

# Hong Kong's New Union Movement Faces Big Challenges from Covid, National Security Law

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Hong Kong workers formed dozens of new unions as part of the mass protest movement against attacks on the city's autonomy in 2019. In a center of financial capitalism where labor has long been weak, this was a promising development—albeit one born out of desperation.

Fear of a potentially devastating Covid outbreak in early 2020 created even stronger solidarity among Hong Kong citizens. It also led to deep collective anger over the government's inaction, culminating in a historic medical workers strike in February.

But the pandemic also created an opportunity for the Beijing government to repress Hong Kong's civil society by introducing a long-delayed National Security Law, which is already being used to target pro-democracy activists. Unions and political movements in Hong Kong have now entered a new era of rule by fear, symbolized by the recent arrests on charges of “subversion” of 53 leading democracy activists—including the chair of the Hong Kong Confederation of Trade Unions (HKCTU).

## A NEW WAVE OF PROTESTS

Hong Kong had enjoyed relative autonomy since its 1997 handover to China, in accordance with the principle of “One Country, Two Systems” established in the city's mini-constitution. This setup was premised on Beijing's tolerance of the city's political arrangement as long as it continued to reap the benefits generated by laissez-faire capitalism there.

The principle remained consistent throughout the city's annual June 4 candlelight vigil commemorating the Tiananmen Square massacre, the mass mobilizations in 2003 against previous national security legislation, and the 2014 Umbrella Movement protesting the lack of democracy in choosing a chief executive.

But a legislative proposal to allow extradition to mainland China would have undermined the city's judicial independence and endangered dissidents—including labor organizers.

Beginning in June 2019, millions took to the streets to protest. An increasingly heavy-handed response from the police and the courts created a strong “Hongkonger” identity-based resistance, rooted in growing opposition to greater integration with the mainland. That fueled a landslide victory by the pro-democratic camp in district council elections in 2019.

It also led to a wave of new unions organized under the banner of the resistance movement. Young and militant organizers formed the “HK On Strike” alliance in late 2019. This loose network was made up of 43 new unions representing mostly white-collar and professional sectors, including civil servants, medical workers, finance industry employees, engineers, and speech therapists. Service workers such as hotel staff and railway employees also formed new unions.

HK On Strike aimed to unionize 10 percent of workers in each sector and provide a collective voice on political, labor, and economic issues. It also hoped to initiate a “real” general strike in the future. General strikes had been called for multiple times during the anti-extradition bill movement, but

hampered by a lack of coordination and declining levels of participation.

Organized labor's growth reflected a paradigm shift: Hong Kong citizens began to accept union organizing as a mode of collective resistance. In the past, unions had been associated with low-income workers seeking emergency help. The new union movement offered activists another method of fighting back; its strategies included confrontation within the legislature, mass street resistance, and a consumer boycott of pro-China businesses.

## MEDICAL WORKERS' STRIKE

At the start of 2020, as news of the pandemic seeped out from the mainland, a new union of public hospital workers, the Hospital Authority Employees Alliance (HAEA), surged to the front lines of civic resistance. Its members were at the fore of the battle to stop the pandemic's spread in Hong Kong; the union demanded that the government deploy much stricter border control policies towards visitors from mainland China, extend mandatory quarantine measures, and ensure the safety of hospital workers on the job.

Membership in HAEA skyrocketed after it issued a public call to strike over Covid protections. The union went from 300 members in December 2019—two months after its launch—to 10,000 by the end of January, 20 percent of the city's public medical sector employees. In February, 7,000 took part in the five-day strike.

The strike ended after a democratic vote by the members, with the union's five demands still not completely fulfilled, and without formal recognition of the union by the Hospital Authority. Yet the government made a number of concessions during the strike, including closure of the Express Rail Link to mainland China and the announcement that all persons entering Hong Kong through the mainland would be required to self-isolate 14 days.

The strike gained support from unions in other sectors. Fifty unions raised demands for outbreak prevention. Besides border closure, these unions also requested that employers provide masks for employees and customers, cancel all business trips to mainland China, and establish home working arrangements.

Many unions that showed active support also surveyed their members to gauge support for sympathetic industrial actions, signaling possibilities for the strike movement to expand.

## NATIONAL SECURITY LAW

The medical workers strike demonstrated the capacity of labor and civil society to develop new forms of action and solidarity during the pandemic. However, the authoritarian state has also strengthened social controls during the outbreak of Covid, creating new challenges for labor and social movements.

The Chinese Communist Party's plan to legislate its own security law through the Hong Kong government had been shelved indefinitely since a millions-strong demonstration against the idea in 2003. Despite widespread opposition to CCP rule among the public, however, the National Security Law was passed on June 30 by the National People's Congress in Beijing. The law criminalizes acts of secession, subversion, terrorism, and collusion with foreign forces, with a maximum sentence of life in prison.

Labor and pro-democracy forces strongly opposed the law, because they knew it would be used to criminalize many of their activities—activities long taken for granted in Hong Kong, like appealing for international solidarity, criticizing the government, or organizing demonstrations. The Chief

Executive of Hong Kong—chosen in an undemocratic process controlled by the Chinese central government—has the power to appoint judges to hear cases related to national security, and Beijing has the final say over how the law is interpreted.

## PRIMARIES AND MASS ARRESTS

Without full democracy, only half of Hong Kong's Legislative Council members are elected by universal suffrage. In order to maximize the number of legislators from the pro-democracy camp, a primary election was held in July for supporters to express their preferences among pro-democracy politicians for the Legislative Council elections originally scheduled for September 2020. More than 600,000 voters took part, a surprisingly high turnout given the pandemic and the government's opposition to the primary. (Citing the pandemic, the government eventually postponed the general election for a year.)

Still, it came as a shock to the already gloomy political landscape when, on January 6 of this year, 53 politicians and activists who had run in the primary—from across the entire political spectrum of the opposition—were arrested by the police under the National Security Law. Allegedly, their plan to vote down the annual budget presented by the government—part of their platform, and intended to trigger a clause in Hong Kong's mini-constitution that would force the Chief Executive to resign—constituted an act of “subversion.”

Union leaders Carol Ng, the chair of the Hong Kong Confederation of Trade Unions (HKCTU), and Winnie Yu, the chair of the HAEA, took part in the primary as candidates and were both arrested.

On February 28, 47 of the arrestees—including Ng and Yu—were formally charged with “conspiracy to commit subversion” under the National Security Law, which carries a possible life sentence.

The mass arrests further signaled the end to meaningful political opposition within the legislature; pro-democracy legislators had already resigned en masse in November following Beijing's disqualification of four incumbents.

Now that the government is armed with an all-encompassing legal tool for political repression, it has become discouragingly difficult for organizers to anticipate the repercussions of their potential actions. Moreover, with strict bans on social gatherings in place in the name of pandemic control, many daily union activities like hosting member assemblies and tabling on the streets have been put on hold.

The dramatic contraction of democratic space has created serious challenges for the new unions, which have tended to rely on citywide political campaigns, rather than organizing around workplace issues, to recruit members. Union organizers we spoke to reflected that workers have become less willing to renew their membership given the pandemic-induced uncertainty surrounding their jobs and the decline in momentum for political struggle.

To tackle these challenges, union activists are considering new approaches. Some unions, for example, have become more active on social media, creating videos and podcasts to highlight unfair treatment that rank-and-file members experience at work. As the Hong Kong Confederation of Trade Unions (HKCTU) put it, *“The tunnel may be long and dark, but in the end there must be light.”*

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<https://labornotes.org/2021/03/hong-kongs-new-union-movement-faces-big-challenges-covid-national-security-law>