

## **The center of Trade Unions and Services (CTUWS) - Egyptian Democratic Labor Congress (EDLC)**

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### **A new resolution that adjusted some articles in Trade union law**

#### **A law that keeps the same network of tyranny, unjust and corruption, by only replacing its leadership and key decision makers.**

In a surprise to everyone, the president's resolution on Black Thursday included a new law number 97 of 2012, adjusting some articles of the Trade union law number 35 of 1976. It was a decree that has not been publically announced till we were surprised with it published on the issue 47 of the official newspaper/ repeated edition on 24<sup>th</sup> November.

The cabinet has made its decision in its meeting on Wednesday the 17<sup>th</sup> of October 2012, approving this law after a series of maneuvers and back and forth continued discussions, in which the same deceiving techniques of Husni Mubarak's regime were used, such as leaking information on adjustments then denying them, or conducting large meetings that show features of civil dialogue then all of a sudden surprising the public with a resolution that has already been approved behind the closed doors, without a say for anyone.

Since that date, demands to stop issuing this law have never stopped, appeals have also been sent to the president asking him not to sign it, due to its reinforcement to distorted union environments that Egypt workers suffered from for ages, and it's a attempts to hijack Egyptian worker's right in a comprehensive reform for union freedoms. But sadly, no one responded nor paid any attention to all those demands.

The new leaders from the (Muslim brotherhood) whom deny workers' rights and rights other social categories in expressing their demands or negotiating their rights, totally agree with the format of a state owned union organization that acts as a tool in dominating the labor movement, oppressing it and preventing its independency. Therefore they are eager to keep it this way; they also consider unions as their enemies, using the same language of hatred that was always used by the officials in Husni Mubarak's falling regime. They rejected pluralism claiming it breaks down the labor movement. And we rejected pluralism that takes away the freedom of workers to establish their unions, and enforced one union organization on them.

The Muslim brotherhood denies the workers right of free choice, or establishing their own unions. They claim that they reject pluralism because it weakens the labor movement. Are union freedoms weakness while firing independent unionists from their jobs and sending them to courts isn't weakness?? Banning workers from their right in strikes, prosecuting them and passing a law that considers them criminals isn't weakness to the labor movement?? They claim aiming their swords to the ex-regime characters in the old General Federation of Egypt's trade unions, while they themselves were the ones who took initiative to ally with them and stop implementing the Cabinet's resolution on 4<sup>th</sup> August, 2011 that dismantles the federation boards according to court orders. The Muslim brothers have rejected and still

reject the revolution against the corrupted union network. The union brothers want to keep the official union organization in its role as a state owned tool organization. Only replacing its leaders by new ones affiliated to them as a ruling party.

Therefore, they issued law number 97 of 2012 adjusting law 35 of 1976 among the storm of resolution on black Thursday, the adjustment has precisely served their interest, including the retirement of those who reached that age, from the federation and its unions and be replaced by those who come next in the number of votes in the previous elections, and if that was not possible then the higher levels appoint the new members, after a the relevant minister issues a resolution with this content.

And as the majority of the general union councils have been announced and selected by recommendation-with no elections and no votes- therefore the members of union councils will be appointed by the board of the current federation that is controlled by the brotherhood, by using a policy of threats and intimidation during the last year, in agreement and blessing of the minister of labor forces and immigration who happens to be a member of the group and its ruling regime.

And as workers and unionists in hundreds of independent unions continue to be oppressed, and dozens of them lose their jobs everyday just for practicing their legitimate and democratic rights, at the time they are denied from any legal protection with a justification that the new long awaited union freedom protection law has not yet been issued. At the same time collective bargaining among work partners becomes impossible under this prevailing situation, and under the prevailing law number 35 of 1976 that was supposed to be cancelled on the morning the revolution that crippled the ex-regime.

The attempts to get off the hook from granting union freedoms are obvious through issuing law number 97 of 2012, adjusting the old unfair law that Mubarak promised the ILO general assembly to cancel in the last year of his rule. And all of a sudden it was activated on that black Thursday.

Egyptian workers after the revolution succeeded in gaining some of their union freedoms stated in the Ministerial declaration on the 12<sup>th</sup> of March 2011. But practicing union rights kept facing serious challenges on the ground and was often violated by the incredible alliance of "The general federation of Trade Unions" and the government administrations together with a number of businessmen and private companies.

If the Egyptian authorities after the revolution failed to properly recognize the Egyptian labor movement or sense its fair demands, and couldn't take a position different than Mubarak, then it has jumped to its last round that showed it won't be able to set its foundations unless it empties the ground from this most active and most important public movement which received the majority of stabs on Thursday the 22<sup>nd</sup> of November.

The arrows of black Thursday were aimed on Egyptian workers and their rights, and not on the ex-regime individuals. The revolution protection law considers labor strikes as crimes. It equalizes between striking workers and the revolution enemies, and takes harsh actions against them. Who is the revolution for, then?? Is it for the businessmen and Hisham Qindil's government which is preparing a new reform to investment law, to re- conciliate with them.

The workers of Egypt have struggled for years and decades to gain their rights and union freedoms. They fought courageously and paid for that bad, with blood, jail and oppression. Martyrs from the workers of Iron and steel factory lost their lives in 1989 and in Kafr Al Dawwar in 1994, then in Al Mahalla Al Kubra in 2008.

The absence of social justice was the reason the revolution broke on the 25<sup>th</sup> of January, it was its slogan and essential demand, Millions of Egyptians called for it, but it's still so far from reality, and it has been ignored and neglected since the revolution.

The terrible situation that our community went through is something undeniable, it was so unbalanced that our people including workers, unemployed and other strugglers could not take that kind of life for another day, they blasted with fury in January 2011. And in spite that everyone never stopped verbally stressing on the rights of those oppressed to get their rights, after being denied for ages. The political scene starts and key officials after the revolution never stopped their promises to restore those rights. But the actual direction of the government's policy is going in a different direction which is far from social justice, which would never be achieved without granting the right of all public categories to express their interests and negotiate their demands, nor without owning the necessary organized tools to conduct collective bargaining. And on the top of those categories are genuine trade unions.

What is the revolution? And who is it being protected from? What is there left from this revolution for workers after the resolutions of black Thursday? After their strikes are considered crimes and swords of exceptional procedures and stand by jail for six months were aimed against them. And finally adjusting the old trade union law just to replace the men of a regime with the men of another regime, without granting union rights and freedoms.

As soon as the new authorities were in position, they started oppressing workers and harshly attacking the independent union leaders. Just in four months they fired a number of Egyptian workers from their jobs, that number has never been reached before. Members of whole union councils were fired from work. We are back again to having workers sent to courts after each strike, after even Mubarak's regime has stopped doing that. Charging striking workers according to article 124 of disciplinary law, the article that has been frozen by the Egyptian legal system in one of its most beautiful initiatives, 25 years ago.

The new Egyptian government finds strikes and labor actions as a threat to its sovereignty, as if it has no clue on hardship and cruelty in worker's lives, never the less the majority of Egyptians. It calls them to be patient without providing any plans or road maps, in fact not even giving a clue on its favor to the need of social justice.

The revolution demands that called for excluding the figures of the ex-regime, are vanishing with time in an inappropriate way. Achieving those demands could never happen without recognition to the rights of workers and other social categories in expressing their interests and enjoying their freedoms. Also improving their negotiation status to gain their rights. But unfortunately their revolution that reached to its optimum in reviling itself on Thursday showed that its not the revolution of workers. And not even the revolution of Egyptian people.