

Lee Cheuk-yan of the HKCTU : “When you beat, arrest, prosecute and shoot at protesters, social dialogue is very difficult”

Wednesday 23 October 2019, by [CHECA Marta](#), [FERRERUELA Victoria Pascual](#) (Date first published: 18 October 2019).

In June, the government of Hong Kong - an autonomous region of China that operates under the “[one country, two systems](#)” principle, attempted to pass an extradition law that would have allowed the handover of “fugitives” and suspects taking refuge in the former British colony to Chinese courts (controlled by the Chinese Communist Party and lacking the guarantees afforded by Hong Kong’s judicial system).

On 9 June, one million out of Hong Kong’s seven million citizens rose up against the bill, taking to the streets to stop it. The conflict has escalated over time and peaceful marches have given way to violent clashes between police and protesters. The [extradition bill was finally withdrawn](#) on 4 September (taking its “suspension” - on 15 June - one step further), but the protestors had upped their demands.

The protest movement brings together citizens of all ages and backgrounds (unlike during the [Umbrella Revolution in 2014](#)) and has [very specific aims](#), such as universal suffrage and an independent inquiry into the police violence. The Hong Kong administration, headed by Carrie Lam, is failing in its efforts to restore calm, a task made all the more difficult by the growing number of protesters injured, arrested and facing prosecution, not to mention the colonial-era emergency law dug up to ban masks at demonstrations, which has only [added fuel](#) to the fire.

It is against this background that *Equal Times* met with the chairperson of the Hong Kong Confederation of Trade Unions (HKCTU), Carol Ng, at the union’s head office, and this week, in Brussels, with its general secretary, Lee Cheuk-yan, who served as a member of Hong Kong’s Legislative Council from 1995 to 2016.

The HKCTU has played a key role as a unifying force in the biggest political conflict seen in the world’s freest economy since it was returned to Chinese sovereignty in 1997. The HKCTU, at the movement’s request, has thus far called two general strikes, something Hong Kong had not seen in 50 years. “If they ask for help again, we will call another strike,” said Ng.

As the only independent labour organisation in China [\[1\]](#) what is the function and political view of the HKCTU within the current movement ?

Ng : We are the only voice in China, because on the mainland any similar voice can be arrested or taken away. With our left hand we are all the time working on labour issues and fighting for better employment terms and conditions, but our right hand is all about political rights. The latest movement and this political issue is a really good chance - maybe the best chance in Hong Kong’s history - to mobilise people. On 5 August, 350,000 people exercised their political right to strike. With this movement I believe that workers should have our say, and workers have voiced just how

unsatisfied they are with the current situation and the way the government has handled it.

What are your specific demands to the Hong Kong government ?

Ng : We are asking for the same five demands as all the protesters [the full withdrawal of the extradition bill ; an independent commission of inquiry into alleged police brutality ; retracting the classification of protesters as rioters ; amnesty for all arrested protesters ; and universal suffrage], because what the very frontline protesters are asking is how to maintain and protect their future, which is our future too. HKCTU plays an important role and we are part of the movement, so in supporting the young protesters we are also supporting ourselves.

Is tripartite social dialogue between the government, social actors and employers being attempted ?

Lee : The government has no sincerity when it comes to social dialogue. When you keep on beating up, arresting, prosecuting and even shooting at protesters, with real bullets...it is very difficult to have dialogue. We have been demanding an independent committee of enquiry to look into the police brutality, but the government refuses to do it.

The whole political atmosphere is totally not conducive to a dialogue and the government is not proposing any political solutions to the crisis. Even at LegCo [the Legislative Council, Hong Kong's parliament], the pan-democrats [the pro-democracy political parties, which have a minority of seats in the legislature] have asked for dialogue with Carrie Lam, and Lam has refused to discuss the people's five demands with them.

[On top of that there was a] recent development : Carrie Lam suddenly escalated the problem by invoking an emergency regulation to implement a ban, the anti-mask law. This had not been used since the colonial times, and it shows that Lam does not want to go through the LegCo ; she just wants to push things through without any scrutiny.

What are your thoughts on the violence that has taken place during the current crisis ?

Ng : We don't encourage violence and we would never instruct or suggest any kind of violence. But it is happening because the government still hasn't responded to or fulfilled the five demands. The government has only withdrawn the extradition law, but how about the independent commission of enquiry ? What about the brutality of the police ? The government needs to address this. The more they avoid it, the less likely it is that the young people will stop what they are doing. From the HKCTU's point of view, as we are part of the rational side, what we can do is mobilise the workers' right to strike.

But violence has also been used against MTR [Mass Transit Railway] workers, airport staff and even journalists.

Ng : Yes, but after that, they [the protesters] came to apologise. I think it is very good that these people have the power to review themselves, and that they are willing to apologise to those affected, but the government has been wrongdoing for so long. Carrie Lam apologised once, but a genuine apology means at least responding to number two in the list of demands, which is setting up of an independent commission of enquiry.

Hong Kong has been one of the most secure, transparent and least corrupt places in the world, with a police force that was highly respected, until now. What is behind this radical change ?

Lee : This is also totally new for us. In the past, the police might have had some clashes at our protests...but not to the extent of beating up people. The Chinese government, I think, told the Hong Kong government [something along the lines of] 'you have to suppress the whole protest movement by your own means. We are not going to send in the People's Liberation Army'. As a result, Carrie Lam felt she had to do something to end the protests. It seems that she has no one to turn to but the police. So every day she is using the police without even facing the problem, which is the demands of the protesters.

Also, there are two incidents that we are very angry about in Hong Kong. On [21 July](#) the triads [Chinese gangs] were unleashed to beat up not just the protesters but anyone that happened to be in Yuen Long station, and the police did not do anything. On 31 August, after a protest, the police went into the subway station and beat anyone there. Again, not just the protesters.

There has even been a report of rape inside a police station. And while all of this is being reported, the police are not being punished. So we cannot do anything to stop this police brutality. And people are asking 'how can we trust the police anymore ?'

Whether the Chinese government is behind this, we do not really know. There are some cases where the police speak to each other in Mandarin, which is very suspicious in a way [Cantonese is the most commonly spoken language in Hong Kong], but we have no proof of where these people come from.

There have been cases of workers who have been fired after participating in the protests or for showing their support for the protesters on their private social media. Don't companies in Hong Kong support the right of their workers to protest, or are the repercussions happening because of pressure from China ?

Ng : I don't think they support the protesters. If we look to [Cathay Pacific and Cathay Dragon](#) [Hong Kong's flag carrier, and its subsidiary], they have abandoned their staff and they have completely betrayed them, too. When the Civil Aviation Authority of China says that Cathay Pacific is having a safety risk and they must stop radical people [crew members who have shown support for the protesters or participated in the demonstrations] from flying, that is a big question. Crew members were assessed, evaluated and examined by their employer according to international aviation standards. It is unreasonable and absolutely wrong to qualify somebody's ability to fly a plane or serve passengers by their political stands.

We also believe that what the mainland Chinese government wants to do is have a clear break from those people who do not agree with them. The companies have a similar saying, which is they need to think about their business on the mainland. It is rather upsetting and disappointing, and I don't think this loss of confidence can be repaired quickly.

Regarding freedom of assembly and freedom of association, where is Hong Kong right now ?

Lee : Hong Kong has no freedom of assembly anymore because the police have banned all marches. You might be able to have a meeting, but you can only stay in one place. They do not allow any legal protests, especially marches. We have not had any legal marches for one month already.

On trade union freedom of association and collective bargaining, we are noticing political discrimination and trade union discrimination. The Cathay Pacific dismissal of 30 workers - one of them is the chairperson of our Cathay Dragon Cabin Crew Union - shows the loophole in Hong Kong's labour law : we do not have any protection against political discrimination. So any dismissal of a cabin crew member [in the frame of the] protest movement, the workers do not have [any

recourse to] compensation or reinstatement. So they can just dismiss anyone they like without any reason.

And Cathay Pacific is leading the trend because the Chinese Civil Aviation Authority put direct pressure on Cathay. They clearly told them : 'You better clean your house. Anyone that comes to China cannot be a protester or participate in illegal protests. You do your job.'

The business community had as many reasons to be afraid of the extradition law as any other group in Hong Kong. Where does it stand on the right to the five demands ?

Lee : The reaction of the [local] business community has been quite disappointing. They are henchmen for Beijing, dismissing workers. Only the American Chamber of Commerce said something in the beginning.

The new conflict between employers and employees is about the political freedom of workers. Free enterprise should not allow the Communist Party to dictate what happens in their businesses. But now they are opening the door to the Communist Party. So in the future, should there be a Communist Party 'private secretary' in every company ? They are almost allowing that now, by following instructions from China.

The distinctiveness of Hong Kong is diminishing [and getting more and more like China]. This is very bad for the Hong Kong economy and for the world economy.

It seems we are at a critical juncture, almost halfway to 2047, when the freedoms that Hong Kong currently enjoys - under the [Basic Law - will 'expire'](#). What is your assessment of this moment ? Are we heading for 'a point of no return' if Hong Kong's freedoms and values are not secured now ?

Lee : In a way it is good that this is all happening now. A clash of the two systems, of the two values, has always been happening. In the past it was the anti-subversion law [2003], then the umbrella movement in 2014.

Fundamentally, we are stuck in a system that is unfair, where there is no political future... so it is good that it explodes before 2047. Imagine what can happen in 2047 - when we will have even fewer bargaining chips because of the whole Basic Law - if there is no resistance now ? We resist today in the hope that things will be better in 2047. It is very urgent that we fight now to secure the future for Hong Kong, our system and our values.

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Footnotes

[1] In the territory of Hong Kong, freedom of association is guaranteed by law.