After the formation of the IGURETA, ETUF dues continued to be deducted automatically from members' paychecks, while collection of dues by IGURETA officials has been impeded.[42] 'Abd al-Qadir Nada, deputy-treasurer of the IGURETA told a respected labor journalist, "Whenever we try fund raising [i.e., collecting dues] for the union, we get investigated for collected [sic] 'illegal funds.'"[43] Moreover, Nada alleged that thugs working for the ETUF-affiliated GUBIFE insulted, slapped, pushed, and kicked Ahmad Abu'l Yazid, the head of IGURETA in Gharbiyya governorate, and IGURETA representative Ahmad 'Abd al-Sabur from Sharqiyya governorate.[44]



Property tax collectors on strike, demonstrating in front of the offices of the Council of Ministers, downtown Cairo, December 11, 2007.

On July 27, 2009, the Minister of Finance approved the establishment of a Social Fund for the IGURETA, similar to those of other unions. Its assets would be used to augment the government-established pensions of retirees. ETUF President Megawer opposed this decision and pressured the Minister of Finance to rescind it. Consequently, on August 5 the Minister of Finance effectively reversed his decision and assigned the fund to the ETUF-affiliated GUBIFE.[45] In protest of this decision, on August 11 about 37,000 IGURETA workers throughout Egypt went on strike. One thousand of them sat down on a Cairo street in front of the People's Assembly and denounced Hussein Megawer and GUBIFE President Faruq Shihata for obstructing their union's efforts to consolidate its legal personality.[46]

The strike was suspended after one day when the Ministry of Finance promised to consider the IGURETA's demands. At the same time, the executive committee of the IGURETA decided to file a complaint against the ETUF with the ILO. The IGURETA leaders maintain that the ETUF incited government officials to act antagonistically towards their union, citing particularly the ETUF's complaint to the Public Prosecutor demanding an investigation of IGURETA leaders on the grounds that they had established the union without a legal basis.[47]

The IGURETA continues to consolidate itself as the representative of the great majority of the municipal tax collectors despite the persistent opposition of ETUF and GUBIFE leaders. Unexpectedly, in this case the Egyptian government has been more willing to tolerate independent unionism than the ETUF. Guy Ryder, General Secretary of the ITUC, seems to have recognized the ETUF's primary role in efforts to suppress the IGURETA. In his August 20, 2009, letter to President Mubarak, Ryder denounced Megawar's "considerable pressure" on government officials—pressure which resulted in bureaucratic attacks on the union and physical assaults, intimidation, and punitive transfers of its members and leaders.[48]

Another indication that government employees may be better positioned than others to establish independent unions given the current balance of forces in Egypt is the struggle of the 526,000 administrative workers in the Egyptian public school system. These administrators—who manage student affairs, order and distribute school books, organize examination materials, and work in accounting, human resources, and legal affairs departments—have been demanding wage parity with teachers.[49] Like the tax collectors' refusal to collect taxes, a refusal to administer examinations would be a very powerful tool, which the education administrative workers have threatened to use.

Historically, the wages of teachers and administrators were the same (and very low). In 2007 the Egyptian parliament enacted a new teacher pay scale. Since the administrative workers are not classified as "educational staff," they did not receive similar pay increases.

The ETUF-affiliated General Union of Educational Services Workers (GUESW) had not supported the education administrative workers. So, following the example of the IGURETA, the education administrative workers formed an independent committee to represent them. The committee organized local strikes in several schools and local education authorities in February and March 2009, a demonstration in front of parliament on March 9, and a national school strike on March 29.

In addition to wage demands, the committee advocates establishing an independent union. This was very likely why the GUESW supported two sit-in demonstrations

in front of the ministries of Finance and Education on April 15, 2009. However, official support for the administrative workers was limited.

On August 15, 2009, several dozen members of their committee attempted to stage a sit-in protest in front of the government cabinet offices in downtown Cairo to demand that they receive their incentive pay. Security forces broke up the protest and detained the committee's coordinator, Fawzi 'Abd al-Fattah.[50] He was subsequently banned from travelling to Cairo from his home in the Suez governorate, and the police seized funds he had been collecting to finance the protest movement. He ignored the travel ban and returned to Cairo to continue the protest.[51] This struggle remains unresolved as of January 2010.

Even though they are relatively privileged compared to the education administrative workers, some teachers are also considering forming an independent trade union. They are receiving support and encouragement from an education-oriented NGO, the Egyptian Center for Education Rights (see Chapter 5).[52]

Postal workers are also threatening to form an independent union. On May 18, 2009, postal workers in Kafr al-Shaykh governorate went on strike for six days after the manager of the Egyptian Post Authority refused to meet a delegation of postal workers from several governorates, even though he had set the time for the meeting.[53] They demanded wage parity with the Egyptian Telecommunications Company (ETC) workers, who earn up to three times as much as the 52,000 postal workers. The postal workers are employed by the same ministry as the ETC workers, but their basic wage has not increased in five years. They also demanded that the 5,000 temporary workers employed by the Postal Authority receive permanent status and complained about a recently adopted performance appraisal system.[54]

The following month, 200 postal workers attended a press conference in Cairo called to air their grievances. Ahmad Hamdi, head of the Fayyum trade union committee told the audience, "We have addressed the general union but unfortunately have had no response."[55] Consequently, the postal workers' leaders at the press conference called for establishing an independent union. IGURETA President Kamal Abu 'Eita addressed the press conference and encouraged the postal workers to form a strike committee and move towards establishing an independent union.

"We hope to see a new Egypt"

"We are about to establish an independent union for defending the rights of blue- and white-collar workers, a union that has effective power and does not receive orders from anyone. . . . We hope to see a new Egypt, a great Egypt, where all workers can establish their own independent associations and all peasants can establish their own independent societies, where all students can establish their own independent unions. This is the real independence in Egypt, and the will of the Egyptian people is stronger than the will of the Egyptian businessman."

Source: Worker, Ministry of Education, in Hisham Mubarak Center, "Worker Protests in Egypt, 2007" (video), Cairo, 2009.

Restrictions on NGOs

In addition to restrictions on forming trade unions outside the framework of the 1976 Trade Union Law and its amendments, workers are further deprived of the freedom of association, because the state tightly controls all NGOs, including those that have emerged as alternatives to the official trade union structure. NGOs in Egypt do not have the legal right to operate independently of government control, because Law 84 of 2002 empowers the government to regulate and interfere with their operation. In 2006 the Special Representative of the UN Secretary General on Human Rights Defenders reported:

> Law 84 of 2002 still severely compromises the right to freedom of association by giving the government unwarranted control over the governance and operations of NGOs. The law . . . provides for criminal penalties for so called "unauthorized" activities, including "engaging in political or union activities, reserved for political parties and syndicates [trade unions]" (Article 11). In addition, it provides for up to six months in prison for receiving donations on behalf of an NGO without prior ministry approval.[56]

In November 2008 the Egyptian Organization for Human Rights hosted a workshop attended by 150 NGOs from 14 governorates. The meeting endorsed draft legislation to replace Law 84 of 2002 in accordance with international covenants and principles of human rights, especially with regard to freedom of association.[57] However, the government has shown no interest in amending the law. On the contrary, NGOs that have sought to organize and represent workers independently, such as the Center for Trade Union and Workers Services (CTUWS), have been subjected to legal harassment, as have many independent trade unionists.

Right to Strike

In April 1987 the government prosecuted railway drivers, who had gone on strike the previous year, in the Cairo State Security Emergency Criminal Court. The court exonerated all the defendants on the grounds that the International Covenant on Economic, Social and Cultural Rights, to which Egypt is a signatory, considers the right to strike a human right.[58] Nonetheless, several strikes that occurred after this ruling—for example, at the Iron and Steel Company in Helwan (1989), and at Misr Spinning and Weaving Company in Kafr al-Dawwar (1994) were repressed with violent, even deadly, force.[59]

Although the 2003 Unified Labor Law explicitly legalizes strikes, it is not designed to protect workers' right to strike.[60] The legislation permits a strike if two-thirds of the relevant general union executive committee approves it and the ETUF executive committee ratifies it. These bodies are in the hands of National Democratic Party (NDP) members loyal to the government.

According to the law, after a strike is approved, the union must give the employer a ten-day notice. It must also announce in advance the planned duration of the strike. Indefinite strikes to achieve demands are not legal. Strikes held while collective agreements are in force or during mediation or arbitration procedures are forbidden. These conditions are so restrictive that workers do not have an effective right to strike. Mufid Shihab, the Minister of Legal and Parliamentary Affairs, admitted, "The law in Egypt bans strikes. And this contradicts the international treaties we signed. But strikes must have regulations and guarantees so as not to affect vital state facilities. There are sectors where strikes should not be allowed."[61]

While the law does not technically ban strikes altogether, Minister Shihab was correct in saying that Egyptian law does violate ILO Convention No. 87

(1948) on Freedom of Association and Protection of the Right to Organize, which Egypt has ratified. At the very least, it appears that senior government officials do not distinguish clearly between legitimate strikes and criminal acts or threats to state security. In his speech on International Labor Day 2009 (May Day), President Mubarak indicated his opposition to strikes:

> I appeal to workers and employers to recognize the scope of these difficult times for us and for the world. I invite them to accept a code of ethics to regulate the relationship between them, to guarantee the rights and obligations of both parties, to allow the settlement of any claims through constructive dialogue rather than through strikes or sits-in that conflict with the law, disrupt work and production, and cause the gravest damage to our economy.[62]

In May 2009, under heavy pressure from workers and public opinion, the ETUF executive committee approved a strike at Tanta Flax and Oil Company (see case study below). This is only the second strike the ETUF has ever approved as far as all the labor activists and journalists interviewed for this report can recall. The previous one was in 1993, when the General Union of Mining, Construction, and Carpentry supported a national strike of miners.[63] However, despite a promising beginning, the ETUF-affiliated General Union of Textile Workers (GUTW) did not follow through in supporting the workers.

Case Study: ETUF Indecisively Supports a Strike at Tanta Flax and Oil Company (Kitan Tanta)

Tanta Flax and Oil Co. (Kitan Tanta) was established as a public-sector firm in 1954 and is the largest Egyptian enterprise producing linen, oil, and other flax products. At its peak it employed about 2,500 workers. In February 2005 the government sold the firm to a Saudi investor, 'Abd Allah al-Lilah al-Ka'ki. The current workforce is about 1,000.[64]

Kitan Tanta workers struck (without ETUF authorization) in February 2007 to protest actions taken by the employer in violation of the law - an increase in working hours without additional pay, a reduction in incentive pay by about 50 percent, and introduction of a charge to workers for up to 30 percent of health care costs.[65] As there was no resolution of these demands, there were further protests. Another strike on July 2, 2008 was supported by 2 (out of 11) members of the trade union committee—Hisham 'Aql and Ra'fat Ramadan—though the ETUF did not authorize the action. On July 15, 'Aql, Ramadan and five other workers were fired for participating in the strike. The company has refused to implement court rulings finding that these dismissals were unjustified. The government has not compelled it to do so, even though an appeals court ruled on September 17, 2009, that all seven of the dismissed workers must be returned to their jobs.

The workers say that they did not receive their annual pay raise of 7 percent of their basic wage in July 2008 as required by Egyptian law. Moreover, despite the fact that the enterprise is profitable, workers have not received profit-sharing payments since it was privatized. Workers also say that their incentive pay is calculated on the basic wages they received in July 2004 rather than the current wage level; and the company did not increase their meal allowance to E£90 per month, as other firms in the textile industry have done since April 2007.[66]

In the spring of 2009 the Kitan Tanta workers resolved to resume their struggle against the much-hated Saudi owner. This time the GUTW and the ETUF executive committee approved a five-day strike



Egyptian workers of the Misr Spinning and Weaving Company demonstrate inside the company grounds in Mahalla al-Kubra, September 26, 2007.

beginning on May 31, 2009, in accordance with the Unified Labor Law, which requires that strikes be announced and their length specified in advance.[67] However, the Kitan Tanta strike continued until mid-November and was suspended without a resolution of its major economic demands or the reinstatement of the fired workers.

Kamal 'Abbas, general coordinator of the Center for Trade Union and Workers Services, believes that the GUTW's strike authorization at Kitan Tanta "reflects an awareness on ETUF's part that its existence is under threat. . . . ETUF has really started to become aware of its own alienation, not only from labor leaders but in Egyptian society as a whole. This is a result of its complete submission to, and defense of, the government's position."[68]

Whatever the ETUF's reasons for supporting the Kitan Tanta workers' demands by authorizing a five-day strike, it ultimately abandoned them. On August 8, 2009, Zayn al-'Abidin Ahmad 'Ali, the ETUF deputy secretary general, attempted to convince the Kitan Tanta workers to call off their strike.[69] 'Ali confirmed that ETUF President Hussein Megawer had ordered Sa'id al-Gawhari, President of the GUTW, to end the strike after his discussions with the Minister of Manpower and Migration and the company management.

According to 'Ali, management had agreed to increase the meal allowance and to pay an annual wage increase of 10 percent. But the employer wanted another judicial inquiry into whether it was required to rehire the workers who were fired for their roles in leading the struggle of the Kitan Tanta workers since 2007. Further, nothing was said about the basis on which incentive pay would be figured. One of the fired strike leaders, Hisham 'Uql, maintained that management made no firm commitments, only verbal promises.[70] Al-'Uql said that the workers wanted management to negotiate directly with them.

Another fired strike leader, Gamal 'Uthman, said, "I have been issued a court order according to which I am to be reinstated in the company, but the [management] has ignored this court order. We will not leave until [Minister of Manpower and Migration] 'A'isha 'Abd al-Hadi meets with us . . . we are sick and tired of being ignored."[71]

In response to demands that they abandon the strike, Kitan Tanta workers planned a sit-in in front of the MOMM on August 9, 2009, but they had to abandon it because of pressure from the security authorities.[72] However, they showed no sign of calling off the strike. On August 15, after the GUTW stopped providing workers with strike pay, they set up their own independent strike fund. The workers began the strike displaying banners proclaiming their support for ETUF President Hussein Megawer and GUTW President Sa'id al-Gawhari. By August, they had taken down those banners and were literally trampling them underfoot.[73] They rejected an offer from Prime Minister Nazif of a month's pay in exchange for calling off the strike and continued to insist that their demands be addressed. On August 18, 2009, 850 workers proclaimed a hunger strike in Tanta while their colleagues demonstrated in front of the Prime Minister's office in Cairo.[74]

The inability of the GUTW and the ETUF to act independently of the government is indicated by al-Gawhari's weak-kneed comment to a reporter in which he avoided forthrightly supporting the demands of workers engaged in a strike which the GUTW and the ETUF had initially authorized:

> We are currently considering the cancellation of the Textile Holding Company's contract with the investors, or returning the Tanta Company to state-ownership. If this is not feasible and the company is liquidated then we demand that the workers should be given proper compensations and should be granted their full entitlements and rights. Hussein Megawer has filed a memo to Prime Minister Nazif regarding the sacked workers, and the other grievances. We expect the Prime Minister to intervene swiftly in order to resolve this crisis.[75]

Some workers did advocate returning the firm to the public sector at the start of the strike. Later, however, other leaders said that they did not want the firm to be returned to the public sector, but wanted to manage it themselves. The ETUF, as evidenced by al-Gawhari's statement, is not prepared to consider this position.

Essential Services and the Right to Strike

As Minister Shihab noted, strikes are prohibited in "strategic or vital establishments where interrupting the work therein will result in disturbing national security or the basic services provided by them to the citizens."[76] The prime minister is empowered to determine what constitutes a strategic or vital establishment. The current list includes hospitals, medical centers, pharmacies, bakeries, public lands, maritime and air transportation, commercial transport, civil defense institutions, drinking water, electricity, gas and sewage facilities, communications enterprises, seaports and airports, educational institutions, and the police and military.[77] In addition, strikes are prohibited in all of the many military industrial enterprises.

The ILO CEACR has repeatedly requested that the government ensure that strikes are prohibited "only for public servants exercising authority in the name of the State, or in essential services in the strict sense of the term (that is, services the interruption of which would endanger the life, personal safety or health of the whole or part of the population)."[78] This recommendation has been ignored by the Egyptian government. In March 2008 Prime Minister Nazif asserted that it is illegal for all state employees to strike, regardless of their occupations.[79]

Use of State Security to Deter Worker Rights

In addition to legal limitations on the right to strike, Egypt's government compromises fundamental worker rights through use of its security forces in

industrial disputes. State Security Investigations personnel often become involved in labor disputes, because the government views strikes, sit-ins, and demonstrations primarily as violations of public order. State Security Investigations officers have repeatedly intervened in the labor struggles at the large and politically strategic Ghazl al-Mahalla factory since 2006 without even the pretext of a legitimate security purpose (see below).

Even in lower-profile situations, the security forces are commonly involved. In January 2008, striking workers at Trust Weaving Industries in Suez demanded disbursement of unpaid dividends on their shares in the firm from 1998 to 2006 and increases in various allowances. State Security Investigations personnel pressured workers to end the strike. The president of the local union committee was also pressured to tell the striking workers that they would all be charged with sabotaging the machines, while 20 specific workers would be charged with agitation and inciting the strike.[80] The strike ended inconclusively.

Port workers have also been subjected to interference in their union activities. In September 2008, 1,000 workers at the Canal Company for Ports and Large Projects held a week-long sit-in to demand wage parity with Suez Canal Authority workers. According to Ashraf 'Abbas, a member of the Isma'iliyya branch of Egyptian Workers and Trade Union Watch, a recently established NGO that monitors labor affairs, "State security officers took two workers aside and made them an offer to increase the compensation and increase workers' food allowance from E£26 [about US$4.73] per month to E£52 [about US$9.45] . . . but the officers also threatened workers that they would be placed in detention if they did not break up the sit-in."[81]

During the January 2009 strike of train drivers, security authorities participated in the negotiations and joined representatives of the official trade union in pressuring workers to accept the agreement that ended the strike.[82] The camera of a journalist covering the strike for the daily *al-Badil*, which has been supportive of workers' demands, was snatched from her hands by a policeman as she was interviewing a worker. It was returned after the intervention of a senior officer.

These examples indicate that in recent years the government has refrained from the most violent forms of repression that were deployed in the 1980s and 1990s. Nonetheless, it is still common for worker activists to be subjected to pressure from security authorities.

Right to Organize and Bargain Collectively

The Unified Labor Law establishes that a collective agreement is valid only if it complies with the law on public order or general ethics.[83] In 2008 the ILO CEACR requested but did not receive a definition of "general ethics."[84] The law requires that collective agreements be registered with the competent administrative authority, which can refuse to register an agreement by "stating reasons."[85] The law does not enumerate what valid reasons may be.

Law 35 of 1976 permits any group of at least 50 workers to organize a new local union. However, an estimated 98 percent of all private-sector workplaces, including virtually the entire informal economy (as many as 16 million workers out of a total workforce of about 26.8 million), employ fewer than 15 workers.[86] Workers in large public-sector enterprises are most likely to be represented by a union (although those on fixed-term contracts are barred from union membership). A very small percentage of workers in large pri-

vate-sector enterprises are also unionized. But most workers are employed in enterprises that are legally considered too small to form a local union committee.

Although the law permits forming an amalgamated local comprised of workers in different small enterprises, this is extremely rare because of the great logistical difficulties. Consequently, the majority of workers in the private sector are unlikely to be able to join a union. The ILO interprets a high-minimum-membership requirement as an infringement on the right to organize.[87]

To form a new enterprise-level local union, workers must petition the ETUF executive committee, which is empowered by Law 35 to accept or reject the petition. All new and existing local trade union committees must affiliate with the national general union of their industry. The general union has the sole authority to organize, represent, and bargain on behalf of workers in that industry. All unions must belong to the ETUF, the sole legally recognized trade union federation under Law 35.

Government workers comprise the largest single bloc of ETUF members. Collective bargaining is not allowed in this sector. The government unilaterally sets wages and other terms and conditions of employment.

The ETUF and the National Democratic Party (NDP)

Since 1957, with rare exceptions, only pro-government loyalists have served as ETUF leaders. All 23 members of the ETUF executive committee in office for the 2006-2011 term are members of the NDP. The current president, Hussein Megawer, has been head of the NDP parliamentary bloc and now serves as chair of the parliamentary Committee on Manpower. Megawer also serves as the Egyptian government's representative on the boards of directors of both the Suez Cement Company and the Turah Cement Company. (The Egyptian government is a part owner of both companies, while Italcementi Group has a majority interest in both). These multiple roles create an apparent conflict of interest. Megawer's son owns a trucking firm which has a contract to transport Italcementi products in Suez and Helwan.[88] Six presidents of national general unions are members of the NDP Labor Affairs Secretariat. The President of the Agricultural Workers' Federation, Muhammad 'Abd Halim Ahmad 'Abd al-Hafiz, is also a member of the NDP's powerful Policies Committee.[89]

A recent example of ETUF subservience to the government relates to the issue of the monthly minimum wage. On February 17, 2008, some 10,000 workers and their families in Mahalla al-Kubra, many of them waving loaves of bread, demonstrated against soaring price increases, especially of basic foodstuffs, which rose at rates ranging from 33 percent (for meat) to 146 percent (for chicken) between 2005 and 2008.[90] The next day the Higher Council for Wages recommended increasing the monthly basic minimum wage to E£350 (about US$65.00).[91] The basic minimum wage was set at E£35 a month (about US$6.50) in 1984 and had not increased since then. Folding in annual cost-of-living raises, it was due to reach E£108.50 (about US$19.05) a month in July 2008.[92] Even with additional bonuses and allowances and two income earners, a minimum wage of E£350 a month would be below the World Bank's poverty line of US$2.00 a day per person for the average Egyptian family of 3.7 people.

The Ghazl al-Mahalla strike committee countered this poverty-wage proposal by demanding a basic monthly minimum wage of E£1,200 (about US$218).[93] The ETUF had previously proposed a minimum wage of E£600 (about US$109) a month. After the Mahalla demonstration, the ETUF raised its proposal to E£800 (US$145), citing research that an Egyptian family

requires a minimum of E£1,405 (about US$255.50) a month.[94] However, after President Mubarak indicated that raising the minimum wage was not on the government's agenda due to opposition from businessmen, the ETUF dropped the matter altogether.[95]

The issue was resolved by President Mubarak when he declared a 30 percent increase in the basic wage of public-sector workers in his speech on International Labor Day 2008. This raised the monthly minimum wage, including cost-of living allowances, to about E£144 (about US$25.80)—less than the great majority of workers in the formal economy were already receiving. President Mubarak's announcement was undoubtedly a response to the demonstrations over soaring inflation and shortages of subsidized bread in spring 2008. But it was a totally inadequate response that, even with the addition of allowances, incentives, bonuses, and profit sharing, left many working families below the poverty line.

The ETUF has applied for membership in the International Trade Union Confederation (ITUC). The ITUC offered the ETUF "associate organization" status in November 2006 (when the Federation held its Founding Congress). The ETUF rejected that offer in April 2008, stating that it had expected to be accepted as an ordinary member. In November 2008 the ETUF informed the ITUC that it wanted to accept the status of associated organization. The ITUC General Council decided to ask the ETUF for clarification on this changed attitude. As of January 2010, there had been no clarification (and no new facts had come to the attention of the General Council), and the matter was no longer on the agenda. The ETUF has not democratized its internal governance, developed independence from the Egyptian government, or publicly supported reforms in labor legislation to allow for trade union pluralism.[96]

The close links between the ETUF and the government, the regular interference of the security forces in trade union matters, the harassment of independent-minded leaders, and fraudulent election procedures indicate that the ETUF and its subsidiary organizations do not function as trade unions freely chosen by workers to represent them in accordance with fundamental ILO Convention No. 87 (1948) on Freedom of Association and Protection of the Right to Organize, Convention No. 98 (1949) on the Right to Organize and Collective Bargaining, and other international conventions that Egypt has ratified.

Manipulation and Repression

Manipulation of Trade Union Elections

The Ministry of Manpower and Migration establishes the rules and procedures for conducting ETUF elections, which take place nationally every five years. These arrangements largely determine outcomes in advance and are one of the government's mechanisms to control workers and unions. Instead of grassroots democracy, elections are entirely top-down, prohibitively bureaucratic, and completely controlled. The ILO CEACR has noted that this does not conform to the requirements of Convention No. 87, because the intervention of ETUF or governmental bodies in local trade union elections deprives workers of the right to freely elect their representatives.[97]

The requirements for running for local union office are extremely bureaucratic.[98] Among other things, candidates must present a document from the national general union certifying that the prospective candidate has been a union member for a year. All general union headquarters are in Cairo. Aspiring candidates must typically give up a day's work to obtain the document. The nomination period is very short, so if they run into

difficulties with their certification, they will probably not have enough time to straighten things out. Since 1957 the security forces have routinely banned opponents of the government—Communists, Muslim Brothers, and independents—from running for trade union office.

During the 2006 elections the ETUF general secretary declared that certificates of union membership should not be delivered without the consent of the ETUF president.[99] This statement contradicted the August 2006 Constitutional Court ruling that it is not necessary to obtain a certificate from the union in order to stand as a candidate. That ruling was challenged by the MOMM.[100] Had it been implemented, the ability of the security forces to control candidacies for union office would have been diminished.

Another obstacle to union democracy is the lack of an adequate election-monitoring process to prevent fraud. According to labor lawyer Khalid 'Ali 'Umar, a total of only 32 judges were appointed in 2006 to monitor the elections in all the local union committees across Egypt—a ratio of less than one judge for 54 committees, which made adequate supervision impossible.[101] Brave judges are the only government officials who exercise significant independence from the executive branch (while many other judges are subservient to the executive). Therefore, most Egyptians regard judges as the most appropriate people to ensure fair and free elections.

The Coordinating Committee for Trade Union and Workers Rights and Liberties was established in 2001 to monitor the national trade union elections held that year. Sabr Barakat and Khalid 'Ali 'Umar wrote a report titled *Unions without Workers and Workers without Unions* based on documentation of undemocratic election procedures.[102] In these elections almost all members of local union committees opposed to the enactment of the Unified Labor Law, which was then being hotly debated, were removed from office either because they were administratively barred from running for office or because the elections were manipulated.

At least 12,000 candidates were barred from running in the national trade union elections for the 2006-2011 term.[103] Those elections were widely condemned as fraudulent. An independent labor affairs journalist judged them to be "undemocratic and non-transparent."[104] The Center for Trade Union and Workers Services called them "unequivocally the worst in the history of the Egyptian trade unions."[105]

Unopposed election by acclamation is one of the techniques used by the ruling NDP to ensure that trade union leaders are acceptable to the government. Election by acclamation at the local level usually means that all opposition candidates were administratively eliminated before the balloting, so there was no real election. In the case of higher union bodies, it is more common that no one dares to challenge the incumbent. Out of 1,805 local union committees, 805 were elected by acclamation in the last union elections. In the other locals, elections were held after most candidates unacceptable to the government (primarily Muslim Brothers) were barred from running. In addition, the executive boards of 15 of 23 national general unions were chosen by acclamation. All 23 members of the ETUF executive committee were elected by acclamation.[106] Both the executive committees of the general unions and the ETUF are indirectly elected.

Repression of Independent Labor Organizations

The electoral procedures described above typically produce unfairly "elected" union committees that do not represent their constituents. Since the ETUF has a

Irregularities in Trade Union Elections for the 2006-2011 Term

- In Mahalla al-Kubra workers reported that votes were counted in a building surrounded by security forces, who kept people more than 500 meters away. Candidates were not permitted either to monitor the process or follow it up.
- Muhammad Hafiz Fikri, who works in the Qena Health Administration, tried to nominate himself for the local trade union committee. He was told that his name did not appear on the state security list of potential candidates. Nonetheless, he registered as a candidate. The MOMM then removed his name from the list. When he tried to reapply, state security threatened him with arrest and detention. He was forced to go into hiding.
- Muhammad Abu Samra, a member of the local union committee of the Seaport Authority of Alexandria and an executive committee member of the General Union of Maritime Transport Workers, was deprived of the right to run again since he had been expelled by the ETUF a month before the elections. When he obtained a court order allowing him to run for election, he was transferred to a different location and to a different job.
- On October 21, 2006, security forces lined up in front of the ETUF headquarters and erected metal barriers to prevent people from entering the building to register as candidates.
- On October 28, 2006, Rabi' Idris, an employee at the MOMM's Labor Relations Office, was beaten up by detectives from state security and taken to an unknown place because he allowed a trade union member of the Misr Petroleum Company to register as a candidate without his identity card.
- Also on October 28, security forces surrounded the building of the Manpower Administration of Shibin al-Kum and blocked the streets to check the papers of all union members registering to run in the elections. Those whose names were on security lists were escorted by police to an unknown destination. In follow-up interviews, some of the workers involved reported that 16 persons were arrested and detained until 5:00 p.m. that day—after the closure of the registration office. A court decision censured the arbitrary arrest, but it was too late for most of those who were arrested to run in the elections since the registration process was closed. Three of the arrested candidates were members of the Muslim Brothers. One of them was arbitrarily removed from the list before the election. The other two were elected.

Sources: Message from the Workers of Mahalla to the International Labour Organization, June 1, 2008, http://cms.horus.be/files/99931/Newsletter/Binder1.pdf; ITUC, 2007 Annual Survey of Violations of Trade Union Rights, http://survey07.ituc-csi.org/getcountry.php?IDCountry=EGY&IDLang=EN; Marie Duboc, interview, Shibin al-Kum, May 3, 2009.

legal monopoly on trade union organization, several NGOS have emerged to fill this gap. One such NGO, the Center for Trade Union and Workers' Services (CTUWS) recently experienced significant harassment and interference from the Egyptian government.

The CTUWS was established in March 1990 by Kamal 'Abbas and the late Yusuf Darwish (1910-2006). Darwish was a labor lawyer whose clients included dozens of unions.[107] 'Abbas was a leader of the two 1989 sit-in strikes at the Helwan Iron and Steel Company and was fired for participating in an "illegal" strike. He now serves as the General Coordinator of the CTUWS. The CTUWS aims to promote independent trade unionism, defend workers' right to strike, organize workers in the private sector, build the organizational skills of workers, promote the engagement of women in trade union activity, combat child labor, develop democratic practices in Egypt, and build bridges and cooperation with workers and trade unions beyond Egypt. It is headquartered in the southern Cairo suburb of Helwan, with branches in several industrial centers.

For several years the CTUWS tried to register as an NGO in accord with Law 84 of 2002. But the Ministry of Social Solidarity refused to accept its request to register because the security apparatus advised against it. In the spring of 2007 provincial governors ordered CTUWS's two regional offices shut down. In response, Guy Ryder, General Secretary of the International Trade Union Confederation, wrote to President Mubarak requesting removal of the restrictions on the activities of the CTUWS.[108] Nonetheless, security authorities closed the CTUWS headquarters on April 25, 2007, alleging that the CTUWS was registered as a civil company (a common way to circumvent refusal of the ministry to register an NGO) but was, in fact, an NGO.[109]

According to 'Adil Zakariyya, editor of the CTUWS monthly *Kalam Sinaya'iyya* (Workers' Talk), "The authorities are clamping down on the center now because they don't know how to deal with the waves of strikes that have rocked the country over the past six months. They need a scapegoat, so they are accusing us of inciting the workers to strike. But how can they accuse us of inciting all 220 of the strikes estimated to have occurred in 2006?"[110]

While the CTUWS offices were closed, general coordinator and legal counsel, Kamal 'Abbas and Muhammad Hilmi, were harassed with a groundless law suit. They were charged with slander after *Kalam Sinya'iyya* published an article about corruption and mismanagement of a youth center. The story targeted the center's board chairman, who was also a member of the ruling NDP. On October 11, 2007, 'Abbas and Hilmi were sentenced to one year in jail. The corruption charges were ultimately proven, and the governor of Cairo dismissed the entire board of directors of the youth center. The sentences of 'Abbas and Hilmi were repealed on February 27, 2008.[111]

On March 30, 2008, the Administrative Court (*Majlis al-Dawla*) ruled that the government had no cause either to deny the petition of CTUWS to register as an NGO or to close the organization. Most notable is the court's statement that the objection of the security authorities is not a valid reason to refuse the application of an NGO for registration. The government delayed implementing the court order for nearly three months, but it relented after international criticism.[112] The CTUWS reopened its doors in July 2008.

Many labor-oriented and human rights NGOs rallied to support the CTUWS when it was under attack by the Egyptian government, because they saw it as an attack on all independent NGOs. One labor activist

told a Solidarity Center researcher that he believes the CTUWS has been targeted for greater repression than other labor-oriented NGOs because of its good relations with the ITUC, European trade union federations, and the ILO have exposed the Egyptian government to international embarrassment. While it has backed away from its most egregious measures, the government has continued to subject the CTUWS to harassment by, for example, impeding the movement of Kamal 'Abbas as he was traveling to an ITUC meeting in Brussels in July 2009 and the national convention of the AFL-CIO in September 2009.[113]

Repression of Trade Unionists and Independent Labor Leaders

The Egyptian government has long exercised intimidation and repression against public-sector workers who have emerged as leaders in demanding workers' rights. It has also failed to implement court rulings upholding the rights of workers unfairly disciplined, harassed, or dismissed by both public-sector managers and private-sector employers, as was the case at Kitan Tanta noted above. The following are further representative examples of independent-minded trade union committee members and workers subjected to repressive measures during the recent upsurge of protest:

- On April 15, 2007 a delegation of 100 workers from Ghazl al-Mahalla planned to travel to ETUF headquarters in Cairo to protest the disregard of their resignations from the ETUF (see case study below). Police confiscated the license of the bus driver they had hired and then physically blocked the workers from boarding a Cairo-bound train.[114]

- On May 6, 2007, acting in conjunction with State Security Investigations, Ghazl al-Mahalla management ordered the transfer of Muhammad al-'Attar, one of the organizers of the planned April 15 protest, to the company's facility in Alexandria. The punitive transfer was reversed after trade unions in Europe, the United States, and Australia sent messages of solidarity.[115]

- Muhsin al-Sha'ir, a member of the trade union committee at the Mansura-España Garment Company in Talkha, and five of his co-workers, were fired for participating in a lengthy strike in 2007. They were all rehired. But al-Sha'ir was fired again in June 2008 after he spoke to the press to explain that the company had reneged on promises made a year earlier. (For more details about this struggle see Chapter 3.) On June 15, 250 of his co-workers demonstrated their solidarity with him by staging a sit-in at the factory gate.[116]

- Ahmad 'Abd al-Unis, a trade union committee member at the Fayyum Sugar Company, and Sa'id Shihata, a worker at the Arab Polvera Textile Company in Alexandria, were fired for organizing strikes in 2007.[117]

- On November 30, 2008, seven fired workers from Kitan Tanta joined workers from Ghazl al-Mahalla in sitting in at ETUF headquarters to protest the disciplinary actions taken against workers in both factories.[118]

- On February 15, 2009, 25 striking truckers were arrested.[119]

- Four workers who led the successful 11-day strike in March 2009 at Indorama Shibin were punitively transferred to the firm's Alexandria offices. On May 5 Indorama workers walked out to support their colleagues (see below).[120]

Continuing Repression at Ghazl al-Mahalla

The Ghazl al-Mahalla strike committee called for a national strike on April 6, 2008, (to coincide with the long-delayed elections for local councils) in support of its demand to increase the monthly minimum wage to E£1,200 (about US$218). On April 2 state security forces occupied the factory to prevent the workers from striking. Although the strike did not occur, three worker activists—Kareem el-Behirey, Tarek Amin, and Kamal al-Fayyumi—were arrested on April 6 and held by State Security Investigations for 54 days.[121] They subsequently alleged that they had been tortured, a common practice in Egypt for detainees of all sorts.[122]

Although the strike had been suppressed, a demonstration of mostly women and children protesting high food prices erupted on April 6 in the city's central square just as the day shift was getting out of work. Government-hired thugs unleashed volleys of rocks to disperse the crowd, while uniformed Central Security Forces fired canisters of tear gas and prepared to beat the demonstrators with batons.[123] After this attack, some demonstrators burned the banners of NDP candidates who were running in the municipal elections scheduled for April 8. Those elections had no legitimacy, because hundreds of Muslim Brothers, including many prospective candidates, were arrested before the balloting, thereby eliminating the government's main opposition.[124]

Over two days the security forces arrested 331 people, beat up hundreds of others, critically wounded nine, and shot dead 15-year-old Ahmad 'Ali Mubarak with a bullet to his head as he was standing on the balcony of his flat. In the wake of the security forces' riot, 49 residents of Mahalla al-Kubra were charged with conspiracy to destroy property and similar offenses. In December 2008 an Emergency State Security Court (from which there is no appeal) convicted 22 of them and sentenced them to jail terms of three to five years; 27 others were acquitted.[125]

On October 30 and November 1, 2008, hundreds of Ghazl al-Mahalla workers held vigils outside the factory to protest the non-fulfillment of promises made since the December 2006 strike and to express their fears about the potential privatization of the firm. In response, on the evening of November 1, workers loyal to the management beat and sexually harassed Amal Sa'id, one of the most active women in the movement, tearing off her jacket and headscarf. Her colleague, Widad Dimirdash, was threatened with rape. Muhammad al-'Attar was also beaten.[126]

After the victims accused the company's executive manager of inciting the attacks, management retaliated by transferring five workers. Another 180 workers were subjected to disciplinary investigations.[127] Al-'Attar, Kareem el-Behirey and Wa'il Habib were transferred to company warehouses in Alexandria or Cairo. Amal Sa'id and Widad Dimirdash were transferred from their production jobs in the garment factory to the company daycare center and paid 30 percent less than what they previously earned as production workers. They were also isolated from their colleagues after their transfer.[128] A March 2009 court decision declared the transfer and wage cut invalid.[129] Since then, the women have been paid their wages as production workers. But they remained isolated from their colleagues. The company appealed the court's ruling. As of early October 2009 the appeals court had not heard the case and the women had not regained their former jobs.

The Impact of Privatization on Worker Rights

Moving the Neoliberal Agenda

Although Egypt signed Economic Reform and Structural Adjustment Program agreements with the International Monetary Fund and World Bank in 1991, the neoliberal economic agenda proceeded haltingly for more than a decade. It is now advancing rapidly. When Prime Minister Dr. Ahmad Nazif took office in July 2004, the economic portfolios were entrusted to western-educated Ph.D.s or businessmen close to Gamal Mubarak, the son of President Hosni Mubarak.[130] This was widely understood as both a statement about the likely succession of the first son to the presidency and a commitment to implement neoliberal policies with renewed vigor.

The "government of businessmen," as it has been called, accelerated the sell-off of public-sector enterprises that began during the mid-1990s. A record 17 firms were sold in its first fiscal year in office.[131] Renowned firms with storied histories—such as Eastern Tobacco, Egyptian Fertilizers, Omar Effendi Department Stores, the Banque du Caire, and the Bank of Alexandria—were put on the auction block or prepared for privatization. Government receipts from privatization in fiscal year 2006-2007 were US$5.34 billion, more than the US$3.12 billion in the entire decade before Prime Minister Nazif took office.[132]

Law 203 of 1991, which implemented the ERSAP agreements, forbade mass layoffs after privatization of a firm. But privatization has usually meant cutting jobs in one form or another. In the 1990s the government encouraged workers to take early retirement, and tens of thousands did so. Among the reasons that the government no longer regularly offers permanent appointments in public-sector industrial enterprises is that this would make it very difficult to dismiss workers. Instead, as the Unified Labor Law of 2003 permits, most new hires receive fixed-term contracts, which means they are ineligible for union membership and can be fired for no cause at the end of their contracts. Managers of public-sector firms under consideration for privatization often attempt to make them more attractive by reducing the workforce before a sale, as was the case at Kitan Tanta, ESCO Spinning Company, Indorama Shibin Spinning Company, and many other firms.

A survey of 16 firms privatized since 1995 indicated that only two of them—Al Ahram Beverages, privatized in 1997, and the San Stefano Hotel, privatized in



A metal workshop in the Gamaleyya district of Cairo.

1998—have increased the number of their employees, despite receiving significant new capital investment.[133] The Assiut Cement Company, where the workforce was reduced from 3,774 to 865 after it was privatized in 1999, is an extreme case of the more common trend.

Case Study: ESCO Workers Resist Privatization of Their Workplace

Fear of losing jobs at privatized enterprises provoked a four-month strike, from February to May 2005, at the ESCO Spinning Company in Qalyub, north of Cairo.[134] By 2005 the number of workers in the six ESCO textile mills had been reduced from more than 10,000 to 3,500 through a combination of attrition, early retirement, and a long-term hiring freeze following a major strike in 1986. When the 400 workers at the Qalyub Spinning mill learned about its impending sale to an Egyptian investor they began a campaign to reverse the privatization of their workplace. If the privatization took place, they wanted their jobs to be guaranteed. If that was not possible, they sought adequate early retirement packages.

The privatization of ESCO Qalyub Spinning commenced shortly after the installation of the Nazif government and was part of its strategy of privatizing the spinning sector of the textile industry in order to improve the quality of its yarns. The workers were highly conscious that they were confronting the reorientation of Egypt's economy after the 1991 ERSAP. They believed that they and the broader public, not the state managers, were the real owners of the enterprise. Gamal Sha'ban, a skilled worker with 23 years seniority asked, "With what right was the sale [of this mill] conducted? . . . [Muhsin 'Abd al-Wahhab] al-Gilani [CEO of the Cotton and Textiles Holding Company, which owns all public-sector textile firms] agreed to the sale. Was the company his property or the property of the people?"

While the ESCO workers did not stop the privatization process, they did win contracts guaranteeing enforcement of the Unified Labor Law, E£10,000 (about US$1,770) per worker in lieu of an early retirement package, and back wages for three months. This strike set the tone for many that followed in the public sector. Although they did not stop the privatization of their firm, the ESCO workers conducted an orderly strike and sit-in. They were not subjected to violent repression. And they achieved economic gains well beyond anything that other striking workers achieved in the 1980s or 1990s. As a result, Egyptian workers received the message that collective action might achieve real gains.

Special Economic Zones and Qualifying Industrial Zones

A Difficult Climate for Unions

Egypt has established Special Economic Zones (SEZs) near Isma'iliyya, Port Said, and in the satellite cities of Cairo. It has also created Qualifying Industrial Zones (QIZs) in and around Cairo, Alexandria, the Suez Canal, the Nile Delta, and, most recently, Bani Suwayf in the south.[135] These zones are meant to attract both domestic and foreign entrepreneurs and to maximize the export potential created by several preferential trade agreements Egypt has concluded since the neoliberal program has gained ground. These include the Pan-Arab Free Trade Area (1997); the Common Market for Eastern and Southern Africa (1998); the Association Agreement with the EU (2001); the Agadir Agreement, a free trade agreement (FTA) between Egypt, Jordan, Morocco, and Tunisia (2004); and the Egypt-Turkey Free Trade Agreement (2005). The Egypt-USA Trade and Investment Framework Agreement (1999) was intended as a first step towards talks between the two countries to establish an FTA, similar to existing agreements with Morocco, Jordan, and Bahrain.

The Special Economic Zones were established by Law No. 83 of 2002.[136] In addition to concessions on taxes and tariffs and guarantees that the government will not interfere in the pricing of products or nationalize the enterprises, the SEZ law allows firms to terminate the contracts of their employees more easily than the terms of labor law in force at that time and to establish a less advantageous pension system. These provisions illustrate the practice of encouraging private capital investment at the expense of less-secure employment for workers. They were the model for the legalization of indefinite fixed-term contracts throughout the economy by the Unified Labor Law of 2003.

A July 2007 decree established a new generation of industrial zones.[137] Private-sector investors may establish, develop, promote, and manage industrial zones run by their own regulatory boards comprised of the primary developers of the zone and government officials. There are 10 such zones, including Burg al-'Arab near Alexandria and the Cairo satellites of 10th of Ramadan City, Sadat City, and 6th of October City.

The rate of unionization in the SEZs is very low. In 2005, 1,200 enterprises employed 100,000 workers in 10th of Ramadan City, but only 14 trade union committees had been established (10 of them already existed before the enterprises moved from Cairo; 3 later ceased to function).[138] Out of 1,000 enterprises in 6th of October City, only 6 had trade union committees.[139] Only 2 of the 200 enterprises in Sadat City, which employ some 17,000 people, had trade union committees.[140]

The ITUC has repeatedly criticized anti-union acts in SEZs. One common management practice was pressuring members to leave unions. The ITUC has received reports from workers in the 10th of Ramadan City SEZ that they had been forced to sign letters of resignation before beginning employment so that they could be fired if they joined a union or engaged in other activities displeasing to management.[141]

In the "City of the Future" SEZ near Isma'iliyya, workers are also commonly required to sign undated letters of resignation. A worker in the Petra factory confirmed that she was compelled to sign a resignation letter when she was hired and that many of her co-workers had to sign similar letters. At the Dubai Apparel Company, workers hired some years ago did not have to sign letters of resignation. But this is now the standard practice for new hires.[142]

In the Mahalla al-Kubra QIZ, workers at the Abu al-Siba'i Textile Company went on strike in July 2009 demanding payment of back wages and protesting the "temporary" closure of the factory for 49 days. A striking worker, 24-year-old 'Ala' Gamil, told the daily *al-Misri al-Yawm* that he had been working for 10 years without a contract at a daily wage of E£11 (about US$2.00). He also complained that he had been forced to sign an undated letter of resignation before he was hired. Hamdi Husayn, director of the Afaq (Horizons) Center, a labor rights NGO, commented, "This practice is rampant in the private sector companies."[143]

The ITUC also alleged several instances of anti-union discrimination, including the dismissal or threats of dismissal, of trade unionists in different enterprises.[144] In 2008 the CEACR noted that the Egyptian government had not yet responded to its inquiries on this matter.[145]

In December 2004 Egypt concluded a trade agreement with Israel and the United States creating Qualifying Industrial Zones (QIZ). Commodities manufactured in a QIZ have quota- and duty-free access to U.S. markets if 35 percent of their assessed

value is added in the QIZ and 11.7 percent of this added value consists of Israeli inputs (reduced to 10.5 percent in October 2007). In response to nationalist opposition to the agreement, the government claimed that it was necessary to save as many as 150,000 jobs in the textile sector that would have been lost at the end of 2004 with expiration of the Multifiber Arrangement, a multilateral agreement which set generous quotas for duty-free access to U.S. markets for Egyptian textiles.[146]

Case Study: Undermining Worker Rights in the Mahalla al-Kubra SEZ

Workers' rights were thwarted at the Samuli textile company, an older private-sector firm in Mahalla al-Kubra, after it expanded to employ 3,500 workers and became part of an SEZ. This case illustrates the collaboration of state agencies and the ETUF to undermine worker rights to unionize and bargain collectively and to block effective trade union action in order not to deter private investment.[147]

At the end of 2002, after the SEZ law was adopted, enough workers had signed a petition to form a union. In an unusual move, the ETUF quickly accepted the petition, and a local union committee was established.

In November 2003 a worker was fired for refusing to work on two machines at a wage rate only one-third more than the rate for a single machine. Reacting to this speedup, the union committee declared a strike, which lasted two days. While the employer was not directly violating Egyptian law, unions and workers have long viewed attempts by employers to speed up the pace of work as exploitation. They have fiercely fought it in textile and other industries across time, countries, and cultures (American textile workers called it a "stretch-out").[148]

The ETUF claimed that by approving the November 2003 strike the local union committee had violated the code of honor and ethics and the conditions of the Unified Labor Law for a legal strike. This is technically correct; the strike did not meet the requirements of the law. Consequently, the ETUF dissolved the local union committee before the end of the year.[149] The other private-sector workers in Mahalla al-Kubra learned the lesson: today there are no trade union committees in any of the many private-sector textile firms there.[150]

Disaster in a QIZ: The Case of Indorama Shibin Spinning Company

The negative consequences of privatization for worker rights were dramatically demonstrated at the Misr



Seamstresses work in a factory that makes and exports men's suits in 10th of Ramadan City, Egypt, February 22, 2006. This factory is in a Qualified Industrial Zone (QIZ).

Shibin al-Kum Spinning Company (Ghazl Shibin), a newly privatized firm located in a QIZ.[151] Ghazl Shibin was established as a public-sector firm in 1959 and employed some 11,000 workers at its peak in the 1970s. Since then, the number has declined steadily. Following the government's decision to privatize the company, early retirement schemes reduced the workforce. According to management, 1,642 workers took early retirement packages with a monthly state pension.

On October 1, 2006, the Egyptian Ministry of Investment and the Textile Holding Company agreed to sell 70 percent of the assets of the company to Indorama, a multinational group headquartered in Indonesia and which operates several other enterprises in Egypt. Indorama specializes in spun yarns and synthetic textile fibers. Its products are exported to more than 90 countries for brands such as Esprit, Nike, M&S, S. Oliver, Lerros, Jockey, The Gap, Spiritex, and Adidas.

Indorama Shibin Spinning Company, as it is now officially called, employs 4,200 workers. When it bought the majority share in the firm, Indorama promised that none of the remaining workers would lose their jobs as a result of the privatization.[152] However, the new management pressed 249 workers to take early retirement packages inferior to those the government had offered before the firm was sold.[153] There are now 3,400 workers with permanent contracts and 800 with temporary (fixed-term) contracts for periods of one day (about 100 workers are in this category and therefore have no job security whatever) to six months.

One "temporary" worker explained the conditions of his employment: "If I'm sick I don't have health insurance to cover the expenses. With E£350 [about US$62.50] a month how can I pay for healthcare? How can I live and pay for medicine? I've been working in the factory for two years. But it's a temporary solution, as soon as I find something better I'll leave. Permanent workers have rights that we don't, such as bonuses and incentives. I only have my [basic] salary to live on. But we do the same job. We produce as much. The new management created this unequal system."[154]

The Ghazl Shibin workers did not oppose Indorama's purchase of the firm. But they had not received their production bonuses before the sale of the firm was announced. Since they were not confident that Indorama would assume the obligations of the public-sector firm, the workers went out on strike for one week in early February 2007 to ensure that their overdue bonuses were paid. They also demanded that a profit share bonus equal to 45 days pay for all public-sector industrial workers (which had been won by the Ghazl al-Mahalla workers in their December 2006 strike) be paid before Indorama took possession of their enterprise on February 15, 2007.[155] The workers won their demands, but they did not immediately receive the documents affirming that they would own 12 percent of the firm, as stipulated in the sale contract.

Ghazl Shibin was losing money before it was sold. The new management claims to have invested E£68 million (US$12.1 million). One of the six previously existing mills was closed. In 2008 a new mill was established. However, the buses that transport workers to and from their jobs were not part of the new investment package, nor has management implemented measures to bring the factory into compliance with existing industrial safety standards.

Indorama's purchase contract obliges it to maintain the terms of employment, wages, and production incentives that the workers enjoyed prior to the privatization.[156] Nonetheless, in February 2009 the company sent out a

Omar Effendi Workers on Strike

Workers at Omar Effendi, Egypt's largest department store chain, went out on strike for three days in April 2009 and again on May 5, 2009. In 2007 the Saudi Arabian-based clothing retailer, Anwal United Trading, bought a 90 percent share of the previously publicly owned firm. Strikers claimed that the new owners violated a contractual commitment that the work force would be cut by no more than 600 and that new employees had been hired at higher wages than more qualified veterans doing the same work.

Sources: Sarah Carr, Daily News Egypt*, April 2 and May 7, 2009*



letter announcing that due to the international economic crisis it would not be paying workers their annual bonus, equivalent to 228 days pay.[157] This provoked an 11-day sit-in strike beginning on March 5. The Egyptian workers were also angered that the firm's foreign managerial employees were paid in dollars, provided with free accommodation, worked in air-conditioned offices, and were chauffeured to work in cars while the 36 buses that transported the Egyptian workers were poorly maintained.

The strike was initiated by the company's trade union committee and supported by the General Union of Textile Workers, an ETUF affiliate. The Minister of Manpower and Migration herself called on Indorama to pay workers the bonuses they were contractually entitled to.[158] Despite this official support, the work stoppage was not considered legal and the union did not use the term "strike." After negotiations involving the union, management, and the ministry, the workers received their bonuses.

However, in May 2009, four of the strike leaders were punitively transferred to Indorama's warehouse in Alexandria. Indorama's administrative manager, 'Imad 'Abd al-Khaliq, confirmed that the transfer was a disciplinary measure: "The manager in Alexandria told us that he needed people so we sent these four. Why them in particular? Because they're in the wrong and troublemakers." When asked whether the workers had the right to strike 'Abd al-Khaliq replied:

> Of course they don't. They can't strike without reason like this. There are administrative channels to resolve problems. You can't stop a factory of 3,000 workers just for four people who are well-known troublemakers, and who are turning everything upside down with their trouble-making.[159]

Indorama Management Blames Its Workers for Financial Losses

Comments of Indorama manager 'Imad 'Abd al-Khaliq:

"In the past [Shibin al-Kum] was famous all over the world; someone taking it over while it was making a loss was bound to turn it around with this reputation. Why? Because of the quality. It has the best yarn in the world. Since we took over it's become the worst. Why? Because the workers don't want to work. . . .

"Why don't they work like they did while the factory was government-owned? Because the government has a whip—if a worker did anything a call was made to the police and they came and took him.

"The private sector meanwhile is chaos. We sent yarn to Spain and it was returned because it was of such poor quality. Who made this yarn which sells for a fourth of what it should sell for? Is it not the worker? If it's bad quality why isn't he doing anything about it?

"Since the firm was privatized workers still think that they're working in the government sector: all they say is 'give me'. We've doubled wages and tripled the food allowance.

"Why aren't they happy? Because of their culture. Freedom without culture results in thuggery."

Source: Sarah Carr, "Indorama Workers Transferred 'To Teach Them a Lesson,' Says Manager," Daily News Egypt, May 7, 2009.

In explaining why Indorama was continuing to lose money, 'Abd al-Khaliq launched into a diatribe accusing the firm's workers of greed, laziness, and "thuggery" (see box below). His intemperate remarks directly contradicted the firm's claims on its website that the factory "has excellent infrastructure, good work culture and internationally accepted quality standards."[160] The local management's attitudes may go a long way towards explaining why Indorama Shibin has experienced 2 major strikes and 100 briefer work stoppages and other protests since it was privatized. It also betrayed his disrespect for Egyptian workers and Indorama's regressive labor relations policies.

The local union committee reported to a Solidarity Center researcher that the deteriorating labor relations and working conditions at Indorama Shibin was one of the factors that led about 1,000 permanent workers to resign their positions in June 2009. These workers were also concerned about proposed legislation that would reduce the monthly pensions of retirees. Therefore, they took an early retirement pension under the existing regulations. However, some of those who "retired" continue to work at Indorama Shibin as daily-paid workers.



Omar Effendi employees demonstrate in front of the main Cairo store, May 5, 2009.

QIZs, for Better and Worse

Working conditions in QIZs range from among the worst in Egypt, exemplified by Indorama Shibin, to among the best. The Swiss Garment Company in the 10th of Ramadan City QIZ offers wages and working conditions that are better than average for both private- and public-sector enterprises.[161] Its business model employs a combination of modern management methods, the hiring of inexperienced workers (especially young women) and training them to perform to the company's standards, technologically advanced production techniques, government subsidies, and high-level political connections, which provide protection when necessary. These factors have allowed Swiss Garment to gain a large market share—14 percent of all of Egypt's clothing exports. Its customers include JC Penney, Macy's, The Gap, Banana Republic, Hugo Boss, M*A*S*H clothing, and Old Navy.

There is no union at Swiss Garment and management would not like to see one. It believes that its paternalistic concern for workers' welfare is sufficient to guarantee their rights.[162]

But workers cannot rely on even the best-intentioned management to protect their rights. There is no substitute for the right to organize unions and bargain collectively with employers. The General Union of Textile Workers has made no attempt to organize the Swiss Garment workers.

At smaller firms in the same QIZ as the Swiss Garment Company, workers' grievances are similar to those in other private-sector enterprises. For example, the Kazareen Textile Company workers complain about the lack of health and safety equipment and the absence of fans in the spinning room to keep down the dust. They also report that they are often forced to work overtime.[163]

Officials of the U.S. Embassy in Cairo who visited factories in the QIZs in late 2008 concluded that Egypt's national labor laws are not the standard by which factory owners operate. If they produce for socially conscious corporations that demand good treatment of workers, like Levi Strauss & Co., then they maintain a reasonable standard of labor relations. Otherwise, they do as they wish.[164] This pattern is common in the private sector. According to the U.S. State Department, "other than large companies in the private sector, firms generally did not adhere to government-mandated standards."[165]

Conclusion

A very substantial proportion of the strikes and protests since 2004 have been motivated by fear that privatization of public-sector firms would result in mass layoffs or the loss of social benefits workers received as public-sector employees. While private-sector employers are legally required to provide the same social benefits and health insurance as public-sector firms, only the best-managed firms do so. Others evade the law by bribing inspectors and producing for the local market, which requires lower standards of inspection and documentation than the export market.[166]

The newly privatized firms and the firms in SEZs and QIZs examined in this chapter demonstrate that worker and human rights advocates have justified, serious concerns about workers' rights to unionize and bargain collectively in Egypt's emerging private sector. These concerns are exacerbated because the ETUF was never designed to organize private-sector workers. It was established when all enterprises with more than 200 workers belonged to the public sector. The great majority of its members are public-sector and government workers, and the ETUF has never devoted extensive resources or made it a priority to organize private-sector workers.

The ETUF as it is now constituted is institutionally ill-equipped to undertake such an effort. The leadership's agreement to the 1991 ERSAP and the 2003 Unified Labor Law signaled that it was no longer willing or able to oppose the economic policies to which the government of Egypt is now fully committed. If the ETUF were to become truly independent of the government and to democratize itself, then it could look forward to playing a role in organizing and defending the rights of workers in the private sector. This can happen only if the government of Egypt reforms its labor laws and respects core labor standards[167] and the ILO conventions it has ratified regarding the rights of workers to establish their own organizations and to choose their own leaders.

Endnotes

1 Among the many sources that support these claims, see Maye Kassem, *Egyptian Politics: The Dynamics of Authoritarian Rule* (Boulder, CO: Lynne Rienner, 2004); Nicola Pratt, *Democracy and Authoritarianism in the Arab World* (Boulder, CO: Lynne Rienner Publishers, 2007); and articles on Egypt at *Middle East Report Online*, www.merip.org/. See also "Joint Report by a Coalition of Egyptian Human Rights Non-Governmental Organizations on the Universal Periodic Review of Egypt [i.e. the report of the quasi-governmental National Council for Human Rights]," September 2009. The report is endorsed by 16 Egyptian human rights NGOs, which comprise the Forum for Independent Human Rights NGOs. They find that because of the state of emergency, which has been in force since 1981, "the rule of law and the state's legal institutions have been eroded, constitutional guarantees for rights and public liberties have been suspended, and citizens' confidence in the state and their own self-worth destroyed." Moreover, "[T]he persistent erosion of human rights . . . is a product of the government's unwillingness to abandon certain policies and respect human rights. . . . Despite some achievements . . . systematic violations of human rights and a climate of impunity persist."

2 Most recently, FIDH, "Crackdown on Pro-reform Judges!" April 28, 2006, www.fidh.org/Crackdown-on-pro-reform-judges.

3 Marie Duboc, interview, Cairo, March 13, 2009.

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5 For example, Human Rights Watch, "Egypt: Police Assault Demonstrators, Journalists," May 11, 2006, www.hrw.org/en/news/2006/05/11/egypt-police-assault-demonstrators-journalists.

6 ITUC, *2008 Annual Survey of Violations of Trade Union Rights*, http://survey08.ituc-csi.org/survey.php?IDContinent=1&IDCountry=EGY&Lang=EN.

7 The Society of Muslim Brothers, established in 1928, is the largest Islamic movement in Egypt and the Sunni Arab world. The society is illegal and its members ran as independents. The Brothers are the largest and best organized opposition to the government.

8 For a recent case involving journalists, see Safaa Abdoun, "Jail Terms Overturned, E£20,000 fine upheld in "four editors" case," *Daily News Egypt*, February 1, 2009. The case of Ayman Nur, former leader of the liberal Ghad (Tomorrow) Party, established in 2004, attracted considerable attention from George W. Bush's administration and other international parties. In January 2005 Nur was stripped of his parliamentary immunity and arrested. In December 2005 he was convicted on the most improbable charge of forging signatures, including those of his wife and father-in-law, on the petition to establish his party the previous year and sentenced to five years. In February 2009 he was released on health grounds.

9 This was the case with the trial of 40 Muslim Brothers. Seventeen of them were acquitted of money laundering and other charges by a civil court. They were rearrested before they left the courthouse and the case was retried by a military court, which convicted 25 of them in April 2008. See Human Rights Watch, "Egypt: Military Court Convicts Opposition Leaders: Ruling Shows Government Contempt for Democratic Rights," April 15, 2008, www.hrw.org/en/news/2008/04/15/egypt-military-court-convicts-opposition-leaders.

10 The threatened closure of the Egyptian Organization for Human Rights for allegedly violating Law 84 of 2002 is a recent example. See "The Observatory-EMHRN: Joint Press Release: EGYPT: New Harassment of a Human Rights Organization," April 30, 2009, www.fidh.org/The-Observatory-EMHRN-Joint-Press.

11 Marsha Pripstein Posusney, *Labor and the State in Egypt: Workers, Unions, and Economic Restructuring, 1953-1996* (New York: Columbia University Press, 1997), pp. 60-63.

12 Ibid., pp. 173 ff.; Robert Bianchi, *Unruly Corporatism: Associational Life in Twentieth-Century Egypt* (New York: Oxford University Press, 1989), pp. 124-44.

13 Posusney, *Labor and the State in Egypt*, pp. 173-90, 208-14.

14 Egypt, Law No. 12 of 2003 (Unified Labor Law of 2003), Promulgated April 3, 2003. An official English translation is at www.misr.gov.eg/english/laws/labour/.

[15] Ibid., Book 1, Article 4.

[16] Ibid., Book 2, Articles 106, 108, 109.

[17] Intisar Badr (principal investigator for New Woman Foundation's working women project), in the video "Hikayat kull yawm" [Stories of Everyday], Cairo: New Woman Foundation, 2008.

[18] Egyptian Organization for Human Rights, *Annual Report for 2003*, www.eohr.org/annual/2003/report2003-5.shtml#1.

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[22] Sarah Carr, "ILO Denies Reports of 'Blacklisting' Egypt," *Daily News Egypt*, September 3, 2008.

[23] Judgments about the implications of this legal framework are based on Center for Trade Union and Worker Services, "Declaration of Principles"; ITUC, *2008 Annual Survey of Violations of Trade Union Rights*, http://survey08.ituc-csi.org/survey.php?IDContinent=1&IDCountry=EGY&Lang=EN; and Jano Charbel, "Trade Unions & Professional Syndicates of Contemporary Egypt: Regulations, Rights & Violations" (MA thesis, Department of Political Science, American University in Cairo, 2006).

[24] CEACR Individual Observation, Convention 87, Egypt, Ilolex 062008EGY087, www.ilo.org/ilolex/gbe/ceacr2008.htm.

[25] During a field visit to Egypt in 2007 by a Solidarity Center researcher, a leader with the Chemical Workers General Union voiced a widespread concern with this practice, suggesting that trade union committees should have their own strike funds.

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[27] *General Survey on Freedom of Association and Collective Bargaining*, 1983, Report III, Part 4B, paragraph 89.

[28] Joel Beinin, interviews with Sabr Barakat, December 16, 2008, and Kamal 'Abbas, December 24, 2008.

[29] Interview with Sa'id al-Gawhari, *al-Yawm al-Sabi'*, February 7, 2009, www.youm7.com/News.asp?NewsID=69167.

[30] CEACR Individual Observation, Convention 87, Egypt, Ilolex 062008EGY087, www.ilo.org/ilolex/gbe/ceacr2008.htm.

[31] Unless otherwise indicated, information in this section is based on Joel Beinin and Hossam el-Hamalawy, interview with Muhammad al-'Attar and Sayyid Habib, Mahalla al-Kubra, March 9, 2007, and interviews with Ghazl al-Mahalla workers by Joel Beinin and Marie Duboc in Cairo and Mahalla al-Kubra between April 2007 and January 2009.

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[46] Ibid.; Jano Charbel, "Striking for Trade Union Rights and Freedoms," August 11, 2009, http://she2i2.blogspot.com/2009/08/striking-for-trade-union-rights.html; Hossam el-Hamalawy, "Egypt's Tax Collectors on Strike," *al-Masri al-Yawm online English edition*, www.almasryonline.com/portal/page/portal/MasryPortal/ARTICLE_EN?itId=UG111012&pId=UG14&pType=1.

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CHAPTER 3

Discrimination in the Workplace

Egypt has ratified both the ILO's Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation), Convention, 1958 (No. 111), in 1960. Egypt also ratified the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD) and the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1981.[1] Article 40 of the amended 1980 Constitution states: "All citizens are equal before the law. They have equal public rights and duties without discrimination between them based on race, ethnic origin, language, religion or creed." Article 35 of the Unified Labor Law, prohibits discrimination in wages on the basis of "sex, origin, language, religion, or creed" but does not specify a penalty for violation of the law.

Egyptian social and cultural norms are hierarchical and patriarchal.[2] Consequently, enforcement of these legal standards in the workplace and throughout society is weak.[3] For example, according to the U.S. State Department, the Egyptian "government continued to discriminate against non-Muslims in public-sector employment. . . ."[4]

Often, the problem is not the lack of a law prohibiting discrimination or an adequate penalty, but an official or semi-official interpretation of the law that in practice fails to deter or remedy discrimination. Article 2 of the constitution establishes that "Islam is the religion of the State, Arabic is its official language, and Islamic Shari'a [jurisprudence] is the principal source of legislation." Many Egyptians in positions of authority in and outside the government interpret this article in ways that undermine the rights of women and non-Muslims.

Moreover, there are no specific legal prohibitions on discrimination based on disability, age, or sexual orientation. By law, businesses are required to designate 5 percent of their jobs for people with physical or mental disabilities. However, this law is not well enforced.[5]

Egyptian women have fought throughout the twentieth century for equality in society and equal protection under the law. They have often set an example for women in neighboring Arab countries. Despite these struggles, violations of women's basic human rights continue in Egypt, regardless of the government's ratification of international conventions committed to ending such discrimination.

Discrimination against Women in the Egyptian Economy

The proportion of Egyptian women working in the formal economy is lower than in Morocco, Tunisia, and Turkey—Egypt's principal regional economic competitors. It is also lower than in Bahrain, Iran, Lebanon, and Yemen.[6] However, in recent years economic necessity has more than doubled the participation by women in the formal economy: from 10.9 percent in 1981 (917,000) to 21.8 percent in 2002 (4.34 million) to 22.34 per cent (5.11 million) in 2006.[7] At the same time women suffer disproportionately higher rates of unemployment (statistics below).

Table 1 *Largest Concentrations of Women in the Formal Economy*

Sector	% of Working Women	Women as a % of Workers in the Sector
Education	19.8	31
Management & Defense (largely government offices)	8.4	17.5
Agriculture, fisheries, forestry	49.9	23
Health & Social Services	6.7	35

Source: CAPMAS, Labor Force Sample Survey, 2009

A relatively small proportion of women are industrial workers. Women in the formal industrial wage-labor force are concentrated in textiles and clothing manufacturing; 35 percent of all textile and clothing workers are female, compared to only 8.5 percent of female workers in medical products and 6.5 percent in food processing.[8]

However, figures based on women's participation in the formal economy are highly misleading. If unwaged family farm labor and those informally employed by labor contractors are included, about one-third of all working women work in agriculture.[9] Moreover, an estimated 83 percent of women working in the non-agricultural private sector are informally employed.[10] If the definition of the labor market is extended to include work in the informal economy, then 46 percent of Egyptian women aged 15-64 are economically active.[11] The invisibility of much of women's work in the informal economy reinforces discrimination against women by suggesting that they are largely absent from the workforce.

The government and a significant sector of public opinion, reflecting a cultural ideal that is no longer a social reality, believe that the low participation of women in the formal wage labor force stems from a preference on the part of married Egyptian women to stay home and care for their families.[12] In fact, most Egyptian women work due largely to economic necessity. As Salwa, one of 5,000 women employed at Misr Spinning and Weaving Company in Mahalla al-Kubra (Ghazl al-Mahalla), said, "Work is necessary because of household expenses."[13] Two-thirds of all Egyptian families cannot survive on a single income;[14] and some 22 percent of all Egyptian households subsist entirely on a woman's income.[15]

Egypt ranks 124th out of 130 in the 2008 World Economic Forum Gender Gap Index. Its worst ranking is in the women's "political empowerment" component of the index (124th) followed by "economic participation and opportunity" (120th).

Women's employment in the formal economy has historically been concentrated in the government sec-

tor (for college-educated women, especially in government offices) and the public industrial sector. Women typically prefer to work in these sectors because they offer shorter hours, social services, and more job security. Such conditions are more likely to accommodate the needs of the many women who work a "second shift" at home cooking, cleaning, and caring for their children.

In 2006 the public and government sectors employed 38 percent of all working women.[16] The shrinking of these sectors due to neoliberal policies reduced work opportunities for women, especially educated women.[17] The official overall unemployment rate is skewed lower than it actually is and affects women disproportionately because, if public-sector positions are unavailable, some potential workers, especially women, simply do not look for work. Increasing numbers of educated women have decided not to work at all because of what a leading Egyptian economist calls the "inhospitable climate" and the large gender gap in wages in the private sector.[18] Less-educated women may choose to work on family farms or in family businesses for little or no wages rather than seek work in the private sector. Such women are not considered "unemployed," because inclusion in the unemployment statistics requires that someone be actively looking for work.[19]

The official rate of female unemployment rose from 19 percent in 1981 to 24 percent in 2002.[20] It declined by mid-2008 to 18.76 percent (compared with 5.42 percent for men).[21]

Unemployment began rising in the second half of 2008 due to the international economic crisis and reached 9.4 percent by the end of the year.[22] Egyptian economists predicted it would reach 10 percent by the end of 2009. Because of the slowdown in the export of ready-to-wear clothing, women's unemployment will likely rise more than the overall rate of unemployment. That is to say, after nearly three decades of neoliberal policies, the percentage of unemployed women will be about the same in 2009-2010 as it was in 1981, although the proportion of women in the wage labor force increased. If "discouraged" women are included, the unemployment rate for women in 2009 was almost certainly higher than in 1981. Precision about these statistics is difficult because informed observers consider the real unemployment rate for both men and women to be considerably higher than the official figure, perhaps double.



Egyptian women at work in Ghazl al-Mahalla textile mill in Mahalla al-Kubra, April 6, 2008.

Since the 1990s both men and women have been encouraged to take early retirement to reduce the labor force in the public sector. This policy sought to eliminate what was considered "excess labor" before firms were privatized. The legislated retirement age in the Egyptian public sector is 60 for men and 50 for women. Men are eligible for early retirement at 50 and women at 45. Early retirement has therefore created a form of disguised unemployment which disproportionately affects women.[23] Private-sector firms are unlikely to hire an unskilled 45 year-old woman.[24]

Wage Discrimination Against Women

Formal wage discrimination between men and women officially does not occur in the public sector. Some private-sector firms do practice wage discrimination between men and women. However, in both the public and the private sectors, de facto wage discrimination is common because women often work in segregated or overwhelmingly female departments with lower-paid job classifications than men with equivalent educational background and work experience. Public advertisements for jobs in newspapers commonly specify that an employer is seeking a male or a female to fill the position.

In the textile and clothing industry women workers are concentrated in the ready-to-wear clothing sector. This sector pays lower wages than spinning, which has an almost entirely male workforce, and weaving, in which women comprise about one-third of workers.[25] Women comprise 51 percent of all public-sector garment workers and 52 percent of private-sector garment workers; 40 percent of the shirt makers in both sectors are women.[26]

Iman, a woman worker at the Trust Cotton Weaving Industries, a private-sector company in Suez, reported an example of outright wage discrimination. The starting monthly salary for men at Trust is E£190 (about US$34.00), while women workers start at E£160 (about US$28.60).[27] According to another source, experienced male workers at Trust make E£400 (about US$71.45) a month, while women workers make E£250 (about US$44.65) for the same work.[28]

The more common problem of gender-segregated job classifications is evident at Ghazl al-Mahalla. All the production workers in the ready-to-wear department of the factory are women. Their basic wage is consistently lower than that of male production workers in other departments (spinning, weaving, bleaching, etc.).[29] According to Widad Dimirdash, formerly a production worker in the ready-to-wear clothing division, women receive E£150 (about US$26.80) per month less than men who work the same number of hours per day doing work which required the same skill levels. But the jobs are classified differently to justify the disparity.[30] Widad was one of two women punitively transferred from production work to the company's day care center in November 2008 in retaliation for participating in demonstrations outside the factory gates (see Chapter 2 for details).

The Sayyad firm, a private-sector enterprise in Mahalla al-Kubra, makes children's clothing. When the firm was established 20 years ago, all the production workers were women. Today the majority of the 1,200 production workers are still women, but only men work in the maintenance and supervisory departments, and they receive higher pay.[31]

At the Hennawi Tobacco Company, a private-sector firm in Damanhur, all of the male workers process tobacco for water pipes and cigarettes. All the women work in scaling, packing, and wrapping the tobacco. The women's jobs all pay less than the men's.[32]

These are only a few examples of the widespread practice of gender segregation by job classification and de-facto wage discrimination. The Egyptian government has taken no discernable action to improve legal enforcement in this area, thereby failing to respect its obligations to Egyptian workers as well as its commitments under international treaties.

Gender Segregation and Women's Leadership

Gender segregation at work has compromised the standard of living for many women workers. However, it has generated some unanticipated positive effects. In all-female or mainly-female working situations, women are not pressured to adhere to the cultural norm of deferring to men, and they have begun to stand up for their rights. Several women have emerged as leaders in the recent upsurge of industrial action. This emergence of women's leadership has fostered public gender mixing of the sort that has become less common since the 1970s, when the Islamic resurgence began to promote more conservative social behavior.

'A'isha 'Abd al-'Aziz Abu Sammada, a member of the local union committee at the Hennawi Tobacco Company, is an example of this trend. In March 2003 she filed a complaint at the local Labor Office over the new management's unilateral reduction in annual bonuses and non-payment of the annual social (cost-of-living) raise. Management avoided addressing the complaint, and in 2007 Hagga (an honorific indicating she has performed the pilgrimage to Mecca) 'A'isha led 350 men and women workers in several collective actions. She also traveled often to Cairo to speak about the Hennawi struggle to mixed audiences and became well known in independent Egyptian labor circles in the process.

In order to promote more internal democratic processes in her union, Hagga 'A'isha collected 250 signatures on a petition to withdraw confidence from trade union committee members who did not support the demands of the majority of workers. The General Union for Food Industries, an ETUF affiliate, claimed that the petition was illegal and suspended 'A'isha's membership on the local union committee on August 26, 2007. This gave a tacit "green light" to the Hennawi management to fire her 10 days later. In August 2008 the company fired 33 more workers, including women who had been active in the campaign led by Hagga 'A'isha. Although she was no longer employed at Hennawi, Hagga 'A'isha—with support from several labor rights NGOs—conducted negotiations with the firm that led to the rehiring of the 33 women in December 2008. However, the company did not rehire Hagga 'Ai'sha until October 2009.[33]

The December 2006 strike at Ghazl al-Mahalla was initiated by 3,000 female garment workers who left their work stations and marched to the spinning and weaving sections, where their male colleagues had not yet stopped their machines. They embarrassed the men into joining the strike by chanting: "Where are the men? Here are the women!" Many of the women wanted to participate in occupying the factory with the men overnight. Ultimately, they accepted the arguments of the male strike leaders that had they stayed, the strike might have been undermined by accusations that it was promoting immoral behavior. One of the male strike leaders, Muhammad al-'Attar, was proud that "the women were more militant than the men."[34] This strike was one of the highlights of the protest movement that began in 2004. (For more details, see Chapters 1 and 2.)



Mansura-España Garment Company workers on strike in Talkha in the Nile Delta province of Daqahliyya, May 9, 2007.

At the Mansura-España Garment factory, the great majority of the employees are women. These women workers were the principal force behind a two-month strike in April-June 2007. Their culturally supposed "docility" and "traditional" background did not inhibit active participation in the strike. A front-page photo in a leading daily featured the women wearing headscarves or face veils, standing shoulder-to-shoulder in solidarity with their male colleagues.[35] In the course of the strike several women went on a hunger strike, and five threatened to commit suicide. Even though the strikers nominally won their demands, management and the government did not fulfill their promises. Despite additional strikes and protests by the workers, the firm was liquidated in 2009. (For more details, see Chapter 2).

Non-Wage Discrimination Against Women

The cultural assumption in Egypt that all households are (or should be) headed by men results in several forms of non-wage discrimination. Men are much more likely to be promoted than women who have equivalent seniority and educational backgrounds. This practice represents an indirect form of wage discrimination, as a lack of opportunities for promotion leads to lower wages paid to women across their lifetimes, even if men and women are paid equally for the same position. Amal Sa'id, one of the leaders of the women in the two Ghazl al-Mahalla strikes, worked at the factory for 24 years as a production worker in the ready-to-wear clothing section until her recent punitive transfer. During that time, she saw many men with less experience promoted, while no women were promoted to similar positions.[36]

Amal's experience is supported by several studies demonstrating that low proportions of women receive promotions and advanced training, serve as workers' representatives on company management boards or in union leadership, or attain positions in management. The latest and most thorough findings are based on field research conducted by a team from the New Woman Foundation using a sample of 600 working women in both the public and private sectors. The study found that the supervisors of 34.7 percent of the women in the sample are men; 16.2 percent are women; and 49 percent are supervised by men and women. The low proportion of women supervisors is more pronounced in the private sector, where only 10 percent of the supervisors were women, as opposed to 22 percent in the public sector. A higher proportion of women supervisors work in public- and private-sector textile and clothing companies than in chemical products and engineering (electronics assembly and the like) firms.

Despite these findings, 65 percent of the women in the sample did not perceive that they had been discriminated against with regard to promotions, treatment at work, or wages.[37] The most likely explanation of the discrepancy between the apparent patterns of discrimination and many women's perceptions is that prevailing cultural norms deem it obvious and natural that men should be preferred over women.

Amal also criticizes Ghazl al-Mahalla's policy of restricting eligibility for company housing solely to men.[38] Company housing is unavailable to women at Ghazal al-Mahalla if they are unmarried heads of households or their husbands are not employed there, creating a serious problem for workers in the city. Since Ghazl al-Mahalla is a public-sector firm, this form of discrimination against women in the allocation of housing is effectively government policy.

Company housing consists of modest apartment blocks initially built for peasants who migrated from rural villages in the 1930s to work in the factory at Mahalla al-Kubra. Today, the company does not have sufficient units to house all who request them. Egypt has a severe shortage of low- and middle-income housing, and many families need such housing. The restrictions on its availability to women employed at Ghazl al-Mahalla is a serious problem for female workers in the city.

Sexual Harassment of Women

The survey of 600 working women by the New Woman Foundation concluded that it is common for women to be sexually harassed at work or traveling to and from work.[39] In fact, as many as 83 percent of all Egyptian women have been sexually harassed, according to a July 2008 study by the Egyptian Center for Women's Rights.[40] On October 21, 2008, Egyptian women won a major victory when, for the first time ever, a court convicted a man of sexual harassment. The North Cairo court sentenced Sharif Gum'a to three years in jail and a fine of E£5,000 (about US$890.00) payable to Noha Roushdy for groping her in the street.[41] While many women are hopeful that this will be a turning point in social awareness of this problem, it is still more common for women to be embarrassed to report sexual harassment and to be ignored or held at fault if they do.

A 1985 strike at Misr-Iran Textile Company in Suez is well known in women's circles as an example of sexual harassment at work and how it can be confronted. The firm was established in 1975. In 1985 the 3,000 workers, including 800 women, established a union which was recognized and affiliated to the General Trade Union for Textile Workers, the sectoral affiliate of ETUF.

Nagat Rabi' was one of the six members elected to the inaugural local trade union committee. She had been encouraged by her female co-workers to run for office because of their many complaints that the young male supervisors repeatedly tried to arrange dates with them after work and tormented and disciplined those who refused. Two weeks after the union was recognized, the women initiated a strike, demanding an end to sexual harassment by the supervisors and establishment of a day-care center. The trade union committee supported the women and added other general demands. All the workers joined the strike. Two of the women strike leaders were fired. The union committee took up their cases and sued the company. Four years later the women received paltry compensation of E£300 (about US$430.00).[42] While this was only a partial victory, the fact that the women stood up and fought for their rights was a significant achievement.

Exploitation of Young Women in the Labor Market

A high proportion of women workers are young and unmarried, which is a common justification for paying them low wages. They often work to save money to buy furniture and appliances before their marriage. Those whose families can afford it may then stop working altogether or until their children are older. Young women are often recruited from the countryside and have no industrial experience or no prior paid work experience at all.

Nearly half (46.9 percent) of all the 600 working women surveyed by the New Woman Foundation were under 30 years old. The tendency to employ younger women is more pronounced in the private sector, where 68 percent of all women employed are under 30, than in the public sector, where 25.6 percent of all women employed are under 30. In private-sector textile and clothing enterprises, 84 percent of the women are under 30.[43]

At Indorama Shibin Spinning Company (Ghazl Shibin), a former public-sector firm privatized in February 2007 (see Chapter 2), the new recruitment policy encourages hiring young female workers. Management considers them to be "more docile" than males and believes this improves work discipline and productivity. Young women are the majority of workers in the new production unit established in 2008. To be eligible to work at the new Ghazl Shibin, female candidates must be no more than 25 years-old, weigh no more than 60 kilograms (132 pounds), and be unmarried. Women with these characteristics are assumed to be easily intimidated by their male supervisors.[44]

Similar conditions for women, even if not so explicit or harshly enforced, are in effect in other private firms. At the Swiss Garment Company in 10th of Ramadan City the average age of all workers, male and female, is 23. All the production workers at their new facility to be established in the upper Egyptian province of Bani Suwayf will be women.[45] Four hundred young women from Bani Suwayf were trained at the 10th of Ramadan factory. They were transported to work on company buses, housed in company-built apartment blocks, and returned to their homes for the weekend. Such a work routine is highly unusual for women from traditional upper-Egyptian families and is explainable primarily by the extent of poverty and unemployment in Bani Suwayf.

As noted in Chapter 2, a large, well-managed firm, like Swiss Garment Company, that exports its products and sells to socially conscious firms, is more likely than a firm that produces for the local market to pay health insurance, to contribute to the national pension plan, and to abide by Egyptian labor laws. The Swiss Garment CEO said that the firm does not believe that it is exploiting its young female workers. On the contrary, he said that he believes that the firm is providing job opportunities for rural females—both young women and older divorcees, who could otherwise not find work—and bringing economic development to depressed regions like Bani Suwayf.[46]

The typical take-home pay (including allowances and incentives, minus deduction for taxes and insurance, if the company pays it) for a young woman textile worker ranges from E£200 (about US$36.00) to E£450 (about US$80.00) a month. The upper end of this range constitutes a relatively large sum of money for an unskilled Egyptian young woman living at home. However, about 69 percent of the 600 women in the New Woman Foundation survey, and 89 percent of the textile workers, made less than E£300 (about US$54.55) a month. Few jobs available to them in the countryside or in towns or cities without industry pay as well (service jobs in 5-star hotels in some cities with tourist attractions are an exception). Nonetheless, 28.23 percent of the women

workers in the survey complained of the lack of raises to compensate for the increased cost of living. This was by far their most common grievance.[47]

In the same survey, all the enterprises in which the 300 public-sector women workers were employed had trade unions. But only 25 percent of the 300 women employed in the private-sector enterprises had union committees in their workplaces.[48] This is a much higher percentage than the general rate of unionization in the private sector (see chapter 2). However, 41 percent of those employed in private-sector firms were not eligible for membership in unions because they were on fixed-term contracts or had no contract at all.[49] Consequently, the majority of young women workers had no means to organize collectively and bargain for better conditions.

Women and Trade Unions

The marginalization of women in the officially recognized trade union structures is very pronounced. In the 2001-2006 trade union elections women won 4 percent of the local union committee positions, 1.5 percent of the local union presidencies, and 2 percent of the positions on the executive boards of general unions.[50] There were no women on the ETUF executive committee for half the 2001-2006 term, and none were elected in 2006.

There are no publicly available statistics for the results of the 2006-2011 elections. However, Minister of Manpower and Migration 'A'isha 'Abd al-Hadi, a woman, claimed some progress during the ILO Committee on the Application of Standards discussion of Egypt's failure to uphold its commitments regarding freedom of association and protection of the right to organize at the 97th conference of the ILO in 2008. She announced that in the 2006-2011 trade union elections women won 1,000 out of 18,000 seats (5.5 percent) on local union committees.[51] This is a small advance over the results for 2001-2006, and there is still a long way to go before women achieve proportional representation in the leadership of Egyptian trade unions.

The minimal representation of women at all levels of leadership in the officially recognized trade unions very likely explains why only 2.33 percent of the 600 women in the three industrial sectors (textiles, chemical products, and electronics) in the sample studied by the New Woman Foundation went to their local trade union committee if they had a grievance at work.[52] On the other hand, nearly 27 percent had engaged in a strike or some form of collective action to make demands on their employers, showing a potentially significant pent-up demand for real labor organizing and activism that bodes well for the future.[53]



A worker carries bricks at a non-unionized factory in the Nile Delta town of Mansura, 2008.

Discrimination against Migrant Workers

Migrant Workers in Egypt

Egypt has signed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). The Unified Labor Law (No. 12 of 2003) has no provisions that protect migrant workers. In a country with such high unemployment and underemployment, the public acknowledgment of the presence of migrant labor other than skilled professionals who are not locally available would be a scandal. Skilled professionals typically do not join unions, and migrants without work permits are by definition ineligible to join unions. The lack of legal protection for migrant workers under Egyptian labor law leaves employers free to abuse migrants' fundamental rights systematically.

According to the Ministry of Manpower and Migration (MOMM), 22,000 foreigners were working in Egypt in 2009.[54] This apparently refers only to those who have legal work permits. Many others enter the country on tourist visas and remain to work. Among them are domestic workers.

The Unified Labor Law stipulates that no more than 10 percent of the workforce in any enterprise may be comprised of foreigners. (Some institutions, like The American University of Cairo, are exempted.) However, in some sectors, like textiles and clothing, foreign investors employ Asian workers above this limit because they are paid lower wages than Egyptians.[55]

The most comprehensive study of migrant workers in Egypt is a report by the Egyptian Initiative for Personal Rights (EIPR) to the UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families. The EIPR noted several practices that amount to discrimination against migrant workers.[56] The following paragraphs summarize the research of this report on the following issues: 1) mandatory HIV testing and discrimination against migrant workers living with HIV/AIDS; 2) the rights of migrant domestic workers; and 3) racist attitudes of Egyptians toward migrant workers.

The MOMM requires an employer seeking a work permit for a prospective foreign employee to present to the local Directorate of Manpower and Immigration "a certificate proving that the foreigner is not carrying the immunodeficiency syndrome (AIDS)."[57] Foreigners married to Egyptians, their children, and foreign residents who have not left Egypt in the previous ten years are exempt from these requirements.

Mandatory HIV/AIDS testing for foreign workers is a violation of the internationally recognized right to work for those living with HIV/AIDS, according to the International Guidelines on HIV/AIDS and Human Rights, which were developed jointly by UNAIDS and the Office of the High Commissioner for Human Rights and acknowledged in a number of UN resolutions.[58] There is no specific ILO convention on discrimination based on HIV/AIDs status currently in force. However, at its June 2009 conference the ILO began the process of discussing a new international standard on HIV/AIDS and the world of work aimed at strengthening national legislation against discrimination based on HIV/AIDS status.[59]

The provisions of the Unified Labor Law do not apply to "domestic service workers and their equivalents." EIPR interviews revealed that migrant domestic workers, especially women, experienced verbal, psychological and physical abuse. Some reported having their passports confiscated by their employers in order to control

their movement and prevent them from reporting any abuses to the police, since filing a police report requires a valid identity with a residency stamp. Some migrant domestic workers spoke of slavery-like living conditions, including forced labor without rest or vacations and deprivation of liberty.[60]

The EIPR's findings on migrants working as domestics were confirmed by survey research conducted in 2007 among 632 Filipina, Indonesian, Ethiopian, Sudanese, Eritrean, and Nigerian domestic workers. The survey revealed that only 15 percent had work permits and contracts. Filipinas were the most likely to have legal papers, but only 57 percent had work permits. Three-quarters of live-in domestics worked more than 12 hours a day, some as many as 18 hours; over one-third worked seven days a week. Respondents also reported other abuses including being yelled at (59 percent); being called insulting names (30 percent); being slapped, beaten, or otherwise physically abused (27 per cent); and sexual harassment, including rape (10 percent). As noted above, since women are typically blamed and shamed if they are sexually harassed, these incidents are probably under-reported.[61]

Migrant workers and refugees, especially black Africans, reported verbal harassment and physical attacks in the streets by the public and by security officials. Stories of attacks by both the police and street thugs are widespread.[62] The Egyptian media often portray negative images of migrants as people with low morals who spread disease. Racially motivated round-ups of anyone who "looks" African have also occurred.[63] Many Sudanese who arrive in Egypt cross illegally into to Israel, where they seek higher-wage employment opportunities and to escape discrimination; 71 percent of the Sudanese refugees now resident in Israel report verbal and physical abuse as their main reason for leaving Egypt.[64]

Egyptians Working Abroad

Until the mid-1960s, the Egyptian government restricted the migration of skilled workers. Some of those restrictions were lifted as part of Egypt's new "Open Door" economic policy in 1974, and a wave of emigration began.[65] Due to the growing importance of labor migration since the 1970s, Egyptian authorities have established several institutions and regulations to facilitate migration. Yet these entities do not adequately protect migrant workers' rights.

The Migration and Sponsoring Egyptians Abroad Law (No. 111 of 1983) is the main law governing migration. It outlines the rules and procedures for migration and explains the facilities granted to Egyptian migrants with the aim of maintaining ties with Egyptians abroad.[66] Presidential Decree No. 165 of 1996 transferred the responsibilities of the Ministry of State for Migration Affairs to the Ministry of Manpower and Employment, which has since been renamed the Ministry of Manpower and Migration. The decree stated the principal aims of the Migration Unit of the ministry as: (1) linking emigration policy with economic and social development; and (2) providing the necessary care for Egyptians abroad and establishing links between them and their mother country.[67]

In 1997 a Higher Committee for Migration was created as a coordinating body that included representatives of the ministries and entities concerned with migration. It is charged with providing training, attesting to the qualifications of potential migrants, and facilitating links with Egyptians working abroad.[68]

The majority of Egyptian labor migrants are temporary migrants. Those who permanently resettle in various Arab countries, Europe, or North America tend to be doctors, engineers, teachers, and other professionals.

Temporary migrants include both highly skilled and unskilled persons, ranging from scientists to peasants working in construction. Temporary migration to Persian Gulf countries is male-dominated.[69]

In 2007, 1,008,772 Egyptians migrated to work abroad. Arab countries attracted 95.75 percent of them (966,234 workers). Saudi Arabia attracted the largest number of Egyptian migrant workers (459,493), followed by Kuwait (193,185).[70]

Remittances from Egyptians working abroad are among Egypt's top foreign-currency exchange sources. In fiscal year 2006-2007 these remittances amounted to US$6.3 billion, an increase of 22.26 percent compared to 2000-2001. In 2006-2007 Egyptians residing in the United States were the largest single source of remittances (US$2 billion) followed by Kuwait (US$1.1 billion).[71]

Jordan is the fourth (in some years the third) most popular destination for Egyptian labor migrants. The conditions for migrant workers in Jordan are similar to those in the Persian Gulf countries (see Chapter 4). Some collective bargaining agreements cover Jordanian and migrant workers. The Jordanian food services union has an agreement with the Egyptian general (sectoral) unions for food processing and agricultural workers. However, their memorandum of understanding provides for a visit of the Jordanian union to Egypt but says nothing about cooperation to protect the rights of Egyptian migrant workers in Jordan. Most Egyptian migrants to Jordan are afraid to join Jordanian unions even when they are eligible.[72]

The majority of Egyptian migrants are employed in the informal economy in the construction, agriculture, textile and garment, and service sectors (especially janitorial and food service). They have no union protection and sometimes no enforceable contracts at all. A 2007 agreement between the Egyptian MOMM and the Jordanian Ministry of Labor to provide work permits to Egyptians through the Egyptian embassy in Jordan has not been effective. Only about 30,000 of the more than 220,000 Egyptians working in Jordan received work permits through this arrangement.[73]

Migrants are sometimes paid considerably less than they expect. Sponsors exercise control over workers by taking their passports and refusing to transfer their sponsorship to another employer.[74] Some Egyptians testify to being seriously abused.

For example, a migrant from Minya province reported that he was employed in a cement factory outside Sahab, in a Jordanian QIZ (see Chapter 2 for a definition of QIZs as they operate in Egypt) for two or three months, working from 7:30 a.m. to 4:30 p.m. with a single half-hour break. He also slept in the factory, although it had no fresh water, no toilet facilities, and no place to take a shower. He tried to negotiate his wages, but his employer took his passport. Therefore, he could not legally seek other employment, even though he had an offer of a job at much higher pay. He did not contact the Egyptian embassy, because he did not believe they would do anything to help him.[75]

An agricultural worker from Sharqiyya province worked for eight months on a farm with 25-30 others. They worked from 6:00 a.m. to 6:00 p.m., seven days a week, in all weather conditions. They had no breaks, even to eat. Any missed work resulted in a wage deduction. The workers lived in plastic tents and slept on the muddy ground when it rained.[76]

In October 2003 the International Organization for Migration and Egypt's MOMM launched an Integrated Migration Information System designed to help Egyptian authorities better manage labor migration, facilitate legal migration, and improve working conditions for Egyptian migrant workers abroad.[77]

According to the Egyptian embassy in Jordan, the Egyptian government educates Egyptian workers on their legal rights under Jordanian labor law prior to their departure. The information covers 22 relevant articles of Jordanian law, including provisions on forced labor, working hours, and workers' right to keep their own passports. Recruited Egyptian workers are expected to take and pass an exam on these rights before they leave Egypt.[78] Such an exam may not be an effective educational tool, since a good proportion of Egyptian migrant workers have limited literacy at best and it is unclear under what conditions it is administered.

The Egyptian consulate in Kuwait claims to handle about 400 cases per day from Egyptians seeking help with contractual issues and over 50 different kinds of work-related problems. The consulate intervenes on behalf of workers who have sponsorship problems by refusing to co-sign a contract if the issues remain unresolved. In addition, the consulate works with a list of lawyers to help defend the rights of Egyptian workers in Kuwait, such as those attempting to recover passports from agents or sponsors.[79]

The Egyptian Embassy's Labor Office in Qatar provides services and protection to its citizens, beginning with pre-departure control. The labor attaché checks prospective labor contracts, confirming the legal status of the employing company/sponsor and the working conditions. The official explained that no visa is issued or recognized at Egyptian or Qatari borders without approval from the Labor Office. The Labor Office also meets monthly with the Department of Research and Monitoring, part of the Qatari Ministry of the Interior's General Directorate of Borders, Passports, and Expatriates' Affairs. If a conflict emerges between workers and employers, the department imposes a freeze of all governmental services to the employer until the problem is resolved.[80]

Despite these claims of services provided to Egyptian workers by their embassies, many Egyptians working abroad feel they do not receive this support from their government and have voiced their criticisms in the press.[81] Hossam Bahgat, director of the EIPR, relayed these concerns, stressing that Egypt has signed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 1993. Therefore, the government is obligated to protect its citizens working abroad.[82] The UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families also raised this issue in its 2007 report:

> A number of complaints have been received by the Egyptian National Council for Human Rights concerning the rights of Egyptian migrant workers abroad and [the Committee] is concerned about the alleged lack of necessary assistance from [Egyptian] consular services. In particular, it notes with concern information according to which some Egyptian migrant workers were not given travel documents to return to Egypt after being issued with expulsion decisions in the host country and recalls that migrant workers and members of their families shall have the right at any time to enter and remain in their State of origin. . . .[83]

Although the Egyptian government officially accepts responsibility for migrant workers, it does not exert persistent efforts on their behalf. One very likely reason is that Egypt cannot afford to antagonize the primary destination countries for migrant workers: Saudi Arabia and Kuwait. Egypt needs their political and economic support. Migration is becoming a more common phenomenon in today's global economy and requires the cooperation of both source and host countries to ensure that workers' rights are protected. The primary destination countries for Egyptian workers have abysmal labor standards, especially for foreign workers. An effort to insist on their upholding the fundamental rights of Egyptian workers could result in their replacement by Palestinians, Jordanians, Sudanese, or Lebanese. Therefore, a regional and international effort is required to persuade Persian Gulf countries to ratify and implement the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. To date, the only Arab states to ratify the convention are primarily labor exporting countries: Egypt (1993), Morocco (1993), Libya (2004), Algeria (2005), and Syria (2005).

Endnotes

1 While Egypt has ratified this convention, it maintains several reservations that significantly weaken its effectiveness, including restricting a woman's right to divorce and the general reservation that Egypt will comply to the extent it does not run counter to shari'a. See UN, Division for the Advancement of Women, Department of Social Affairs, "Convention on the Elimination of All Forms of Discrimination against Women, Declarations, Reservations, and Objections to CEDAW," www.un.org/womenwatch/daw/cedaw/reservations-country.htm.

2 The Egyptian Organization for Human Rights has described Egypt as having a "culture of discrimination" against women. Egyptian Organization for Human Rights, "Before Beginning a New Century Stop All Forms of Discrimination against Women" (press release), March 8, 1999, www.derechos.org/human-rights/mena/eohr/women.html. On gender see also Fatma Khafagy, "Traps of Empowerment," *Al-Ahram Weekly On-line*, March 10-16, 2005, http://weekly.ahram.org.eg/2005/733/fe1.htm; Egyptian Organization for Human Rights, Annual Report for 2003 (the latest available), chap. 12, "Discrimination Against Women," www.eohr.org/annual/2003/report2003-7.shtml#1. On women's unequal access to divorce see Human Rights Watch, *Divorced from Justice: Women's Unequal Access to Justice in Egypt*, November 2004, pp. 5-7, www.hrw.org/sites/default/files/reports/egypt1204.pdf.
On religious discrimination see The Egyptian Initiative for Personal Rights, "Quarterly Report," sec. IV, "Discrimination on the Basis of Religion or Belief," October 2008, www.eipr.org/en/reports/FRB_quarterly_rep_Oct08_en/Discrimination_on_the_basis_of_religion_or_belief.htm. On discriminatory treatment of Sinai Bedouin see Amirah Ibrahim, "Reasons for Discontent?" *Al-Ahram Weekly Online*, November 20-26, 2008, http://weekly.ahram.org.eg/2008/923/eg5.htm.

3 Sameena Nazir and Leigh Tomppert, *Women's Rights in the Middle East and North Africa* (Lanham, MD.: Rowman & Littlefield, 2005), p. 71.

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[6] World Bank, Middle East and North Africa Social Economic Development Group, *The Status and Progress of Women in the Middle East and North Africa Region*, June 2006, pp. 20-31, www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2006/06/14/000160016_20060614165618/Rendered/PDF/364630PAPER0Gender1Report1June05.pdf.

[7] Central Agency for Public Mobilization and Statistics (CAPMAS), Labor Force Sample Survey, 2006, partial data available at Egypt Information Service, "The Egyptian Women [sic] and the Economy, Woman [*sic*] in the Labor Force," www.sis.gov.eg/En/Women/Society/Economy/100304000000000001.htm; Hala Shukr Allah, "Min al-bayt ila mawqi' al-'amal: dirasa 'an zuruf al-'amala al-nisa'iyya fi misr," *Tiba* 8 (Dec. 2006), pp. 31-32

[8] Shukr Allah, "Min al-bayt ila mawqi' al-'amal," p. 36.

[9] World Bank, *The Status and Progress of Women in the Middle East and North Africa Region*, p. 27.

[10] Workshop of the National Council for Women, July 8, 2001, cited in Intisar Badr, principle investigator, *Nisa' fi suq al-'amal: al-'amilat wa-siyyasat al-khaskhasa* (Cairo: New Woman Foundation, 2007), p. 82.

[11] Ragui Assaad, "Labor Supply, Employment, and Unemployment in the Egyptian Economy, 1988-2006," p. 38 in Ragui Assaad (ed.), *The Egyptian Labor Market Revisited* (Cairo: AUC Press and Economic Research Forum, 2009).

[12] For statement of the government's official view, see Egypt Information Service, "The Egyptian Women [*sic*] and the Economy, Woman [*sic*] in the Labor Force."

[13] Quoted in Ghada Raja'i, "Taqrir 'an ahwal 'ummal al-ghazl wa'l-nasij wa'l-malabis al-jahiza," Economic and Social Rights Series, no. 63 (Cairo: Land Center for Human Rights, November 2008), p. 53.

[14] Shukr Allah, "Min al-bayt ila mawqi' al-'amal," p. 34.

[15] Social Research Center, American University in Cairo, "Economic Participation of Women," www1.aucegypt.edu/src/wsite1/index.htm.

[16] Ragui Assaad and Fatma al-Hamidi, "Women in the Egyptian Labor Market: An Analysis of Developments from 1988 to 2006," (Cairo: Population Council, nd.), www.dsg.ae/LinkClick.aspx?link=Women+in+the+Egyptian+Labor+Market.pdf&tabid=214.

[17] Ibid.

[18] Assaad, "Labor Supply, Employment, and Unemployment in the Egyptian Economy, 1988-2006," p. 42.

[19] Ragui Assaad, "Preface," in Ragui Assaad (ed.), *The Egyptian Labor Market Revisited.*

[20] Shukr Allah, "Min al-bayt ila mawqi' al-'amal," p. 35.

[21] CAPMAS, "Labor Force, Employment & Unemployment in Egypt," www.capmas.gov.eg/eng_ver/sdds/SDDS3.htm.

[22] Samir Radwan, "Responding to the Financial and Economic Crisis: The Case of Egypt," (ILO: Geneva, June 4, 2009), p. 3, www.ilo.org/public/libdoc/ILC2009/TD3/Radwan_TD3.pdf.

[23] Badr, *Nisa' fi suq al-'amal,* p. 48.

[24] Ragui Assaad and Fatma al-Hamidi, "Women in the Egyptian Labor Market: An Analysis of Developments from 1988 to 2006."

[25] Ibid., p. 21. Spinning was historically overwhelmingly female, but now that it is a highly mechanized and computerized process, men have become predominant.

[26] Central Agency for Public Mobilization and Statistics, On-Line Census of Industrial Production, 2000/01, "'Adad al-mansha'at wa-'adad al-mushtaghalin hasba fi'at al-sinn wa'l-naw'.

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Child Labor and Forced Labor

Child Labor

Egypt was one of the first 20 countries to ratify the 1990 United Nations Convention on the Rights of the Child, and it was among the initiators of the 1990 Summit for Children. The ILO International Program on the Elimination of Child Labour (IPEC) has been active in Egypt since 1996.[1] In 1999 Egypt ratified ILO Convention No. 138 on the Minimum Age for Admission to Employment and Work, which set the minimum employment age at 14 years.[2]

IPEC's activities encouraged Egypt's ratification of ILO Convention No.182 on the Worst Forms of Child Labour in May 2002.[3] Article 1 of the Convention states, "Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency."[4] Conventions No. 182 and No. 138 are both fundamental ILO conventions. However, Egypt has not ratified the ILO's Worst Forms of Child Labour Recommendation (No. 190), committing it to immediate action to eliminate the worst forms of child labor.[5] The ILO has characterized these positive developments as a "very strong political commitment" to children's rights.[6]

Leading members of the ETUF supported ILO Conventions No. 138 and No. 182 and were instrumental in moving the Egyptian government to ratify Convention No. 182. Before she became the Minister of Manpower and Migration in 2004, 'A'isha 'Abd al-Hadi was active on child labor issues in her capacity as head of the ETUF Women's Secretariat. The ETUF Women's Secretariat has adopted a declaration on child labor making it the official policy of the ETUF to improve the working conditions of children who are working legally, to favor the elimination of the worst forms child labor, and to develop a five-year plan to take children out of the worst forms of child labor. Other ETUF bodies are discussing the adoption of this policy.

The ETUF has cooperated with the Egyptian government, the National Council for Childhood and Motherhood (NCMM), chaired by First Lady Suzanne Mubarak, and the ILO-IPEC to eliminate child labor. It also received funding and technical assistance from the Solidarity Center to establish child labor programs in the rural governorates (provinces) of Sharqiyya, Minufiyya, Buhayra, Fayyum, and Kafr al-Shaykh, and in Alexandria. These programs were positively evaluated in reports prepared for USAID, which noted that the best results came from Sharqiyya, Minufiyya, Buhayra, and Alexandria.[7] In May 2004 the ETUF published a booklet in Arabic and English with proposals to alleviate and eliminate the worst forms of child labor in Egypt.[8]

Although a number of international treaty and convention provisions have been incorporated into the national legislative framework, including the Unified Labor Law of 2003 and the Child Law of 1996 (amended by Law No. 126 of 2008), Egypt lags behind in implementing these commitments. Major violations of ILO Conventions No. 138 and No. 182 are widespread in the

areas of minimum age, working hours, and hazardous work. Children under 12 continue to work in agriculture, where they are exposed to pesticides and chemicals. Widespread child labor in dangerous workplaces (e.g. stone quarries, car repair workshops and leather tanning worksites) seriously impairs children's education and their physical and mental development.[9]

Child agricultural and domestic workers are not legally protected. In 2009 the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) published an "Individual Observation Concerning Minimum Age Convention, 1973 (No. 138)" expressing "serious concern at the situation of children working in Egypt," and it requested that the government provide adequate information on the "application of the Convention [No. 138 on the Minimum Age for Admission to Employment and Work] in practice."[10] Legislative reform, more severe penalties for violations of the law, and improved enforcement are necessary to bring Egypt into compliance with its commitments and international norms.

Child Labor Data

Accurate statistical data on child labor in Egypt is limited. In terms of absolute numbers, the workforce includes an estimated 2.7 million children aged 5-14 (out of approximately 40.3 million in that age group).[11] The highest proportion of child labor is in the upper-Egyptian governorate of Fayyum, where 228,884 (44.17 percent) children work. Seventy-eight percent of them work in agriculture.[12]

Estimates of the percentage of children aged 5 to 14 years in the national workforce range from 2.6 percent to 14.7 percent, depending on the definitions used.[13] The definition used here is based on the interagency research project, Understanding Children's Work (UCW), initiated in December 2000 by the ILO, UNICEF, and the World Bank.[14] According to the ILO:

> The term "child labor" is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.
>
> It refers to work that:
>
> - is mentally, physically, socially or morally dangerous and harmful to children; and
> - interferes with their schooling by:
>   - depriving them of the opportunity to attend school;
>   - obliging them to leave school prematurely; or
>   - requiring them to attempt to combine school attendance with excessively long and heavy work.
>
> In its most extreme forms, child labor involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities—often at a very early age.[15]

Using this definition, UCW estimates that 6.7 percent of Egyptian children aged 5-14 were working in 2005, with a higher percentage among boys in rural areas.[16]

Table 1 *Children's Economic Activity by Age and Residence*

Age	Percentage of Working Children in the Age Group [1]		
	Urban	Rural	Total
5	0.3	2.0	1.4
6	0.5	4.0	2.8
7	0.7	4.7	3.1
8	1.3	6.9	4.8
9	1.4	9.5	6.4
10	1.1	9.7	6.5
11	2.2	14.3	9.6
12	3.2	13.9	9.8
13	3.9	15.2	10.8
14	4.9	17.8	13.1
Total 5-14	**1.9**	**9.6**	**6.7**

Note: (1) Regardless of school attendance status

Source: Egypt, Demographic and Health Survey 2005

Table 2 *Children's Economic Activity by Age and Sex*

Age	Percentage of Working Children in the Age Group [1]		
	Male	Female	Total
5	1.8	0.9	1.4
6	3.4	2.1	2.8
7	4.6	1.8	3.1
8	6.5	2.9	4.8
9	9.2	3.4	6.4
10	8.8	4.2	6.5
11	13.7	5.1	9.6
12	13.9	5.3	9.8
13	15.5	5.9	10.8
14	19.6	6.1	13.1
Total 5-14	**9.5**	**3.7**	**6.7**

Note: (1) Regardless of school attendance status

Source: Egypt, Demographic and Health Survey 2005

Legislative Framework

Employment of minors and women in conditions that endanger their health or at night has been prohibited since 1933. Articles 98 to 103 of the Unified Labor Law (No. 12 of 2003) deal with the employment of children. This legislation stipulates that minors shall not work more than a total of six hours per day, and this period must include a one-hour break. (These provisions apply to trainees, who may begin working at the age of 13, and others under the age of 16.) Children may not work overtime; they cannot work more than four consecutive hours; and they may work only between 7:00 a.m. and 7:00 p.m. Some of the provisions of the Unified Labor Law were superseded in July 2008 by an amendment to the Child

Law (No. 12 of 1996), which raised the minimum employment age from 14 to 15 and the minimum age for working as a trainee from 12 to 13. Minors under the age of 16 may not be members of a trade union.[17] Article 74 of the Child Law makes owners of establishments that employ underage children subject to a fine of between US$27 and US$133 per illegal child worker. Fines are doubled for repeat offenders. Provincial governors have the authority to rescind the license of a workplace that hires children under the age of 15. Parents and employers can be fined from US$59 to US$147 for forcing their children to work and not allowing them to go to school, or they can be sent to prison for up to one month.

The Constitution guarantees free and compulsory basic education for children between the ages of 6 and 15 who are Egyptian citizens.[18] This applies to boys and girls equally, but in practice girls in rural areas are more likely to drop out of school before completing their compulsory basic education. Moreover, according to the U.S. Labor Department, "Despite the constitutional guarantees to universal education, in practice, education is not free, and parents are increasingly responsible for both the direct and indirect costs of education. . . . Egyptian law allows for public schools to charge fees for services, insurance, and equipment."[19] Moreover, "Most children of documented migrant workers do not have access to public schools and . . . the children of undocumented migrant workers do not have any access to the schooling system, whether public or private."[20]

Children who do not attend school regularly are more likely to work than children who do. But more than half the children who work also attend school.[21] Even the legal restrictions on the hours of children's work would likely prejudice a child's education, as it is difficult to imagine working six hours a day while attending elementary school.

Child Labor in Agriculture

Article 103 of the Unified Labor Law exempts children working in the agricultural sector from all the provisions of the law. Employment of 12- to 14-year-olds in seasonal work is explicitly permitted, provided that it does not harm their health, development, or education.[22] But according to ILO conventions on child labor, children aged 12-14 should perform only "light work," as defined by the ILO.[23]

About half of all working children are employed in the agricultural sector, mostly in cotton production.[24] Therefore, existing child labor legislation does not apply to them. Ministerial Decree No. 118 of 2003 attempts to address this shortcoming by prohibiting the employment of children under 16 in more than 40 hazardous professions, including agricultural activities involving the use of pesticides. The decree also applies to leather tanning and auto repair shops and sets a maximum weight that children may carry.[25]

A Human Rights Watch study conducted in the Nile Delta region in 2001 concluded that children work long shifts in cotton fields and are exposed to dangerous chemicals and conditions that harm their health, development, or education:

> Each year over one million children between the ages of seven and twelve are hired by Egypt's agricultural cooperatives to take part in cotton pest management. Employed under the authority of Egypt's agriculture ministry, most are well below Egypt's minimum age of twelve for seasonal agricultural work. They work eleven hours a day, including a one to two hour break, seven days a week—far in excess of limits set by the . . . Child Law. They also face routine beatings by their foremen, as well as exposure to heat and

pesticides. These conditions violate Egypt's obligations under the Convention on the Rights of the Child to protect children from ill treatment and hazardous employment. They are also tantamount to the worst forms of child labor, as defined in the International Labour Organization's Convention 182. . . . [Historically] children were forcibly recruited to take part in pest management. . . . [S]ome farmers continue to believe that they will be fined if they resist their children's recruitment. However, most children today are compelled to work by the driving force of poverty . . . the ministry has taken no apparent steps to ensure that the cooperatives comply with the [Child] Law's provisions governing child labor. Without enforcement of the Child Law by the state and its subordinate institutions, compliance by private actors in Egypt can hardly be expected to follow.



Children working at a shop in Bani Suwayf, Egypt, 2006.

Children work during school vacations to remove the eggs of cotton leaf worms from maturing cotton plants, as described by Human Rights Watch:

> Egg mass collection is carried out by children working in teams of fifteen to thirty, each of which is supervised by a foreman (known locally as a *khouli*). The teams are assigned areas of fifteen to thirty acres each, which are further subdivided into three plots. Each team rotates between the three plots, covering one during the course of a day. The children tear off the infected portions of the leaves, identified by white or yellow blotches, and store them in sacks. Twice daily, before the children's lunch break and at the end of the day, the damaged leaves are deposited in a pit and burned. An older boy is normally chosen to burn the leaves, under the foreman's supervision.[26]

Cooperatives often hire children younger than the 12-year-old minimum established by the Child Law for seasonal agricultural work. An eight-year-old boy told Human Rights Watch researchers, "My father told me that I'm working to get school clothes and a bag."[27]

"I would be happy"

Riad Muhammad, a 9-year-old from the village of Zawat al-Kardsha told a British journalist in 2008 that he had never seen the inside of a classroom:

> "I will be a cotton farmer, like my father and my grandfather," he says, cleaning his tiny fingernails with a strand of straw. "We get time to play and in the evenings we swim in the water channels. Sometimes, after the harvest, we get treats and money to buy lollipops and balloons. My mother tells me she is proud that I work like a man to help my sisters. This is my fourth year in the fields. One day I hope to own my own land, that is my big dream."
>
> As we talk I notice Riad's hands. They are calloused and worn. "I would like some gloves," he says, "the ants are always biting me. If you could send me some gloves I would be happy."

Source: Dan McDougall, "Working Flat Out—The Child Labour behind Your Egyptian Cotton Sheets," The Observer*, June 8, 2008, www.guardian.co.uk/society/2008/jun/08/childprotection.humanrights.*

The Human Rights Watch investigation quoted above is the most extensive and best-documented source of information on child labor in Egyptian agriculture. It is based on research nearly a decade old, but more recent reports confirm that, although five governorates have now been declared "free of the worst forms of child labor," conditions remain substantially the same. According to a 2008 report by The Egyptian Center for Women's rights, between 1 and 1.5 million children still work in agriculture in the same conditions described by Human Rights Watch, and 40.4 percent of all rural children under the age of 14 work.[28]

ILO standards on child labor allow children to work on family farms producing for local consumption but not to work in commercial agriculture.[29] The ILO CEACR has been concerned about the working conditions of children in the agricultural sector, especially the employment of children under 12. The Committee has asked the Egyptian government to report further on inspections and measures taken to ensure that children under 18 are not exposed to harmful work.[30]

Other Sectors with High Levels of Child Labor

In addition to potentially dangerous work in agriculture, children aged 4-15 make up 25 percent of the work force in leather tanneries in old Cairo.[31] Hundreds of children work making mud bricks at a site 50 kilometers south of Cairo, where they earn E£25 (about US$4.45) a day loading bricks onto donkeys.[32] Children also work in pottery kilns, metal and copper workshops, automobile repair workshops, construction sites, and stone quarries.[33]

Many children also work in the informal economy as domestic workers. They are not protected by any legislation, as the Unified Labor Law does not apply to domestic workers—adults or children.[34] Rural families commonly send their daughters to cities to work as domestic servants in the homes of wealthy families whom they may know as their current or former land-

lords or through a distant relationship. The girls are particularly susceptible to physical and sexual abuse, long work hours, and other forms of exploitation, because they work in private homes, often without explicit contractual arrangements. Their physical isolation removes them from public scrutiny.[35] Because children are often compelled to work by economic hardship to provide their families with additional income, they sometimes run away from their parents' homes to escape mistreatment by their employers.[36]

UNICEF estimates that there are 200,000 to one million street children in Egypt, mostly in Cairo and Alexandria. It works with NGOs such as the Hope Village Society, CARITAS, and the Egyptian Association for the Protection of Children to meet their needs.[37] In 2003 the National Strategy for the Protection and Rehabilitation of Street Children, launched under the auspices of Egypt's First Lady, Suzanne Mubarak, and the NCMM, supported by UNICEF, began developing a National Plan of Action for street children. This initiative intends to seek amendments to the 1996 Child Law so that street children will be seen as at-risk and as victims rather than as deviants and criminals, as is currently the case.[38] These efforts have not yet borne fruit.



A boy works carrying clay shingles and waste in Kom Ghurab, Cairo. Behind him is a kiln.

The conditions endured by child quarry workers in the southern governorate of Minya speak volumes about child labor in Egypt.[39] Minya is Egypt's second poorest governorate.[40] Agricultural land is scarce and unemployment is high, pushing men and boys to seek hazardous work in quarries, which are the leading centers of limestone production in Egypt. About 250 of the quarries are licensed by the Minya governorate. The rest are illegal. Work in the unlicensed quarries is unregulated and part of the informal economy.

About 17,000 to 20,000 people work in 650 to 700 limestone quarries on the east bank of the Nile River in and around the governorate's capital of Minya city. Among them are 2,000-3,000 children under the age of 16, some as young as 7.[41] About 35 percent have dropped out of school to work full time. Others try to combine work and schooling, but their education is jeopardized by their work in the quarries.

Fifty of the quarry owners have signed a pledge not to employ children, but poverty impels many families to allow their children to work in the quarries. Quarry owners have an incentive to employ children, because they receive a wage of E£25-30 (about US$4.50-5.35) for a 10-12-hour day, half as much as adult workers.

During the summers they work in temperatures as high as 104 degrees (Fahrenheit) with no protection from the sun. Although they are exposed to extremely hazardous conditions, the workers receive no medical or social insurance or protective gear. Dynamite is used to remove large chunks of limestone from the mountain, and the blasting areas are not always adequately cleared. Very loud machinery with sharp blades is used to cut the large limestone blocks. Children most commonly work in the stone-crushing process, standing directly beneath the crushing machines and stuffing the crushed limestone into bags using their bare hands. The fine limestone dust causes diseases of the eyes, skin, and lungs. Many develop hearing problems due to the constant noise.

With assistance from the Nile Valley Organization, an Egyptian development and human rights organization focusing on Minya, the workers established a local union committee in 2003. Although it is duly registered with the national Mining and Mineral Workers' Federation, an ETUF affiliate, the committee is weak because its union does not have a local office. Moreover, there is no dues check-off for those employed in the informal economy. And since children under the age of 16 cannot join unions, the union cannot legally represent them.

The Nile Valley Organization works with the children, their families, and the quarry owners to keep children out of the quarries and in school. It conducts consciousness raising in the villages; it gives children apprenticeship training for other less hazardous kinds of work (carpentry, electrical appliance repair, mobile phone repair, etc); it provides loans to families who would otherwise be compelled to send their children to work in the quarries; and it offers general education for children engaged in their apprenticeship programs.



Worker at a limestone crushing workshop, Kom Ghurab.

Despite the achievements of the Nile Valley Organization, its resources are no match for the magnitude of the problem. It provides services to only a few hundred of the 2,000-3,000 children employed in the quarries. Most important, The Nile Valley Organization can not alleviate the region's poverty, which is the main reason for the particularly cruel form of child labor in Minya. Since there has been a fair amount of media coverage of child labor in the limestone quarries, the government is certainly aware of the situation.

"They Curse or Beat You"

Three teenaged boys, Muhammad, Ahmad, and Mahmud aged 17, 16 and 16, respectively, are in the apprenticeship retraining program of the Nile Valley Organization. They began to work in the quarries as trainees for 11 hours a day with an hour break for lunch when they were aged 9 and for a daily wage of E£10 (about US$1.80). "When we learned the work and could do it well, we received E£20-25 [about US$3.60-4.50]," said Muhammad. They did not have any protective clothing—gloves, earphones, goggles, or steel toe boots. "As long as the work goes well, the older workers treat you well. But when there is a problem they curse or beat you," said Ahmad. "Not really beat, just slap," said Mahmud. "We work under the crushing machine, putting the crushed stone into bags and taking it away," explains Ahmad, "or we work near the sawing machine. We pick up the blocks and take them away. We have to work in the quarries because there is no other work," explains Mahmud. "We used to go to school one or two days a week and work in the quarries the other days."

The boys now go to school in the mornings. In the afternoons they come to the Nile Valley Organization's youth center to be trained. Muhammad is learning to repair cell phones; Ahmad and Mahmud are learning carpentry. Muhammad and Mahmud have completed elementary school. Ahmad has completed intermediary school. Nonetheless, because of the impoverished circumstances of their families, they still occasionally work in the quarries. Once they have completed their apprenticeships and are certified, they hope to work in their new crafts.

Source: Joel Beinin, interview, Minya, June 29, 2008. The names have been changed.

Implementation of Egypt's Commitments

The Egyptian government is formally committed to ending child labor and has promoted some high-profile activities targeting the practice. The government-appointed NCMM coordinates activities and programs regarding child labor in collaboration with national and international organizations. In 2002 the Council designed a National Program for the Progressive Elimination of Child Labor. In 2006 Mrs. Mubarak participated in the "Red Card to Child Labor" campaign of the ILO when Egypt hosted the African Football Cup. The government endorses a "Preventing Child Labor" project, which is supported by the Japanese Social Development Fund and the World Bank.[42] The government has made progress toward eliminating the worst forms of child labor, pursuant to the UN Convention on the Rights of the Child, but many challenges remain.[43]

Enforcement of child protective legislation, like enforcement of all forms of labor legislation, is very inconsistent in Egypt. The Ministry of Manpower and Migration (MOMM) is responsible for labor inspections and employs approximately 2,000 inspectors who investigate health, safety, and child labor violations. These inspectors work out of 450 MOMM offices in Egypt's 26 provinces.[44] In 2000 the Ministry issued Decree No. 117 establishing a specialized Child Labor

Unit within the labor inspection department. The MOMM also works with the ILO's International Program on the Elimination of Child Labor (ILO-IPEC) and the Arab Labor Organization (ALO) to train and educate inspectors in the Unit.

In 2003 the MOMM reported that its 2,000 inspectors checked about 22,000 establishments, and they issued 6,000 warnings and 2,300 fines for noncompliance with child labor legislation.[45] This means that each inspector conducted an average of only 11 inspections that year—not an energetic pace of enforcement. The 2006 Census of Establishments enumerated 2.6 million working business establishments in Egypt. Inspection of 22,000 establishments in a single year means that less than .01 percent of all establishments were inspected. From 2006 through the first nine months of 2007, inspectors carried out 41,618 inspections, reported 72,000 violations of the law, and issued 9,083 warnings—a slightly more vigorous rate of inspection but a lower rate of warning issuance than 2003 (figures for fines are not available).[46]

An inspector in the MOMM told a Solidarity Center researcher that the Unified Labor Law diminished the authority of the inspectors.[47] Under the old law, if inspectors reported violations and gave a warning to a firm, a member of the firm's board of directors was required to come to the MOMM and give an explanation of the situation; otherwise a penalty would automatically be imposed for the violation. Under current law, the only thing an inspector can do is report to the MOMM. Employers commonly disregard this report. This inspector regarded court verdicts in child labor cases as weak; penalties were usually less than the maximum allowed by law. Employers therefore ignored the inspectors and their demands. Some employers with contacts in police stations can get the reports filed against them withdrawn, even if they have already been submitted to the prosecutor.[48]

Moreover, the number of inspectors has been cut in recent years, exacerbating the enforcement problem. The inspector believed that this was the government's intention because it meant that the newly established industrial zones might be inspected only once in ten years. (More frequent inspections might deter the private investors the government is trying to attract.) Inspectors' wages are so low that this easily leads to corruption, especially in light of the inflation over the last three years. Consequently, many inspections take place only if an employer refuses to bribe an inspector. Inspectors who are not corrupt must take a second job to meet their living expenses. Therefore, they do not give their full attention to their work as inspectors in order to preserve their strength for their second job.[49]

Because MOMM inspectors are not energetically enforcing the law, the media often prompt enforcement after reporting about specific incidents. The MOMM usually responds to such reports by requiring the offending employers to cease employing underage children and imposing fines on those that have violated the law.[50] Such spotty enforcement efforts cannot serve as an effective deterrent to child labor and are more likely viewed as the cost of doing business.

Violations of Articles 64 to 73 of the revised Child Law, relating to child labor and maternity leave, are punishable by a fine of "no less than E£100 [about US$18.00] and no more than E£500 [about US$91.00]."[51] New regulations established under the Unified Labor Law increased the minimum fines in child labor cases to E£500. These increased penalties did not appear to have any impact on actual practice.[52]

The vast majority of child labor occurs in agriculture and the informal economy. The U.S. Department of Labor's International Labor Affairs Bureau (ILAB) and most other observers agree that the MOMM has not enforced the Child Law in the informal economy. The U.S. State Department's Bureau of Democracy, Human Rights and Labor has forthrightly stated, "Enforcement of child labor laws remained spotty, and when offenders were prosecuted, the fines imposed … had questionable deterrent effects."[53]


Girl sorting onions, Egypt, 2003

Unless more severe penalties, such as imprisonment, are introduced, it seems unlikely that observance of the law will improve markedly. Just as important, without more effective enforcement, improved legislation alone, including the recent amendments to the Child Law, cannot improve the conditions of children. Many NGOs and other concerned observers believe that further legislative reforms and more stringent enforcement are insufficient. They stress the importance of political reform—the development of a more democratic political culture and a broad change in public consciousness—as necessary for real change.[54]

Forced Labor

Forced Labor, Migrant Workers, and Trafficking

The Egyptian Constitution prohibits forced or compulsory labor. Egypt ratified the ILO Forced Labor Convention (No. 29) in 1955 and the Abolition of Forced Labor Convention (No. 105) in 1958. Yet the 2003 Unified Labor Law and the amended 1996 Child Law do not specifically prohibit forced and compulsory labor by children. As noted in Chapter 3, some migrant domestic workers have experienced slave-like conditions, including forced labor without rest or vacations and with deprivation of liberty. Human trafficking is the twenty-first century's most common form of worker enslavement, often involving the exploitation of migrant workers. Egypt's lax legal and enforcement climate allow trafficking to flourish among women, children, and Egyptians working abroad (see chapter 3 for information on violation of rights of Egyptian migrant workers).

In 2009 the ILO CEACR issued two individual observations regarding forced labor in Egypt. It noted that "for many years" it has been concerned that violations of Public Meetings Acts of 1914 and 1923 as well Law No. 40 of 1977 on political parties are punishable by

imprisonment with compulsory labor (to say nothing of the undemocratic character of these laws, which severely limit freedom of political creed, freedom of assembly, and freedom of association). The ILO CEACR also objected that Law No. 76 of 1973, as amended by Law No. 98 of 1975, permits the government to compel youth who are not conscripted into the military to perform community development or factory work.[55]

Forced labor by children in industrial enterprises in the formal economy is rare. It does occur occasionally in carpet and rug factories.[56] However, children are among the most heavily impacted victims of forced labor in the informal economy. Some children recruited from rural areas for domestic service may face conditions of involuntary servitude, such as restrictions on movement, nonpayment of wages, threats, and physical or sexual abuse.[57] Street children, who may number as many as one million, are particularly vulnerable to involvement in pornography and prostitution.[58]

A highly regarded Egyptian blogger reports that impoverished Egyptian families may sell their children for as much as US$3,000. Most such children are sent to the Persian Gulf. Those that remain in Egypt are forced into begging, drug trafficking, or prostitution.[59]

Children are also sold into forced labor in the informal economy. A report by the Land Center for Human Rights documented several such cases in the first half of 2009 alone.[60] For example, in April 2009 a court in the Red Sea resort of Hurghada sentenced a woman to three years in jail for forcing a group of young children to work at cleaning automobiles and begging.[61]

Poverty has driven some Egyptians to sell their children into illegal adoptions. An organized gang of 11 members, including 4 Egyptian doctors and 3 dual Egyptian-U.S. citizens operated for a lengthy period, buying newborn Egyptian children, smuggling them to the United States, and selling them to childless families for large sums of money. The ring was discovered when an Egyptian-American woman tried to take out a U.S. passport for two children, claiming she had recently given birth to them in Egypt. Suspicious U.S. consular officials in Cairo informed the Egyptian police.[62]

In January 2009 a teenager living on the street in the Cairo district of Mazlat told a journalist that she sold her son to an "agent of children" for E£1,000 (about US$177) who in turn sold the child to a wealthy childless family. Another street teenager admitted that she and her friend sold their children for E£3,000 (about US$530) while they were selling flowers on the Nile River embankment in Cairo.[63] In April 2009 a prosecutor in the Wayli district of Cairo ordered an investigation of a housewife who bought a child from its financially distressed mother for E£600 (about US$106.75). The crime was discovered when the father refused to believe the birth mother that their child had perished in a car accident and demanded to see the corpse.[64]

Forced Labor and Exploitation of Egyptians Working Abroad

In the Persian Gulf countries a sponsorship system (*kafala*) is the legal basis for residency and employment. Sponsorship means that the employer is economically and legally responsible for the employee during the contract period. In many Gulf countries the sponsor is legally entitled to confiscate the passports of employees until the termination of the contract. The *kafala* system has regularly been criticized for leading to the exploitation of workers.[65]

According to the Egyptian Initiative for Personal Rights (EIPR), Egyptian workers in the Gulf are vulnerable to major abuses, mainly related to the restrictions on the right to work and freedom of movement, because of the *kafala* system. The EIPR reports that workers are forced to accept wage reductions in exchange for return of their passports and permission to travel.[66] Under the sponsorship system the worker is usually hired on a two-year contract. But if the sponsor terminates the contract earlier, workers are not entitled to work in the country for the remainder of their two years. The EIPR also reports restrictions on opening bank accounts, purchasing cars, and allowing Egyptian spouses and children to travel to the Gulf.

Working and living conditions can be hazardous, and it is difficult for workers to take legal action against their employers. An Egyptian worker, M., who moved to Saudi Arabia to work as a building painter, told the EIPR that he worked there for two years without being paid. When he asked for his salary, he was arrested by the police and detained for 15 days without charge. M. was sent back to Egypt without receiving his money.[67]

In another report, the EIPR noted that the passports of some migrant domestic workers are confiscated by their employers in order to control their movement and prevent them from reporting any abuses to the police, since filing a police report requires a valid passport with a residency permit. Some migrant domestic workers spoke of slavery-like living conditions, forced labor without rest or vacations, and deprivation of liberty.[68]

Most of the countries in which Egyptian migrants work are not yet parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the UN General Assembly in 1990, and deny workers the rights to which they are entitled under the Convention. In its 2007 report, the UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families encouraged the Egyptian authorities to negotiate with the Persian Gulf countries with the aim of abolishing the *kafala* system.[69]

In November 2008 the Egyptian government was once again criticized for failing to protect its citizens working abroad, especially in the Persian Gulf, after two Egyptian doctors were sentenced to 15 and 20 years in jail and 1,500 lashes in Saudi Arabia. Dr. Shawqi 'Abd-Rabbu and Dr. Ra'uf Amin Muhammad al-'Arabi had worked for the Saudi royal family. They were convicted of prescribing morphine to a princess who later allegedly became a drug addict. The court also confiscated their bank accounts and ordered their deportation after serving their punishments. The Egyptian MOMM reacted by ceasing to issue emigration visas for doctors seeking to work in Saudi Arabia.[70]

In recent years there have been several high-profile cases of young Egyptians drowning at sea in an effort to migrate without visas to seek work in Europe.[71] Many Egyptian youth regard migration—legal or illegal—as a way to escape poverty and unemployment and are willing to risk this expensive and hazardous journey. A 2006 government study surveyed 1,552 youths: 57.4 percent of them had traveled abroad with a visa, and 42.6 percent had travelled illegally. Only 6.9 percent had obtained work permits.[72]

According to the Egyptian Organization for Human Rights, youths typically pay from E£15,000-30,000 (about US$2,680-5,360) to smugglers who take them first to Libya. Italy is the most favored destination.

The phenomenon of undocumented migration is particularly widespread in the governorate of Fayyum. In the Fayyum village of Tutun, 6,000 out of a total population of 40,000 have migrated to Italy. In 2007 Italian security sources seized 14 boats landing on the beaches of Calabria with more than 1,500 illegal migrants, mostly Egyptians. A total of 802 Egyptian migrants died at sea on their way to Italy during 2006 and 2007.[73]

Since 2004 some Egyptian young men seeking to migrate to Europe for work have married European women in order to legally enter European Union countries.[74] The European women are organized by international gangs and paid E£15,000-45,000 (about US$2,670-8,007). European security authorities have taken some measures to address this practice, but it remains a problem.

Sex Trafficking

Egypt serves as a country of destination and transit for trafficking victims from Central and Eastern Europe to Israel and the Persian Gulf countries. Because of limited data, it is difficult to assess the number of individuals trafficked to Egypt.[75] In 2001 the Foreign Ministry of Israel estimated that 2,500-3,000 women had been trafficked into Israel, mainly across the border with Egypt, and compelled to become prostitutes.[76] In 2008 Mushira Khattab, Secretary-General of the National Council for Childhood and Motherhood, estimated that 3,000 to 5,000 women had been smuggled through the Sinai Desert to work as prostitutes in Israel and the Persian Gulf countries.[77]

The Israeli Awareness Center, an NGO dedicated to raising consciousness of sex trafficking, estimated that 70 percent of the women trafficked into Israel from Egypt had been aware that they would be working as prostitutes but had been deceived about the actual conditions of their work. About 30 percent did not know that they would be forced into prostitution. Traffickers promised them jobs as waitresses, cooks, models, au pairs, or therapeutic masseuses.[78]

Typically victims are flown to Egyptian cities, primarily Cairo, but also Hurghada and Sharm al-Shaykh. They are then transferred to hotels, where they meet a local agent. The women use a prearranged code that identifies the agent to whom they "belong" and to avoid clashes between smuggling networks, which often steal women trafficked by rival gangs.[79] Eventually many are transferred by Bedouin (people of tribal, nomadic origins) through the Sinai desert into Israel. Women are smuggled in groups, together with goods, drugs, weapons, and migrant workers. The journey is difficult and dangerous because it is sometimes necessary to hide in caves and go for long periods without water.[80] Once they arrive in Israel, the women are sold and forced to work up to 18 hours a day. On average, women receive only 3 percent of the money they earn from prostitution. Many are raped and beaten.[81]

In March 2009 Israeli law enforcement authorities apprehended the "largest ever people-trafficking ring in Israel" after a two-year undercover operation. The suspects were accused of trafficking more than 2,000 women into Israel and Cyprus over a two-year period from countries of the former Soviet Union to work in the sex industry. According to the U.S. Department of State, the ordeal of the Israel-bound women did not end with arrival in their destination country:

> The young victims were taken in by promises that they could work in Israel as dancers or waitresses in night clubs. Several said they had

endured extremely harsh and violent treatment. They had crossed into Israel from Egypt in treacherous circumstances. Testimonies collected by NGOs working with trafficked women speak of rape and abuse by Bedouin smugglers on the journey.[82]

Wealthy men from the Persian Gulf commonly travel to Egypt to contract "temporary marriages" with Egyptian women, including in some cases girls under the age of 18. These arrangements can be hard to distinguish from forced prostitution because in many cases impoverished parents sell their daughters into these arrangements.[83] In March 2009 the South Giza Prosecutor's Office charged a husband and wife with selling their three daughters into prostitution to men from the Persian Gulf for US$550 a week per child.[84]

Temporary marriages may last anywhere from a few hours to a few months, and formal divorce is very easy in such arrangements. The sale of girls and women into such temporary marriages is not specifically illegal in Egypt, although the Universal Declaration on Human Rights, which Egypt has ratified, requires that both spouses consent to a marriage.[85] The selling of children and marriage under the age of 16 are also banned by the International Convention on the Rights of the Child, to which Egypt is a signatory.

According to Dr. Fadya Abu Shahba, a criminologist at the National Center for Social and Criminological Research, "This is a sort of legal practice whereby many villagers sold off their daughters to rich Gulf suitors over the past few decades. . . . The practice has widely spread owing to increased poverty levels; so much so that entire villages are becoming notorious for arranging such marriages that now take place with parents' consent."[86]

In May 2009 the Criminal Court of Alexandria issued sentences of life imprisonment and 15 years imprisonment with hard labor to two doormen who were convicted of kidnapping boys, raping them, and selling them as homosexual prostitutes to wealthy Persian Gulf Arabs.[87] Reports of homosexual prostitution are a new phenomenon. So it is difficult to know how widespread it may be.

The Government Response

The Egyptian penal code does not prohibit all forms of trafficking. The Anti-Prostitution Law (No. 10 of 1961) prohibits commercial sexual exploitation of those under 21 years old and the use of coercion, threats, or abuse to induce a person into prostitution and facilitating the entry of another person into Egypt for the purpose of practicing lewdness or prostitution. The penalty is a fine and imprisonment from one to five years, with a maximum of seven years in the case of organized criminal groups.[88] The amended Child Law (No. 126 of 2008) prohibits the trafficking of children for commercial sexual exploitation and forced labor and prescribes sentences of at least five years' imprisonment. There are differing opinions on whether or not these penalties are sufficient to deter trafficking, but there is agreement that neither legislation nor enforcement is fully adequate.

In March 2004 Egypt ratified the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, a supplement to the United Nations Convention Against Transnational Organized Crime. However, the Egyptian government has not yet complied with its obligations under the Protocol. It has not yet enacted legislation that criminalizes all forms of trafficking in persons, as Article 5 requires, nor has it completed a comprehensive assessment of the trafficking of women in the country.

End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes (ECPAT) International, in cooperation with UNICEF, organized a Regional Consultation on North Africa in Rabat, Morocco, on June 12–13, 2003. The meeting covered aspects of commercial sexual exploitation of children in Chad, Egypt, Mauritania, Morocco, and Tunisia. It focused particularly on the sexual abuse of domestic workers, early marriages, and children working in prostitution. Participants from government agencies, international organizations, and nongovernmental organizations attended workshops that covered such topics as development of hotlines for the protection of children against commercial sexual exploitation and the training of caregivers and law enforcement personnel.[89]

In 2005 the Egyptian government provided improved training for border security officials to prevent smuggling and trafficking, and it developed new methods to intercept traffickers.[90] In 2007 the government established a National Coordinating Committee to Combat and Prevent Trafficking in Persons. Among its tasks are:

- the drafting of a national plan of action to combat trafficking;
- preparing and drafting legislation;
- cooperating with the United Nations and other bodies; suggesting policies and programs;
- guiding research;
- conducting media campaigns to increase awareness; developing educational curricula;
- building the capacity of criminal justice officials, other authorities responsible for the implementation of the criminal justice system, and those in charge of the application of the provisions of the Protocol to Prevent, Suppress and Punish Trafficking in Persons; and
- preparing a central data bank in coordination with the Center of Criminal and Social Research and other research institutes.[91]

If the National Coordinating Committee fulfills its mandate and there is adequate executive and legislative follow up, the situation may improve.

The Egyptian government indicated that from 2003 to 2008, 102 cases were investigated that may have involved trafficking in persons, including 73 cases involving commercial sexual exploitation and 7 cases of abusing or forcing children into begging. Since there is no comprehensive anti-trafficking law, the government did not report any prosecutions, convictions, or punishments for trafficking offenses.[92]

Despite these efforts, The Global Office to Combat Trafficking in Persons (G/TIP) at the U.S. Department of State placed Egypt on its Tier 2 Watch List[93] because of the government's failure to address trafficking over the past year, particularly in the areas of law enforcement and prosecution.[94] The State Department's *Trafficking in Persons Report 2009* notes that Egypt made "minimal progress in protecting victims of trafficking" and "minimal efforts to prevent trafficking in persons during the reporting period," although there was somewhat more progress in prosecution.[95] But according to the Child Rights Information Network (CRIN), "Egypt made no discernible efforts to punish trafficking crimes during this reporting period [2007-

2008].”[96] The CRIN states plainly, “[T]he Government of Egypt does not fully comply with minimum standards for the elimination of trafficking,” but it notes that Egypt “is making significant efforts to do so.”[97]

Iman Bibars of the Association for the Development and Enhancement of Women, an Egyptian NGO, affirms that the Egyptian government’s efforts to date have not significantly diminished or eliminated trafficking in persons. According to Bibars, “The best way of addressing the demand side of trafficking human beings is to demolish the markets generating profits to the criminals. This would require identification of traffickers in order to be able to investigate trafficking cases, and [to] prosecute and convict offenders.” However, few cases are prosecuted and the number of convictions is very small.[98]

Coercive Working Conditions

Recent studies have shown that Egyptian workers in some sectors of the economy experience coercive working conditions that meet the standard of forced labor as defined by ILO Convention No. 105 Concerning the Abolition of Forced Labour. In some cases, employers force workers to comply with harsh employment terms that violate the Convention’s prohibition on depriving workers of the genuine possibility of terminating their employment.[99] Workers facing biting poverty and unemployment, and with no independent union to defend them, are compelled to accept stark conditions and remain in jobs they would otherwise abandon. For example, M. A., a woman employed in the Rebel factory in the Suez Free Zone said, “We don’t have rights . . . we’re forced to work late. In other companies, workers get paid [a premium] for overtime hours, not us. If you refuse to stay late you’re told to leave the company.”[100]



A boy working at a tannery.

According to the 2008 study conducted by the New Woman Foundation, about 50 percent of female workers work overtime and 66 percent of those who do work overtime are forced to do so. It is common practice for private-sector workers to be forced to work overtime, including during public holidays. Eighty percent of female workers working overtime in the private sector are forced to do so, as compared to 48 percent in the public sector.[101] While there are no statistics on forced overtime of men, there is no reason to believe that there would be a significant gender difference on this issue. Since a large and growing proportion of Egyptian textiles and clothing are exported, international buyers and the international labor movement can have significant influence over alleviating conditions in that sector.

After completing the study, the New Woman Foundation researchers held workshops with women workers in several cities to inform them of their findings and collect additional testimony from them. The testimony revealed that many private-sector employers force their workers to work overtime and do not pay the overtime premium. The Unified Labor Law establishes minimum overtime pay at 135 percent of regular pay for overtime worked during daylight, 170 percent for overtime at night, 200 percent on the weekly day of rest (usually Friday), and 300 percent on official holidays.

Another instance of forced labor involves requiring workers to sign contracts with clauses that prevent them from working for another company if they leave their employer. In effect, the workers do not have the right to quit and seek other employment. According to Intisar Badr, the lead researcher for the New Woman Foundation study:

> No one reads the contracts. . . . There are very big problems in Isma'iliyya. Women workers were hired on temporary [i.e. fixed-term] contracts [meaning they cannot join a trade union and they can be dismissed with no recourse at the end of their contracts] in an apparel factory. They had agreed to work from 8 a.m. to 4 p.m. So they were surprised when their work day was extended to 7 p.m. They said, "We won't work. We'll leave the company." But [then] they realized it wasn't possible because the contract they signed has a clause according to which they'd have to wait 6 months before working for another company. Otherwise they'd have to pay a fine of E£5,000 [about US$890].[102]

This fine is an abusive implementation of the *badal al-intizam*, a widespread practice in the private sector involving the deduction of fines (ranging from E£70-150, or about US$12.50-26.80) from workers' monthly salaries if they arrive late to work.

N.S., a worker in another apparel factory, testified, "I work from 4 p.m. [the end of the regular work day] until 8 or 9 p.m., without being paid overtime. And I also work on Fridays." She makes a monthly salary of E£700 (about US$125.00) if she works overtime and Fridays. N.S. added, "If I don't work on Fridays E£120



A boy who works as part of a crew that unloads large feluccas carrying between 20-40 tons of limestone and other materials from the Minya region, along the canal in Dar al-Salaam.

[about US$21.50] is deducted from my monthly salary. So instead of E£700, I get paid E£500 [about US$90.00] or E£580 [about US$103.60]."[103]

Uncertain Prospects for Change

Child labor, toleration of abusive treatment of Egyptian migrant workers abroad, human trafficking, forced overtime, compulsory penal labor for holding unauthorized meetings or propagating proscribed political opinions, and many other coercive practices in Egyptian society rest on a foundation of poverty, lack of education, and authoritarianism. Legislative reform, more consistent and aggressive enforcement, and public educational campaigns have somewhat improved conditions in these areas. But there is a very long way to go before Egypt implements its international obligations and upholds international standards for worker rights regarding child labor and forced labor.

Fundamental change will very likely depend on developing a democratic culture and a progressive economic development strategy. Building a trade union movement that truly represents workers and fights for their economic and social welfare could be an essential step in this direction. Trade unions that are truly independent of the government and the National Democratic Party could challenge the government to live up to its existing international commitments, press for more aggressive legislation and enforcement, and confront employers who use their relationship to the government or the ruling party to violate or circumvent the law.

Endnotes

1 The ILO's International Program on the Elimination of Child Labor (IPEC) was created in 1992 with the overall goal of progressively eliminating child labor through strengthening the capacity of countries to deal with the problem and promoting a worldwide movement to combat child labor. IPEC currently operates in 88 countries, and it spent more than US$74 million in 2006 on technical cooperation projects. It is the biggest single operational program of the ILO. See ILO, IPEC, "International Programme on the Elimination of Child Labour," www.ilo.org/ipec/programme/lang—en/index.htm.

2 ILO List of Ratifications of International Labour Conventions, http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConv.cfm?hdroff=1&conv=C138&Lang=EN.

3 Kawther Abu Gazaleh, Lamia Bulbul, Soheir Hewala, and Suadad Najim, *Gender, Education and Child Labour in Egypt*, ILO-IPEC (Geneva, 2004); UNDP-UN Program of Governance in the Arab Region, pp. ix-x, www.arabhumanrights.org/en/ratification/index.asp?id=9.

4 ILO, Convention No. 182, Worst Forms of Child Labour Convention, 1999, www.ilo.org/ilolex/cgi-lex/convde.pl?C182.

5 Convention No. 190 is not a fundamental ILO convention.

6 Abu Gazaleh, et al, p. ix.

7 See, for example, American Center for International Labor Solidarity (Solidarity Center), "Program of Assistance to the Egyptian Trade Union Federation (ETUF), Grant No. 263-G-00-02-00014-000, October 1, 2001-June 30, 2003, Final Report."

[8] ETUF, *A Future Vision for the Alleviation and Elimination of the Worst Forms of Child Labour* (Cairo: Egyptian Trade Union Federation and Solidarity Center, 2004).

[9] ILO CEACR, "Individual Observation Concerning Minimum Age Convention, 1973 (No. 138)," www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloilc&document=610&chapter=3&query=Egypt%40ref%2BObservation%40ref%2B%23YEAR%3D2009&highlight=&querytype=bool&context=0

[10] Ibid.

[11] U.S. Department of State, Bureau of Democracy, *Country Reports on Human Rights Practices, 2008: Egypt*, February 25, 2009, www.state.gov/g/drl/rls/hrrpt/2008/nea/119114.htm.

[12] Egyptian Center for Development and Institutional Support and Save the Children, "Children Labour Distribution, Fayyum Governorate," July 2008.

[13] For an overview of different measurement methods and surveys see Abu Gazaleh et al, pp. 5-16.

[14] The indicators are from household surveys conducted by the World Bank Living Standards Measurement Study (LSMS) program, the ILO-IPEC Statistical Information and Monitoring Program on Child Labor (SIMPOC), the UNICEF Multiple Indicator Cluster Survey (MICS) program, and the National Statistical Office. These surveys include data in areas such as education, employment, health, expenditure, and consumption that relate to child labor. Understanding Children's Work (UCW), hwww.ucw-project.org/.

[15] The ILO adds, "Whether or not particular forms of 'work' can be called 'child labor' depends on the child's age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries." ILO, IPEC, www.ilo.org/ipec/facts/lang—en/index.htm.

[16] The statistics cover the 5-14 age range but do not include the 15-17 age group, because regular work is acceptable for these children and because the household data offer little information about forms of work that constitute child labor for this group. UCW, www.ucw-project.org/cgi-bin/ucw/Survey/Main.sql?come=Tab_Country_Res.sql&ID_SURVEY=1231&IDGruppo=-1&Type=-1&ID_COUNTRY=65&anno=-1&ofs=0.

[17] 'Abd al-Basir Hasan, "'Amalat al-atfal fi misr: kabus la yantahi," BBC Radio Arabic, April 11, 2006, based on an interview with labor lawyer Khalid 'Ali of the Hisham Mubarak Center, http://news.bbc.co.uk/hi/arabic/world_news/newsid_4901000/4901522.stm.

[18] *Constitution of the Arab Republic of Egypt*, May 22, 1980, Articles 18 and 20.

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[20] UN, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, "Consideration of Reports Submitted by States Parties under Article 74 of the Convention: Egypt," May 25, 2007, http://209.85.229.132/search?q=cache:KqePt8fpkDIJ:www2.ohchr.org/english/bodies/cmw/docs/cmw_c_egy_co1.doc+migrants+workers+children+egypt&cd=1&hl=ar&ct=clnk&gl=eg&client=firefox-a.

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[22] Child Law (No. 126 of 1996), amended July 2008, Article 64.

[23] ILO, IPEC, "ILO Conventions on Child Labour," www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang—en/index.htm.

[24] Egyptian Center for Women's Rights, "Child Labour in Egypt," July 8, 2008, http://ecwronline.org/pub/childLabourInEgypt.pdf.

[25] U.S., Department of Labor, Bureau of International Labor Affairs, "Egypt," www.dol.gov/ILAB/media/reports/iclp/tda2004/egypt.htm.

[26] Ibid.

[27] Ibid.

[28] Egyptian Center for Women's Rights, "Child Labour in Egypt."

[29] ILO, Convention No. 138, Article 5, paragraph 3. See also *General Survey on Minimum Age of the Committee of Experts on the Application of Conventions and Recommendations* [CEACR], ILC, 1981, Report III (Part 4B), para. 19.

[30] ILO CEACR, "Individual Direct Requests concerning Worst Forms of Child Labour Convention 1999 (No. 182)," Egypt, 6; CEACR: "Individual Direct Request concerning Convention No. 138, Minimum Age, 1973 Egypt (ratification: 1999) Submitted: 2005," www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=16969&chapter=9&query=Egyptpercent40ref&highlight=&querytype=bool&context=0.

[31] Egyptian Center for Women's Rights, "Child Labour in Egypt."

[32] Ibid.

[33] U.S. Department of Labor, Bureau of International Labor Affairs, "Egypt," www.dol.gov/ILAB/media/reports/iclp/tda2004/egypt.htm.

[34] Unified Labor Law, Book 1, Article 4.

[35] Dena Rashed, "Born an Adult," *Al-Ahram Weekly Online*, June 19-25, 2003, http://weekly.ahram.org.eg/print/2003/643/fe2.htm.

[36] UNICEF, *Atfal kharij 'itar al-himaya: dirasa ta'miqiyya 'an atfal al-shawari' fi al-qahira al-kubra (Children Beyond the Boundaries of Protection, An In-depth Study of Street Children in Greater Cairo)*, pp. 14-15, (no place, no date), www.unicef.org/egypt/media_3360.html.

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CHAPTER 5

The Future of Labor Rights in Egypt

The Uncertain Road Ahead

The new shape of the labor market in the neoliberal era and how the government and the ETUF respond to it will be a big factor in determining the future of worker rights in Egypt. So far, the record has not been encouraging. Egypt's privatization program and other neoliberal measures have won accolades from the international financial institutions. The IMF, the World Bank, and the World Economic Forum all rank Egypt high among "global economic reformers", i.e., countries that make it easier for private-sector enterprises to do business.[1] The Nazif government's economic policies resulted in high levels of economic growth of about 7 per cent a year from 2005 to 2008, but workers have paid a high price for this achievement. As first son Gamal Mubarak acknowledged, "Everyone in Egypt has not benefited ... to the same extent" from this growth.[2]

The accelerated sell-off of the public sector and encouragement of foreign investment and exports have been built on policies that maintain low wages, make workers less secure in their jobs, and discourage unionization. The neoliberal project is creating a new Egypt that many believe is benefiting no more than the top10 percent of the population.[3] It leaves behind most industrial workers, clerical employees, and virtually all workers in the informal economy.

The gap between the richest and poorest Egyptians is growing. According to the World Bank, nearly 44 percent (some estimates are higher) of Egyptians fit into one of three categories: "extremely poor" (unable to meet minimum food needs and living on less than E£980, or US$175, a year); "poor" (unable to meet basic food needs and living on less than E£1,400, or US$250, a year); or "near-poor" (able to meet some basic food needs and living on less than E£1,800, or US$320 a year). From 2000 to 2005 the percentage of "extremely poor" and "poor" increased, while the percentage of "near-poor" declined somewhat.[4] During 2008 severe shortages of subsidized bread, the main source of calories in the diet of most Egyptians, further burdened the poor. The national annual inflation rate reached a 16-year high of 23.1 percent in July 2008 and remained high through May 2009.[5]

The neoliberal program has provoked fears about job loss and the unwillingness of private investors who buy public-sector enterprises to pay long-overdue social benefits to which the workers are legally entitled. These include dividends on shares of firms owned by workers or contributions to retirement funds, which some public-sector managers had neglected for as long as a decade. The most immediate causes of the accelerating wave of workers' collective action since mid-2004 have been rising prices; inadequate wages; delays in payment of bonuses, profit shares, and other supplements to basic wages; and fears about the results of privatization of public-sector firms.

The Future of Special Economic Zones (SEZs) and Qualifying Industrial Zones (QIZs)

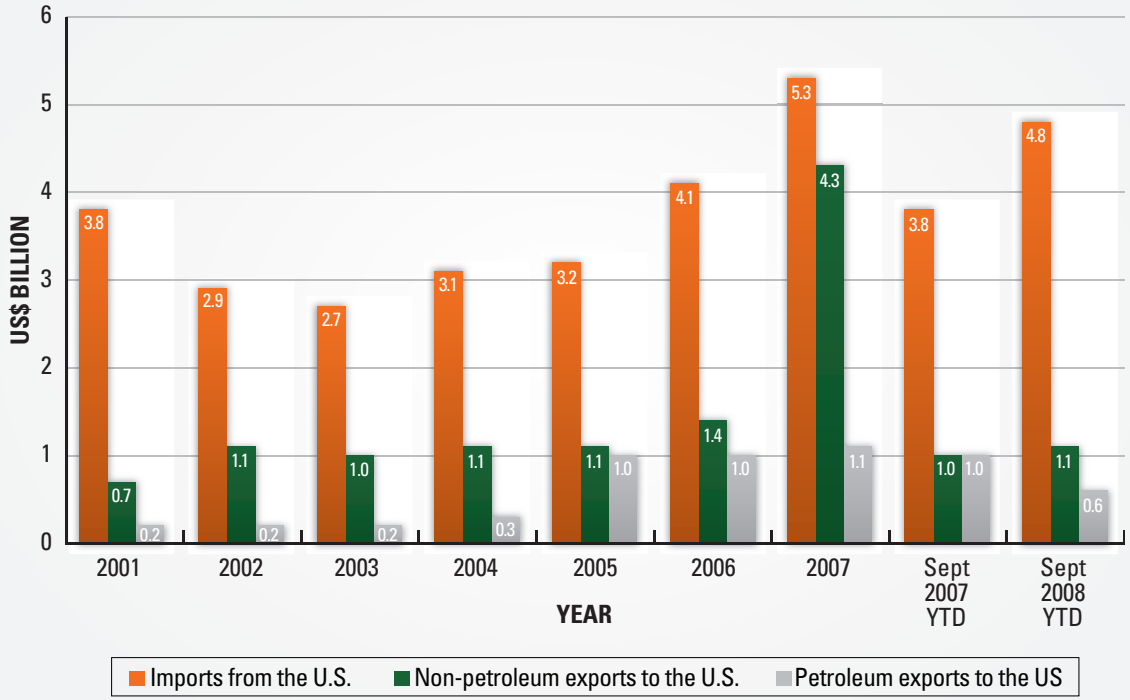
The SEZs and QIZs have contributed greatly to Egypt becoming the second largest market for foreign direct investment (FDI) in Africa after South Africa. The United States is the largest source of FDI in Egypt.

Including SEZs, QIZs, and other areas, it accounted for 36.1 percent of all FDI in fiscal year 2007-08 and a total of US$8.8 billion as of September 2008.[6]

By May 2009, 740 firms were approved to operate in 20 QIZs; 591 of these firms (80 percent) produce textiles and clothing.[7] The value of QIZ exports to the United States rose from US$288.6 million in 2005 to US$559.7 million in the first three quarters of 2008. The QIZs contributed substantially to the increase in Egypt's total exports of textiles and clothing to the United States from US$582.6 million in 2004 to more than US$694.8 million in 2008.[8] Top U.S. buyers of garments from QIZ exporters include The Gap, Levi Strauss & Co., Walmart, Gloria, Van Heusen, VF Jeanswear, and JC Penney.[9]

As Table 1 indicates, Egypt's total non-petroleum exports to the United States increased from US$1.1 billion in 2004 to US$1.4 billion in 2006. But they

Table 1 *Trade Values (Egypt/U.S.)*



Source: American Chamber of Commerce in Egypt, "Egypt-U.S. Trade," www.amcham.org.eg/bsac/ustrade/trade.asp

declined to US$1.3 billion in 2007 and US$1.2 billion in 2008.[10] Meanwhile, Egypt's trade deficit with the United States has risen steadily.

Private investors, especially clothing manufacturers, are attracted to Egypt for four main reasons. First, as a result of Egypt's preferential trade and QIZ agreements, Egyptian goods have duty-free access to European Union and U.S. markets. Second, enterprises located in the SEZs enjoy tax and tariff concessions. Third, enforcement of labor legislation is lax, as described in Chapters 4 and 5. Finally, wages and start-up costs in Egypt are lower than in its regional competitors—Turkey, Jordan, Tunisia, and Morocco.[11]

The earnings of Egyptian textile workers are 47 percent of their counterparts in Tunisia, 36 percent of those in Morocco, and 32 percent of those in Turkey.[12] The Jordanian monthly minimum wage of JD150 (about US$212) does not apply to the QIZs and therefore excludes both Jordanian citizens and over 40,000 Asian textile workers.[13] Nevertheless, the minimum wage in the QIZs is JD110 (about US$155) a month plus employer-provided food and accommodation, still far more than the wages of a typical Egyptian textile worker.[14]

However, Egyptian wages are higher than those of its Asian competitors such as China, India, Pakistan, and Vietnam.[15] In order to flourish, the industry must export successfully and ultimately compete with south and east Asian countries, especially China, which is becoming dominant in the global textile and clothing industry because of its low wages. Historically wages have comprised a larger share of the value added in textiles than in any other industry, and this is true to an even greater extent in garment-making.[16] Therefore, unless employers continually invest in technology that increases productivity, this translates into downward pressure on wages. As its textile industry is now structured, low wages and lax enforcement of labor legislation are key components of Egypt's global comparative advantage. Effective trade unions that defend worker rights could give employers incentives to invest in increasing productivity and encourage stricter enforcement of labor legislation.

Egypt's low wages have attracted investors from Turkey, India, and Indonesia—all relatively low-wage apparel exporters themselves. Turkish, Indonesian, and Chinese investors have established facilities in the SEZs and QIZs. Some manufacturers have relocated operations from Jordanian QIZs to Egyptian QIZs because of the lower wages and operating costs there.

Turks jumped into the QIZs early on, with investments reaching US$400 million by 2006. Close to 100 Turkish firms have already relocated to Egypt or are considering doing so. The logic behind the relocation of Turkish textiles and apparel to Egypt is clear. The "minute cost" of producing apparel in Egypt is half that in Turkey.[17]

The Chinese are positioning themselves to become major investors in Egypt.[18] Chinese investments in Egypt reached over US$500 million by 2009.[19] In September 2008 an agreement to establish a joint Sino-Egyptian industrial center to manufacture textiles, footwear and pharmaceuticals was signed. Citic Group, China's biggest state-run company, will invest US$800 million in an aluminum smelter. China is expected to become Egypt's largest trade partner by 2010.

These shifts of global capital indicate that there is a great danger that Egypt will lead a regional "race to the bottom" which will undermine the living standards and fundamental rights of its workers. Does Egypt really want to

be "the China of the Mediterranean region," as it has been called, relying on a development model based on low wages and systematic abuse of worker rights?

The Future of the Privatization Program

As noted in Chapter 2, only a very small number of private-sector workplaces are unionized. In addition, newer privately-operated public transport and service projects are not unionized.

For example, the Airport Build-Operate-Transfer (BOT) Law (Law 3 of 1997) allows private-sector firms to build and operate airports as long-term concessions without acquiring ownership. By placing government institutions temporarily under private ownership – for example, the Marsa Alam International Airport, which opened in 2001 on the Red Sea coast, a rapidly expanding tourist destination – they can be built with non-union labor. The Marsa Alam airport is operated by the Kuwaiti Mohammed Abdulmohsin Al-Kharafi and Sons Company under a 40 year BOT concession using non-union labor despite the existence of a well-established General Union of Air Transport Workers. Similar arrangements are under way at new airports in El Alamein, Farafra and Bahriyya oases, and the new terminal at Sharm al-Sheikh International Airport.[20]

Despite the participation of the European Union and the World Bank in such major investment projects, there has been inadequate consultation with the ETUF-affiliated air transport and port workers' unions. This suggests that at best government policy does not give a high priority to encouraging unionization in the new privatized industrial economy and the upgraded service sector it envisions.

A reduced workforce, lower wages, inferior working conditions, and employment of non-union workers on fixed-term contracts are common consequences of the privatization of public-sector firms. They underscore how a lack of union representation to negotiate the terms of privatization can threaten workers livelihoods. Even when investors make contractual commitments to maintain the number of workers and their wages and working conditions at public-sector firms they have purchased, they are rarely compelled to keep their promises. The Indorama Shibin Spinning Co. and Tanta Flax and Oil Co. cases described in Chapter 2 highlight the problems which must be addressed to prevent the privatization program from undermining the rights and living standards of Egyptian workers:



Ghazl Shibin workers strike against the foreign investors, March 10, 2009.

- The Egyptian government should consistently compel private-sector investors to abide by contractual conditions that protect workers' wages and working conditions, as it did at Indorama after the workers struck in March 2009. Annual cost-of-living raises, incentive pay, allowances for meals and clothing, and profit shares should be paid as required by the law.

- Privatization should not become an opportunity to replace unionized workers with job security and benefits with fixed-term contract workers who have no rights and are ineligible for union membership.

- Differential wages and working conditions for Egyptians and foreigners, even if justified by the level of skills or managerial status, are bound to create resentments and should be minimized. They recall for Egyptians the era of the British occupation, when this was commonplace.

- If Egyptian public sector-workers are expected to work at international standards of speed and quality that are new to them, disparaging their skills and culture will surely not enhance the quantity or quality of production or establish stable labor relations.

- Losses or declining profits at Indorama and other private-sector textile and clothing firms like Mansura-España, Arab Polvera, and Trust (see Chapter 2 for details) have led these firms to withhold bonuses or renege on their contractual obligations to workers. These actions have provoked numerous strikes and protests, suggesting that privatization alone is not a solution to the problems of Egypt's textile and garment industries.

The Future of the Textile and Garment Industry

The privatization program, especially the encouragement of textile and garment manufacturing for export in SEZs and QIZs, is an effort to address the decades-long crisis in these industries. Textile spinning, weaving, knitting, and dyeing is Egypt's oldest and historically its largest modern industrial sector. But the proportion of textile workers in the industrial work force began declining in 1960; and the absolute number of textile workers began declining in 1976. The index of real wages of textile workers fell from 100 in 1986 to 61 in 1994, even more sharply than for the industrial work force as a whole.[21]

The crisis continued into the 1990s and the first decade of the twenty-first century. Due to lack of capital investment and overstaffing in public-sector enterprises (estimated at 30 percent) textile industry productivity was lower in 1999 than in 1985. It is now much lower in Egypt than in neighboring countries like Tunisia and Turkey. Much of the machinery is outdated and needs to be renovated or replaced.[22] By 2004 textiles and apparel declined to 27 percent of the value of industrial production, taking second place behind processed foods.[23]

Since the conclusion of the Economic Restructuring and Structural Adjustment Program agreements in 1991, private investment has become increasingly important in the textile industry, especially in ready-to-wear garments. The value of private-sector clothing production increased nearly 30 percent from 1996-97 to 2000-01, while the value of public-sector textile production fell by approximately the same amount.[24] By 2003, 10 percent of spinning, 40 per cent of weaving, 60 percent of knitting, and 70 percent of garment production were in the private sector.[25] The Nazif government encouraged private investment in spinning, believing that it would improve local quality and reduce

imports of yarns and fabric. Consequently, the private-sector share of these operations is growing, as the examples of ESCO Qalyub Spinning and Indorama discussed in Chapter 2 indicate.

In 1976 there were 457,191 spinning, weaving, dyeing, and clothing workers in Egypt. In 2000-01 the public and private sectors employed 209,272 workers in spinning, weaving and dyeing and 163,241 clothing workers—a total of 372,513 workers.[26] Thus, the privatization program has contributed to the decline in the number of textile workers.

Trends in Public-Sector Employment

The textile industry is perhaps the clearest example of broader trends in the public sector. Due to the sale of public-sector enterprises from 1998 to 2006, public-sector employment declined to 30 percent from 39 percent of total employment. In the same period, informal employment increased to 60 percent from 53 percent.[27] But employment in the formal private sector increased only slightly, to 10 percent from 8 percent of total employment. This modest increase means that the formal private sector has not created enough jobs—to say nothing of secure employment at a living wage—to replace the public-sector jobs that have been eliminated. In addition, workers have less access to social services, because health insurance and other social benefits are rarely offered in the private sector and never in the informal economy.

The Role of Unions in Egypt's Future

The Struggle for Independent Trade Unions

The ETUF has not shown an interest in organizing textile and garment or other workers in the SEZs, QIZs, and the private sector more generally. It is only in response to massive and protracted expressions of workers' discontent in recently privatized firms, like Indorama Shibin or Kitan Tanta (see Chapter 2), that the ETUF and its affiliates have forthrightly supported workers' demands. But this support has not gone beyond the limits set by the government, as the ETUF's vacillating attitude towards the Kitan Tanta strike indicates.

Since the 1990s many trade unionists and their political supporters have discussed the need for trade unions independent of the government and the National Democratic Party. The most prominent of these forces are the Center for Trade Union and Workers Services and the Coordinating Committee for Trade Union and Workers Rights and Liberties.

The militancy of the Ghazl al-Mahalla workers made the project of establishing independent trade unions a practical action item on the agenda of Egyptian workers and labor-oriented NGOs. However, since Ghazl al-Mahalla is such a large and strategic enterprise, state security forces have intervened heavily to undermine the workers' attempts to organize beyond local bread and butter issues. The strike called for April 6, 2008, in support of a demand for a national minimum wage of E£ 1,200 (about US$214) a month was thwarted when State Security Investigations occupied the factory 72 hours before the strike was to begin and exerted heavy pressures on several members of the strike committee to it call off.[28] A combination of repression and internal disagreements among the Ghazl al-Mahalla leaders has slowed their progress toward establishing an independent representative trade union.

Towards a Future of Economic Development with Workers Rights

The ETUF, Egyptian NGOS, the Egyptian government, the U.S. government, the international labor and human rights communities, and the U.S. corporations



Egyptian textile workers demonstrate in front of their factory against bad conditions and low wages in the Nile Delta textile town of Mahalla al-Kubra, October 30, 2008.

can all play a role in protecting the fundamental rights of Egyptian workers and including them as essential partners in Egypt's development. The most important step in protecting worker rights would be for the Egyptian government and the ETUF to embrace independent trade unionism as a way to secure Egyptian workers' rights as the Egyptian economy enters the global market, rather than undermining it.

Recommendations

The Role of the ETUF

To play a positive role in the future, the ETUF will need to overcome the legacy of its past. For some people the ETUF is associated with the positive aspects of the Nasser era, including significant improvements in the standard of living and working conditions of workers and clerical employees. That era is definitively past. The ETUF has failed to establish its independence from the government and the ruling NDP, and it has remained an undemocratic organization. This has prevented it from evolving to meet the needs of workers.

Many workers believe that ETUF abandoned the defense of workers' rights by agreeing to the 1991 ERSAP and the subsequent privatization of the public sector and the Unified Labor Law of 2003 and then failing to organize private-sector workers. During the wave of strikes and collective actions since 2004, the ETUF executive committee has authorized only one strike (at Kitan Tanta, as described in Chapter 2). Local trade union committees have occasionally organized or promoted strikes or other protests. Somewhat more often, individual members of local trade union committees have sided with the rank-and-file against pro-government trade union bureaucrats. Many union activists and their supporters in labor and human rights NGOs and opposition political parties have despaired of reforming the ETUF structure from within. The clearest expression of this rejection of the ETUF is the attitude of the Independent General Union of Real Estate Tax Authority Workers (see Chapter 2 for details).

The ETUF leadership is at a crossroads. It can continue to be an obstacle to the struggle for worker rights, or, it can join the struggle. In particular, the ETUF and its affiliates should either organize aggressively in the private sector or stand aside for others to do so. The ETUF should be the leading organization in Egypt advocating the full implementation of ILO Core Labor

Standards in accordance with the conventions Egypt has ratified. In doing so, ETUF could demonstrate that it does not require a monopoly to win a following. The ETUF could redeem its reputation substantially by establishing its independence from the government and autonomy from the NDP.

The Role of Labor-Oriented NGOs and Independent Journalists

The Center for Trade Union and Workers Services provided important institutional support for the Ghazl al-Mahalla workers, the IGURETA workers, the education administrative workers, and many other independent labor struggles in recent years. Since most workers do not have a union that truly represents them and their interests, NGOs are currently the only institutions that can play this role. Therefore, it is vital that international labor and human rights organizations like the ILO, the ITUC, and international union federations support them, as was the case when the CTUWS was closed from April 2007 to July 2008.

The CTUWS has been supported by the Dutch NGO Oxfam Novib since 1993. It has good relations with the Dutch Labor Movement Federation (FNV), other European labor federations, and with the ILO. CTUWS representatives attended the 97th International Labor Conference in Geneva in 2008 and met with an ILO delegation which came to Egypt in April 2009. They discussed the ILO's continuing concerns about the Egyptian government's failure to fully comply with its international obligations regarding freedom of association, the right to organize and bargain collectively, child labor, and forced labor. In September 2008 the CTUWS General Coordinator and co-founder, Kamal 'Abbas, was part of a delegation to the United States hosted by the Solidarity Center, and in 2009 he was a guest at the annual convention of the AFL-CIO.

Since 2001 the Coordinating Committee for Trade Union and Workers Rights and Liberties (CCTUWRL) has been holding monthly meetings in the Cairo office of the Hisham Mubarak Law Center, where workers from all over Egypt come to share information about struggles in their workplaces, discuss strategy, and seek legal advice. The leading figure in the CCTUWRL is Sabr Barakat, a former steel worker. He and Khalid 'Ali 'Umar, co-founder of the Hisham Mubarak Law Center and an activist lawyer specializing in labor law, have authored many reports and books published by the CCTUWRL. Khalid 'Ali 'Umar participated in the September 2008 delegation hosted by the Solidarity Center. However, the CCTUWRL has been more reluctant than the CTUWS to accept international solidarity. Consistent support and solidarity from the international labor community could help to erode mistrust and strengthen the CCTUWRL.

There are other smaller labor-oriented NGOs and those whose scope is broader than labor issues but have a special concern with worker rights. The Egyptian Workers and Trade Union Watch and the Sons of the Land Center for Human Rights survey the media for reports of strikes and other workers' collective actions. The Land Center for Human Rights issues valuable reports on workers' protest activity and conditions in various industries and workplaces. The Nile Valley Organization has been especially concerned with the problem of child labor in the limestone quarries of Minya (see Chapter 4). The New Woman Research Center, which has received funding from the Ford Foundation, has been particularly concerned with women workers recently (see chapter 3).

The Legal Assistance Association for Human Rights based in Aswan provides legal assistance to victims of human rights violations in Upper (southern) Egypt. Its activities include a law clinic for workers. Ms Nawal Fawzy Fawzi Shenouda, Executive Director of the Association, participated in a September 2008 delegation to the United States hosted by the Solidarity Center.

The Egyptian Center for Education Rights (ECER) is a Cairo-based NGO established in 2006. Under the leadership of 'Abd al-Hafiz Tayil, it operates on the premise that the right to education is the most important human right, because education is a prerequisite for access to all other rights. The ECER works to improve Egypt's public education system, to educate students about their rights, and to increase access to education for all Egyptians. Although it supports the formation of an independent teachers union (see Chapter 2), the ECER intends to remain an NGO and has no plans to transform itself into a union.[29]

There are a small number of dedicated labor affairs journalists writing in Arabic in Egyptian daily newspapers and blogs. A handful of journalists also write and blog in English on labor affairs. The standard of Arabic journalism in Egypt is very uneven, although these labor reporters are among the very best. They go out to the provinces and on many occasions sleep in factories occupied by striking workers or in workers' homes to get their stories. Visits to Egypt by veteran labor journalists to conduct in-service trainings could be helpful in improving the skills of Egyptian labor journalists. Scholarships for advanced training abroad could enhance the professional skills of these journalists and provide much-needed political support by making them known and thereby less exposed to arbitrary repressive measures of the government.

The Role of the Egyptian Government

The Egyptian government should adhere to its international commitments on labor and human rights, including all ratified conventions. It should bring its laws and practices into compliance with ILO core labor standards. The most basic and necessary change would be to replace the Trade Union Law with legislation that would ensure freedom of association and the right to organize and bargain collectively. Workers should be permitted to join any trade union they choose and to choose leaders who will represent their interests in free and fair elections without interference from the security forces or other arms of the government. Trade unions should freely establish their own internal organizational and financial regulations. Local union committees should be allowed to form national unions or federations if they wish but not be compelled to do so. Unions should be able to bargain freely with individual employers or groups of employers as the parties freely decide. The restrictions on union operations imposed through the oversight of the Ministry of Manpower and Migration should be repealed. The security forces should cease interference with trade union activity and harassment of trade unionists and labor activists.

In the process of negotiating a potential Free Trade Agreement with the United States, Egypt should take the opportunity *before* the agreement is signed to amend its laws and practices to comply with the principles of freedom of association and freedom to bargain collectively. Restrictions on the right to strike contained in the Unified Labor Law that contravene the ILO's standards should be repealed. Trade unions should be permitted to establish the procedures for declaring a strike or other collective action. Security forces should not intervene in strikes unless there is a significant breach of public order or criminal activity.



Suez Canal Company for Ports and Large Projects workers demonstrating during their sit-in, Isma'iliyya, September 9, 2008.

Egyptian embassies should more consistently protect Egyptian workers from abuse when they are working abroad. This should be a priority in countries where conditions are especially problematic. The Egyptian government should conclude agreements with destination countries to ensure that Egyptian workers' rights are protected while they are working abroad. The government of Egypt should also establish a pre-departure program for Egyptian workers in order to raise their awareness of their rights while working abroad. The program should include information on how to avoid forced labor and trafficking and where workers can turn to for help. Egypt should enact an anti-trafficking law and dedicate adequate resources to enforcing it.

The Emergency Law, which uses security concerns as a pretext to ignore the constitution and undermine democracy and civil rights (including restricting freedom of association) should be repealed. The NGO Law, which requires all NGOs to register with the Ministry of Social Solidarity, should be repealed. NGOs should be allowed to form and operate freely without interference from the security apparatus or government supervision.

The government should ensure that private-sector jobs have wages, benefits, and working conditions equivalent to those of the public-sector jobs they are replacing. This will require changes in laws, enforcement mechanisms, and a firm approach to private employers. Legislation should address abuses in the private sector, such as mandatory overtime, nonpayment of overtime premiums, and forcing new hires to sign undated letters of resignation.

Existing legislation prohibiting discrimination among workers on the basis of gender or religion with regard to wages, benefits, and opportunities for promotion should be enforced in the private sector. Discriminatory recruitment policies seeking to exploit the vulnerability of young women, such as those used by Indorama Shibin, should be banned. Women employed in the public sector should receive the same rights to public housing as their male colleagues. The government of Egypt should also grant migrant workers full protection under Egyptian law and in practice, including the right to receive benefits and services and join unions.

The government of Egypt should enhance its inspection procedures and enforcement of restrictions on child labor and allocate the necessary resources to these activities. Additional legislation should be enacted to

impose penalties, including imprisonment, on employers adequate to deter child labor. The Unified Labor Law should be amended to apply to agricultural and domestic labor, and special attention should be given to enforcing prohibitions on child labor in these sectors. Compulsory education laws should be enforced more rigorously, and impoverished families should be given assistance so that they do not feel compelled to send their children to work rather than to school.

The Role of the U.S. Government

Egypt is an important ally of the United States in the Middle East. Other countries in the region are looking to Egypt to see whether or not the United States will be serious in backing up its verbal claims to support democracy with meaningful actions. The wave of workers' protest since 2004 is only one of several expressions of the crisis of legitimacy the Egyptian government is experiencing. The United States should not ignore the shortcomings of the current governmental system or be an obstacle to the Egyptian people's desire for social justice and democracy. This will only further destabilize the Middle East in the long run and diminish the moral stature of the United States government in the region.

Legislation requiring fair labor practices for imported goods could make a big difference in the working conditions and living standards of Egyptian workers and their families. Any Free Trade Agreement or trade preference program like the Generalized System of Preferences (GSP) or Qualified Industrial Zone agreement with Egypt should be contingent on enforceable language for violation of core labor rights.

The United States should not continue to provide high levels of aid to Egypt without substantial improvements in human rights, freedom of association, and other democratic reforms. Egypt has been the second-largest recipient of U.S. foreign aid since its 1979 peace treaty with Israel. In December 2007 Congress authorized the President to withhold US$100 million in military aid until Egypt halted weapons smuggling into the Gaza Strip from the Sinai Peninsula, implemented judicial reforms, and stopped torture by the police. However, former Secretary of State Condoleezza Rice waived these provisions of the bill.[30] The waiver should be reconsidered, and military aid should also be conditioned on ending operations of the internal security apparatus that inhibit freedom of expression and association, quash legitimate political protests, and undermine independent workers' organizations and struggles for worker rights.

The Role of International Labor Solidarity

The institutions of the global labor movement have a critical role to play in advancing worker rights in Egypt. The International Trade Union Confederation (ITUC), a leading advocate of democratic trade unionism, has done good work in monitoring worker rights violations in Egypt and calling upon the Egyptian government, employers, and the ETUF to respect the ILO's Core Labor Standards. The ITUC should send a strong message that Egypt should remove restrictions on the right of workers to form and join trade unions.

The Global Union Federations (GUFs), many of which have active ETUF affiliates, should call upon their affiliates to take public positions in favor of workers' fundamental right to organize and bargain collectively. The GUFs also have a critical role to play in advancing workers' rights in Egypt's export industries. The International Textile, Garment, and Leather Workers' Federation and other federations should continue to support the efforts of workers in the SEZs and QIZs to form and join trade unions.

The ILO, through its current program in Egypt aimed at achieving a tripartite framework of cooperation on worker rights, should actively encourage the Egyptian government to amend the Trade Union Law and other national labor legislation to enable the emergence of independent trade unions.

During their struggle, the municipal real estate tax collectors' leaders and their lawyers relied extensively on the ILO conventions ratified by Egypt to support their demand for the creation of an independent union. They appealed for international labor solidarity and requested recognition of their union by the international federation of public-sector unions, Public Services International (PSI), which represents 20 million members in 160 countries. At PSI's annual meeting in April 2009 the application of the Independent General Union of Real Estate Tax Authority workers for membership was accepted.[31] The IGURETA leadership strategically applied for recognition to the Ministry of Manpower and Migration while an ILO delegation was visiting Egypt to discuss the country's very problematic record on upholding core labor standards.

The Role of U.S. Corporations

As the U.S. embassy in Cairo has noted, the labor standards required by U.S. firms are currently the most effective standards for companies that produce for them in Egypt (see Chapter 2). Therefore, corporations that buy textiles and garments from Egypt can have a major impact on the quality of life of Egyptian workers. Given the current balance of forces, a buyer's insistence that Egyptian manufacturers observe fundamental labor rights is the most direct way to ensure that they will be observed.

The Role of the International Community

The international community has given Egypt a free pass on worker rights and many other issues of democratic reform, because Egypt is viewed as a force for peace and stability in an unstable region. This will not be an effective strategy in the long run. Egypt is an autocratic regime pursuing economic policies that have not yielded dividends for the great majority of its people. This is a formula for instability, not only in Egypt, but throughout the region. Instability in Egypt, in light of its regional significance, can have a negative impact on the entire Middle East. The international community should speak with a firm and clear voice in support of human rights and democracy, including worker rights, in Egypt. And it should support those forces in Egypt that are seeking these objectives.

Conclusion

The Egyptian government's current development model is based heavily on attracting foreign investment with promises of low wages, a docile workforce, lax enforcement of child labor and health and safety regulations, and a business-friendly security apparatus. This model systematically undermines worker rights and will not ensure either economic success or long-term social stability. It is undermining the legitimacy of the government and besmirching Egypt's international reputation.

The international labor community, international human rights organizations, the U.S. government, and U.S. corporations should speak out loudly and persistently in support of full application of the ILO's Core Labor Standards in Egypt. This could achieve much more than improving the lives of Egyptian workers and their families; it could help democratize the country. The upsurge of workers' protest which began in 2004

and continued into 2010 has been the most powerful movement for democracy in Egypt in more than half a century. It deserves far more support and recognition from the international community than it has received. Such support and recognition would demonstrate a commitment to the democratic transformation of Egypt by its own people and make a significant contribution to that process. If the international community consistently insists on the need for the government of Egypt to respect democracy, human rights, and worker rights, it is possible that the ETUF, or some elements of it, may be empowered to assert their autonomy from the government and the NDP and join Egyptian workers' struggle for a decent life and social and economic justice.

Endnotes

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GLOSSARY OF ACRONYMS

ALO	Arab Labor Organization
CAPMAS	Central Agency for Public Mobilization and Statistics
CCTUWRL	Coordinating Committee for Trade Union and Workers Rights and Liberties
CEACR	ILO Committee of Experts on the Application of Conventions and Recommendations
CEDAW	UN Convention on the Elimination of All Forms of Discrimination Against Women
CERD	UN Convention on the Elimination of All Forms of Racial Discrimination
COWM	Commission to Organize the Workers' Movement
CRIN	Child Rights Information Network
CTUWS	Center for Trade Union and Workers Services
ECPAT	Trafficking of Children for Sexual Purposes International
EIPR	Egyptian Initiative for Personal Rights
ERSAP	Economic Reform and Structural Adjustment Program
ETC	Egyptian Telecommunications Company
ETUF	Egyptian Trade Union Federation
EWF	Egyptian Workers Federation
FDI	Foreign Direct Investment
FNV	Dutch Labor Movement Federation
FTA	Free Trade Agreement
GFLUKE	General Federation of Labor Unions in the Kingdom of Egypt
GSP	Generalized System of Preferences
G/TIP	U.S. Department of State's Global Office to Combat Trafficking in Persons
GUF	Global Union Federation
GUBIFE	General Union of Bank, Insurance and Finance Employees
GUESW	General Union of Educational Services Workers
GUTW	General Union of Textile Workers
ICFTU	International Confederation of Free Trade Unions
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
IGURETA	Independent General Union of Real Estate Tax Authority Workers
ILAB	U.S. Department of Labor's International Labor Affairs Bureau
ILO	International Labor Organization
IMF	International Monetary Fund
IPEC	ILO International Program on the Elimination of Child Labour
ITUC	International Trade Union Confederation
MOMM	Ministry of Manpower and Migration
NCCM	National Council for Childhood and Motherhood
NDP	National Democratic Party
PSI	Public Services International
QIZ	Qualifying Industrial Zone
RCC	Revolutionary Command Council
SEZ	Special Economic Zone

EGYPT



Map of **Egypt**

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SOLIDARITY CENTER PUBLICATIONS

Justice for All: A Guide to Worker Rights in the Global Economy

Justice for All: The Struggle for Worker Rights in China

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Zachary Lockman
Departments of Middle Eastern and Islamic Studies and History, New York University

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ISBN 0-9761551-7-6