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“China Violates Worker Rights with Impunity”

Rep. Chris Smith
Chairman, Congressional Executive Commission on China
Excerpts from Hearing Statement
July 31, 2012

Welcome to our distinguished witnesses to this hearing on the important topic of the appalling state of working conditions and worker rights in China—a significant human rights abuse that requires greater examination, analysis and bolder action. Worker rights are systematically violated and are among the many human rights abuses committed by Chinese government officials at all levels. Today, the Commission hopes to continue to draw attention to these critical issues in order to push the Chinese government to reform and respond to the legitimate concerns of its’ own citizens all of whom are entitled to well-established, universally recognized labor rights.

As a member of the World Trade Organization, China has experienced tremendous economic growth and integration into the global economy, but as this Commission’s most recent Annual Report documents, China continues to violate the basic human rights of its own people and seriously undermines the rule of law. Workers in China are still not guaranteed, either by law or in practice, fundamental worker rights in accordance with international standards. Despite legislative developments that purport to ensure some labor protections in China in recent years, abuse and exploitation of Chinese workers remain widespread. Conditions in Chinese factories continue to be incredibly harsh. Workers are routinely exposed to a variety of dangerous working conditions that threaten their health and safety. Low wages, long hours and excessive overtime remain the norm.

Chinese workers have few if any options to seek redress and voice grievances under these harsh conditions. If workers step out of line they may be fired without payment of back wages. Workers have no collective bargaining power to negotiate for higher wages and a better working environment. The Chinese government continues to prevent workers from exercising their right

to freedom of association and strictly forbids the formation of independent unions. Attempts to organize are met with dismissal, harassment, torture, punishment, and incarceration. Workers are “represented” by a government-controlled union, the All-China Federation of Trade Unions—a phony, fake and fraudulent “workers organization”. The recent crackdown on authentic labor non-governmental organizations in Shenzhen in 2012 and the mysterious death of labor activist and 1989 Tiananmen Square demonstrator Li Wangyang in June are but a few examples of Chinese authorities continued attempts to crush labor activism.

While touting itself as an economic superpower, China continues to violate worker rights with impunity. With no institutions capable of protecting their interests, Chinese workers are nevertheless taking matters into their own hands. In the past few years, there has been a dramatic rise in the number of labor-related protests in China—an estimated 30,000 labor related protests in 2009 alone and there are no signs that this positive trend has abated. The increase in labor-related demonstrations not only represents a glaring lack of institutional capacity for fair labor negotiation, but also reflects the rise of a new generation of workers in China who are better-educated, tech savvy, rights-conscious, and more willing to protest and endure the consequences.

The deplorable state of workers’ rights in the PRC not only means that Chinese women, men and children in the work force are exploited and put at risk, but also means that U.S. workers are severely hurt, as well, by profoundly unfair advantages that go to those corporations who benefit from China’s heinous labor practices. As good corporate citizens, multinational corporations, such as Apple and Microsoft, must ensure that international labor standards are being implemented in their factories and supply chains in China. In the glaring absence of Chinese government efforts to bring its’ labor laws and enforcement up to International Labour Organization (ILO) standard—multinational companies can and must play a unique role in advancing labor rights and industry standards through their operations in China.