

Senator the Hon. Marise Payne  
Minister for Foreign Affairs  
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4 October 2021

Dear Minister,

### **Dissolution of the Hong Kong Confederation of Trade Unions (HKCTU)**

The Australian Union movement is deeply concerned with recent developments in Hong Kong regarding the dissolution of independent trade unions. We call on the Australian Government to exert pressure on the Chinese and Hong Kong Governments to end the prosecutions and intimidation against the trade unions, labour organisations and their leaders to protect human and trade union rights in Hong Kong.

The International Trade Union Confederation (ITUC)-affiliated Hong Kong Confederation of Trade Unions (HKCTU) has been forced to disband as a consequence of the persistent attacks on its activities and intimidation and harassment of its members by security forces and the judiciary, for exercising their trade union rights and civil liberties. In the past month, the HKCTU and its affiliates have been facing unprecedented attacks, intimidation and harassment with allegations of breaches of the National Security Law. The personal security of union leaders has been threatened.

Since its establishment in Hong Kong in 1990, the HKCTU has been a member of the International Confederation of Free Trade Unions (ICFTU), which later became part of the ITUC. The HKCTU and its leaders have made enormous contributions to the improvement of labour legislation, wages, social protection and collective bargaining in Hong Kong. The disbandment of the HKCTU will be a tremendous loss to the working people in Hong Kong and the international trade union movement.

The HKCTU's decision to disband is part of the process of dismantling of independent civil society in Hong Kong since the National Security Law was enacted in July last year. Since August, the Hong Kong Professional Teachers' Union, the General Union of Hong Kong Speech Therapists and the Hong Kong-based labour organisation, Asia Monitor Resource Centre, have all been forced to disband. The Hong Kong Alliance in Support of the Patriotic Democratic Movements in China (the Hong Kong Alliance), one of the most prominent symbols of the principle of 'One Country, Two Systems' where diversity, different opinions, and fundamental rights are respected, has also been forced to disband, announcing its decision on 25 September. The General Secretary of the HKCTU, Lee Cheuk Yan, who is serving prison sentences for taking part in public assemblies, faces additional charges of inciting subversion in his capacity as the Chair of the Hong Kong Alliance.

The Australian Union movement condemns the prosecutions against the Hong Kong trade union leaders under the National Security Law as well as the threats and harassment of Hong Kong trade unions. Legitimate trade union activities, trade union publications and comments, industrial action by healthcare workers, and trade union participation in social movements have been framed as political activities allegedly in breach of the Trade Union Ordinance or posing national security threats.

We are alarmed that the international relations of Hong Kong trade unions, including the affiliation of the HKCTU to the ITUC, as well as the support extended by international trade union solidarity organisations, are used to accuse trade unions and labour organisations of collusion against the state. These are trade

union rights protected under ILO Convention 87 (Freedom of Association and Protection of the Right to Organise). In June this year, the International Labour Conference Committee on the Application of Standards called on the authorities to take all necessary measures to guarantee the right for workers' organisations to organise their activities in line with Convention 87 and to ensure that trade union leaders and members conducting lawful trade union activities are not arrested, detained or prosecuted; and that the authorities review the application of the National Security Law so that the rights of workers and their organisations under Convention 87 are fully protected.<sup>1</sup>

We urge you to immediately communicate with the Chinese and Hong Kong Governments to express your concerns and call for the release of the imprisoned trade union leaders in Hong Kong, as well as a termination of the prosecutions and intimidation against the trade unions, labour organisations, and their leaders. We call on the Australian Government to urge the Chinese and Hong Kong Governments to respect their obligations under international human rights treaties and their commitment at the 109<sup>th</sup> International Labour Conference to fully implement the ILO Conventions applicable to Hong Kong.

We further request you to closely monitor the labour and human rights situation in Hong Kong and engage with the Australian and international trade union movements regarding measures to ensure that the Chinese and Hong Kong Governments observe their international obligations.

The ACTU will continue to support the right to freedom of speech, freedom of assembly, and freedom of association for the Hong Kong trade union movement. We stand in solidarity with the leaders and members of the HKCTU, and the people of Hong Kong in their struggle for democracy.

Yours sincerely



Michele O'Neil  
**President**  
**ACTU**

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<sup>1</sup> ILO Committee on the Application of Standards 2021, CAN/PV.CCL, [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_804447.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_804447.pdf) p. 5.