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**International Centre for Trade Union Rights**

*Centro Internacional para los Derechos Sindicales*  
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ICTUR was founded to  
defend and extend trade union rights and  
to raise awareness of these rights and their violations  
around the world

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**Attn:**

**President Abdel Fattah al-Sisi**  
**President of the Arab Republic of Egypt**  
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**CC:**

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Mohamed Hosam Ahmed Ali Abdel-Reheem, Minister of Justice,  
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Amnesty International

**May 2017**

Dear President al-Sisi,

The International Centre for Trade Union Rights is writing to express  
its concerns about serious violations of workers' freedom of association  
in Egypt.

According to a 30 April 2017 report by Amnesty International, workers  
in Egypt have faced arrest, detention, investigations and trials  
(including before military courts) for exercising their labour rights and  
trade union rights. Amnesty report the following incidents:

***In May 2016, hundreds of workers at the Ministry of Defence-owned  
Alexandria Shipyard Company organized a peaceful demonstration to  
demand safety measures in the work place (because of a series of  
incidents that had caused severe injuries), the application of the  
minimum wage standards, and an increase in annual bonuses. On 25  
May, the third day of protest, military police surrounded the company  
and closed its gates. The following day, military prosecutors issued  
arrest warrants for 25 of the workers; they were referred to a military  
court in June 2016, and 14 of them were detained until October 2016.  
An estimated 1500 workers (out of a total of 2,400 workers) have  
remained unofficially suspended from their jobs since the protest and***

are still waiting for notice from the company to resume their work. A number of protestors have resigned for fear of being convicted. **A military court in Alexandria has been scheduled to resume the trial of the 25 workers on 23 May.**

**In September 2016, employees of the Public Transport Authority planned to organise a peaceful protest to call for an improvement in the incentives system and payment of a 7% annual bonus. On 23 September 2016 - one day before the protest was due to take place - police forces arrested six workers on charges of 'inciting' workers to participate in a strike, 'preventing workers from performing their duty' and 'belonging to a banned group'. Two of the group were released after 60 days and another two after 90 days. However, two of them - Ayamn Abdeltawwab and Mohamed Abdelkhalik - spent six months in pre-trial detention after the State Security Prosecution and later the Cairo criminal court kept renewing their detention. They continue to spend four hours twice a week on probation in two different police stations.**

**In February 2017, after a week-long partial strike, the administration of the state-run Zagazig University Hospital suspended twelve of the striking nurses pending disciplinary investigations. The nurses were demanding payment for overtime worked at night after official working hours and wage increases. One of those suspended is Karima Abdelaziz - a member of the management board of the High Education Union. When the suspended nurses went to the Zagazig police station to file a complaint against their arbitrary suspension, police informed them that the prosecution had issued an arrest warrant against them on charges of inciting nurses to participate in the strike. The police officer ordered them to leave or face immediate arrest. Abdelaziz and her colleagues are currently waiting for the results of the disciplinary investigation.**

**On 23 April 2017, police arrested nine workers from the Telecom Egypt Company in Cairo after they held a protest calling for an increase in their wages and the payment of their delayed allowances. On 24 April, workers from of company's branch in Giza organised another protest in solidarity calling for their colleagues' immediate release. Security forces arrested seven of the workers. All sixteen workers were referred to the office of the Public Prosecution on charges of participating in an unauthorised protest. Although they were subsequently released, it is understood that the charges against them have not been dropped.**

The Amnesty International report further notes that the right to strike in Egypt (guaranteed in the Egyptian Constitution) has been undermined by laws that hinder or criminalise assembly or work stoppages, namely Law No. 107 of 2013, and Articles 124, 124(a) and 347 of the Penal Code,

which make participation in or incitement to strike punishable with up to two years imprisonment. It is understood that in February 2017, the Ministry of Manpower proposed a new draft Labour Law to replace the 2003 law. Article 203 of the bill prohibits workers' strikes in 'sensitive and strategic facilities' that would harm 'national security'; grants the Prime Minister authority to determine what amounts to a strategic or sensitive facility; and prohibits striking during 'exceptional times'.

ICTUR further understands that the Ministry of Manpower has also submitted a bill to parliament to replace Law No. 35 of 1976 on Trade Unions. Article 16 of the draft bill requires unions to have at least 30,000 members, and requires a membership of 300,000 workers for the establishment of a union federation.

ICTUR recalls that the arrest of striking workers constitutes a serious violation of the fundamental International Labour Organisation conventions – all of which Egypt has ratified – and of ILO Conventions 87 and 98 in particular. As the ILO's Committee on Freedom of Association has made clear, the arrest and sentencing of trade unionists 'may constitute a serious interference with trade union rights, and a violation of the principles enshrined in the United Nations International Covenant on Civil and Political Rights, unless attended by appropriate judicial safeguards' (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO*, Fifth Edition, 2006, paras. 72, 75, 93, 97, 106, 109). It is 'incumbent upon the government' to show that the arrest, detention and sentencing of a trade union official are 'in no way occasioned by the trade union activities of the individual concerned' (*ILO Digest*, para. 94). The detention of trade unionists for reasons connected with their activities in defence of the interests of workers 'constitutes a serious interference with civil liberties in general and with trade union rights in particular' (*ILO Digest*, para. 64).

These arrests, detentions and criminal proceedings against workers who have organised industrial action in pursuit of workplace grievances are a cause for serious concern. ICTUR calls on the Egyptian authorities to take appropriate action to fulfil these obligations under international law, to ensure that these workers retain their liberty, and to protect the fundamental freedoms of workers to engage in trade union activities in defence of their interests.

Yours sincerely,



Daniel Blackburn, Director