

Egyptian court rules labour group must be recognised

Judges rule organisation's closure contrary to 'reality and law' and Egyptian authorities should immediately remove all restrictions against a labour organisation and comply with a court order to legally recognise the workers' rights group, Human Rights Watch said today.

In April 2007, the government forcibly shut down all three branches the Centre for Trade and Union Workers Services (CTUWS), claiming that the organisation was behind a wave of labour unrest and that it was not a recognised non-governmental organisation (NGO). On March 30, 2008, the Giza Administrative Court sided with the CTUWS and ruled that the government was "without cause" in denying the group's petition for NGO status and in closing the group. But the government has failed to comply with the court order, even though the deadline to file an appeal has expired.

"For more than two months, the Egyptian government has brazenly defied the country's judiciary, and continues to suppress the peaceful activities of the workers' group," said Joe Stork, deputy Middle East and North Africa director at Human Rights Watch. "The government's claim that Egypt upholds the rule of law has lost whatever credibility it might have had."

The CTUWS has provided training, rights education and legal assistance to workers since its founding in 1990. The group tried repeatedly to register with the Ministry of Social Solidarity as an NGO in compliance with the new law on non-governmental organisations. On April 25, 2007, more than 200 policemen surrounded the group's headquarters in the industrial Cairo suburb of Helwan and closed it down. The Ministry of Social Solidarity claimed the centre had violated the [NGO law](#). Authorities had previously closed CTUWS offices in the Nile Delta industrial town of al-Mahalla al-Kubra and in the southern industrial town of [Naga` Hammidi](#).

The Ministry of Social Solidarity argued the CTUWS was improperly registered as a "civil company" rather than an NGO. In fact, the Ministry of Social Solidarity repeatedly rejected the centre's attempts to register under the NGO law on the grounds that the law prohibited NGOs from conducting activities that were restricted to trade unions.

The administrative court ruled that this reasoning was contrary to "reality and law." The judges also rejected the ministry's claim that its position was "due to the objection of the security apparatus," saying that the Interior Ministry's blanket objection failed to specify any particular prohibited activity.

The court stated that the ruling was effective "immediately" and required "responsible authorities to expedite [it] as soon as [they are] asked" to do so.

Kamal Abbas, director of the CTUWS, told Human Rights Watch that he met repeatedly with representatives of the Ministry of Social Solidarity, asking them to implement the court ruling. On June 1, Judge Mohamed Shatat, the ministry's legal

counsel, told Abbas that “due to time constraints,” he had not yet requested the minister to implement the ruling. “He said he will do so soon, but is not sure whether the minister will follow his opinion,” Abbas told Human Rights Watch.

The government's 60-day deadline to appeal the court decision has passed. “The administrative court's judgment is now the final verdict, and the government must declare [our] registration,” Abbas said.

NGO Law 84 of 2002 gives no role to the State Security branch of the Ministry of Interior with regard to approving requests for NGO status, but Human Rights Watch has documented numerous instances in which it has delayed or prevented legal recognition of NGOs (<http://hrw.org/reports/2005/egypt0705/>).

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