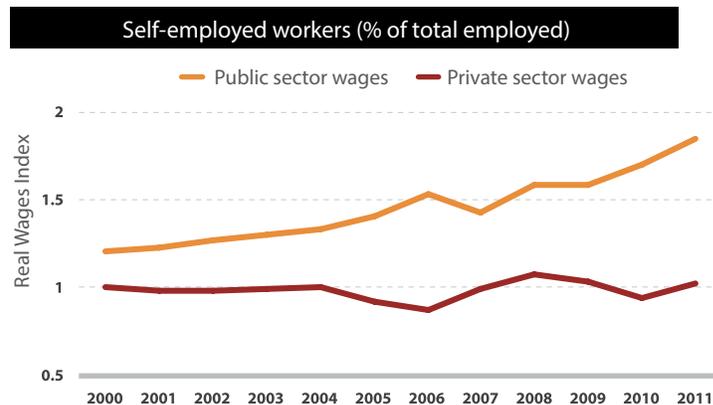


RIGHTS AT WORK

In its last Universal Periodic Review in 2010, Egypt accepted one recommendation on securing women's equal rights in the field of work. Although no recommendations were specifically made on working conditions, including the rights to strike and form trade unions, these issues are becoming increasingly important as workers protest the deteriorating quality of jobs.

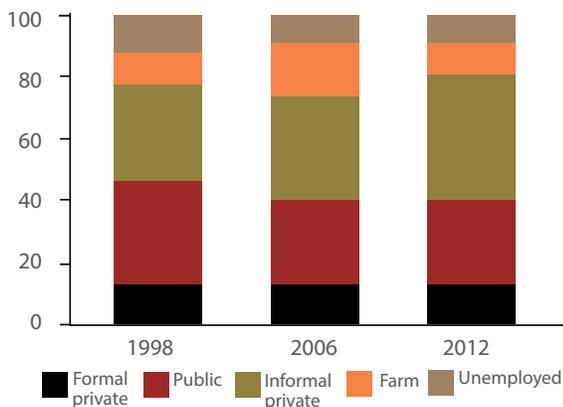
EGYPT HAS A GROWING INFORMAL SECTOR WITH POOR WORKING CONDITIONS. As the World Bank explains, the main impact of the current economic crisis has been 'to exacerbate a preexisting trend towards lower quality jobs' (World Bank, 2014). An increasing number of people, especially young people, are being pushed into the informal sector under precarious conditions, without benefits in the form of pensions or insurance, low wages, inflexible hours, unfair dismissals, and no job security. Women appear to be either leaving the labor market, or engaging in non-waged work including self-employed and unpaid family care. The 2012 Labor Market Panel Surveys suggests that two thirds of all Egyptian workers were informally employed. This trend towards labor informality is so pronounced, the World Bank describes it as "the new normal" (World Bank, 2014).

Egyptian public sector worker is paid EGP 657 (USD 108) a week, around a third more than the EGP 397 (USD 65) earned by a private sector employee (Ahram Online, 2012).



Source: Own calculations based on CAPMAS, 2013

Job Status of Labor Force Participants Aged 15-64



Source: World Bank, 2014

Suggested Question: What action has Egypt taken to try and reverse the problem of labor informality?

REAL WAGES IN EGYPT HAVE NOT KEPT PACE WITH RISING LIVING COSTS. For a good part of two decades, real wages in a poorly regulated private sector have either declined or stood still. As shown in the chart below, public sector workers in Egypt are paid better than the private sector; the average

A large gender pay gap, especially in the private sector, where women earned 29.8% less than men in 2010, continues to deprive women of their right to equal wages (UNECE, 2012). Moreover, there is no legislation to protect women from sexual harassment at the workplace.

Laws regulating the minimum wage, a crucial instrument for social protection, have seen a great deal of volatility. A new minimum wage was introduced in September 2013—increasing the monthly wage from 700 to 1,200 EGP—taking effect January 2014. However, serious concern has been raised about whether the benefits of the increase will be distributed evenly. The World Bank estimates that more than a quarter of public sector employees made less than the previous minimum wage, with non-compliance more pronounced in non-metropolitan areas. More fundamentally, however, it does not extend to private sector employees, which make up the majority of the workforce (World Bank, 2014).

THE RIGHT TO STRIKE HAS BEEN UNJUSTIFIABLY RESTRICTED. Article 15 of the Constitution stipulates that striking peacefully is a right 'organized by law'. This wording of this provision renders it ineffective in countering the raft of increasingly repressive laws that have been adopted in recent years criminalizing demonstrations and strikes. In particular, Law



107/2013 on Public Meetings, Processions, and Peaceful Demonstrations, passed in November 2013, places many restrictions on demonstrations; demonstrations require prior approval and those not abiding by the law are subject to severe penalties. As a result of this vague, restrictive law, hundreds of protestors have been sentenced to prison terms and received fines averaging 50,000 EGP (7,100 USD) for protesting without prior permission.

Law 34/2011, enacted by the Supreme Council of Armed Forces, criminalizes participating in a strike or any activity that can delay or stop work during times of “emergency”. The Emergency Law can be easily invoked during times of political instability. As a result, there have been numerous arbitrary arrests and violence during protests and strikes throughout 2012 and 2013.

Suggested Question: Please provide details of workers strikes that have taken place since Law 107/2013 was enacted. How many strikes have been approved? How many striking workers have been arrested? What is the government doing to ensure the Law does not lead to breaches of international human rights and labor standards?

WORKERS IN EGYPT FACE RESTRICTIONS ON FORMING TRADE UNIONS. In response to crackdowns on strikes, there has been an increase in workers’ organizing in independent unions and syndicates. By the end of 2013, five independent federations had been created, representing more than 1,600 independent unions. However, such unions and syndicates are not officially recognized by the state, especially in the absence of legislation recognizing plurality of unions and the right to association. Many of founding figures of these independent trade unions have also been arbitrarily laid-off (ECESR, 2013).

Article 77 of the Constitution provides that the establishment and administration of trade unions shall be regulated by law. Exactly how this provision is going to function remains unclear, as a draft law regulating the formation of workers’ associations has been repeatedly postponed. Further, it states that there may be only one syndicate per profession. Not recognizing the plurality of unions is particularly troubling given Egypt’s history of corrupt, state-controlled unions.

Suggested Question: How will Article 77 of the Constitution be given effect so as to ensure the plurality and independence of trade unions? Please provide an update on the draft law on workers’ associations.

RECOMMENDATIONS

Improve working conditions by implementing a minimum wage that is in line with prices and inflation rates and covers workers in the private sector.

Combat labor informality and pass unified labor laws governing the public and private sectors.

Protect the right to freedom of association by enacting legislation that recognizes independent labor unions and removes, in law and in practice, restrictions on the establishment of independent unions, as well as by repealing all laws criminalizing protests and strikes, especially Law 34/2011.

Refrain from responding to workers’ strikes and protests with violence or excessive use of force.

ABOUT THIS FACTSHEET SERIES

This Factsheet was prepared by the Egyptian Center for Economic and Social Rights (ECESR) and the Center for Economic and Social Rights (CESR) in light of Egypt’s appearance before the Human Rights Council’s Universal Periodic Review in 2014. The factsheets in this series accompany the joint submission on economic, social, and cultural rights in Egypt endorsed by 130 non-governmental organizations and labor unions.

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