Ju Xiaolin, new Vice-Chairman of the ACFTU.
PC: SOUTH CHINA MORNING POST
China Arrests Labour Activists amid Crackdown on Human Rights Defenders

In early January, five Chinese labour activists detained since early December 2015 were formally arrested in Guangdong province. China’s slowing economy has led to a surge in labour disputes and made organised labour a particularly sensitive issue and a target of state repression. Zeng Feiyang, Director of the Panyu Migrant Workers Centre in Guangzhou and a prominent labour activist, was charged with ‘disrupting social order’. Three other activists of the same organisation, Meng Han, Tang Huanxing, and Zhu Xiaomei, were arrested on the same charge, with Zhu subsequently released on bail. He Xiaobo, Director of Nanfeiyian, a labour group based in the neighbouring Foshan, was arrested on a charge of embezzlement. Among the arrested activists, Zeng Feiyang was the target of a concerted smear campaign in the Chinese official media. The official Xinhua News Agency and the China Central Television accused Zeng of embezzling funding, of promoting himself as a ‘star of the labour movement’ without regard for workers’ interests, and of sexual misconduct. Nanfeiyian and the Panyu Migrant Workers Center both sued the Xinhua journalist for libel over his report.

(Sources: Radio Free Asia, Reuters, Xinhua)

Ningxia Officials Address Migrant Workers’ Back Pay After Bus Attack

On 5 January, Ma Yongping, a migrant construction worker angry about unpaid wages, set a public bus on fire, killing seventeen people in Yinchuan, the capital of the northwestern province of Ningxia. Ma had complained on social media about non-payment of his wages, but his grievances had been ignored by local officials. A government report revealed that in the first ten months of 2015, the capital city of Ningxia, Yinchuan, recorded more than five hundred cases of unpaid wages, 22.3 percent more than in the same period of the previous year, involving about ten thousand migrant workers who were owed 1.48 billion yuan. In response, the Ningxia provincial government identified twenty-seven construction companies that had delayed the payment of salaries, subjected them to criminal punishments allowed by the recently amended Chinese Criminal Law (fines and jail terms of up to seven years), and forbade them to bid on future government projects. It also launched a campaign to ensure that companies pay migrant workers on time before the Chinese New Year. On 19 January, the State Council released a strongly worded new opinion on the non-payment of wages for migrant workers, aiming to establish a regulatory regime that ‘keeps the problem of unpaid wages for migrant workers fundamentally in check’ by 2020.

(Sources: Caixin, State Council, Wall Street Journal)
Grassroots Worker Elected to Top Trade Union Leadership

Ju Xiaolin, a technician and former migrant worker from Shaanxi province, was appointed Vice Chair of the official All-China Federation of Trade Unions (ACFTU). Ju is the first migrant worker to hold such a high post within the ACFTU. A technician with only a high school diploma, Ju has worked for China CREC Railway Electrification Bureau Group since 1987 and in 2014 was elected to the National People’s Congress as a deputy. After the appointment, official media featured several stories on Ju actively promoting migrant workers’ interests by submitting policy proposals during the National People’s Congress held in March. This move reflects the central government’s attempt to make the ACFTU more appealing in the eyes of the rank-and-file workers, especially migrants like Ju himself. However, Lu Hui, an Associate Professor in sociology at Peking University, cautioned that ‘institutional reform is needed at the lower level of trade unions to attract and retain more experienced migrant workers.’ It is unlikely that a migrant Vice-Chair will affect such institutional changes, as trade union reforms are stalling.

(Source: China News, Xinhua 1, Xinhua 2)

Chinese Blogger Demands Answers over Funding to Help ‘Left-Behind Children’

Zhou Xiaoyun, a well-known blogger, took legal action against the governments of Bijie city and Guizhou province, demanding that they reveal what happened to a one hundred and eighty million yuan provincial fund established to help ‘left-behind children’ (liushou ertong), a term that generally refers to children currently living in the Chinese countryside without the daily care of their parents, who have migrated to other areas for work. The government of Bijie established the fund in 2012, after the death of five boys who had tried to shelter from the cold in a trash container had sparked a public debate over whether the local authorities were doing enough to help these disadvantaged children. The fund should have been used toward improving the living conditions and medical care of left-behind children. However, when four more Bijie children killed themselves in June 2015 by drinking pesticide, blogger Zhou Xiaoyun decided to file a request to the local government to disclose details about how the fund had been used. After being told that such information did not exist, Zhou filed another request and again the government only provided general figures. Zhou’s additional demand that the Guizhou provincial government intervene to ask the Bijie government to publish documents about the fund was similarly dismissed. Finally, in late December 2015, Zhou filed an administrative lawsuit against the two governments at the Guiyang Intermediate People’s Court. The lawsuit was accepted and the case was heard in court in June 2016, but Zhou’s request was denied. In mid-February, the State Council released a guideline on the protection of left-behind children, requiring local governments and village committees to pay close attention to the situation of these children and ensure they are properly taken care of.

(Sources: Guiyang Wang, Sina.com, South China Morning Post, Xinhua)
Labour Contract Law Under Attack for Harming Flexibility

On 7 March, during the National People's Congress, Minister of Finance Lou Jiwei criticised China’s Labour Contract Law for harming the flexibility of the labour market, constraining productivity, and harming workers by reducing job opportunities. Lou stated that the Labour Contract Law restricts the ability of companies to fire their employees and is thus discriminatory towards people entering the workforce. Earlier, on 29 February, Minister of Human Resources and Social Security Yin Weimin had announced that the Ministry is investigating the possibility of revising the Labour Contract Law to tackle the inflexibility of the labour market and high labour costs. With the slowing economy, the Chinese government is also trying to rein in wage increases, favouring business interests at the expense of increasingly discontented workers. China’s Ministry of Human Resources and Social Security recently urged ‘steady and cautious control’ over minimum wages and proposed a formula change that would slow wage increases. Meanwhile, in March, Guangdong province, one of China’s main manufacturing hubs, announced a two-year freeze on minimum wages.

(Sources: Caijing, Caixin, Daily Mail, Wall Street Journal, Zhongguo Xinwen Wang)

Mass Layoffs Announced in the Coal and Steel Industries

According to Yin Weimin, Minister for Human Resources and Social Security, 1.8 million workers in the coal and steel industries will be laid off as part of the government’s efforts to curb industrial overcapacity and pollution. However, other sources say as many as five to six million workers could lose their jobs. The so-called ‘zombie’ state firms will be the main target of the restructuring, with the Chinese government attempting to cut capacity gluts in as many as seven sectors, including cement, glassmaking, and shipbuilding. This is likely to become China’s most significant industrial retrenchment since the restructuring of state-owned enterprises and mass layoff of state-sector workers in the late 1990s. The Chinese government will spend one hundred and fifty billion yuan to deal with the social and economic consequences of this latest wave of layoffs in the next few years.

(Source: Quartz, Reuters, Sina)

Charity Law Passed by the National People’s Congress

On 16 March, the National People’s Congress passed a landmark Charity Law. While the new Law will make it easier for Chinese nonprofit groups to obtain a legal registration and raise funding, it also includes strict regulations to prevent fraud and impose tighter supervision. The legislators introduce tax incentives to encourage enterprises and wealthy people to donate to charities, a move aimed at boosting an ailing internal donation market. The new Law mandates that charities should be recognised by authorities before they solicit public donations, with organisations raising funds from the public without a license risking fines of up to twenty thousand yuan. According to official data, at the end of June 2016, in China there were about six hundred and seventy thousand registered social organisations, including more than five thousand foundations.

(Sources: China Daily, NGOs in China, The Wall Street Journal, Xinhua)